

Examiners report

Trading Standards Qualification Framework

CSCATS: Consumer Protection Environment Examiners' Report November 2017

General

46 attempted the examination:

- 3 failed with marks less than 40%
- 11 between 40-49
- 9 between 50-59
- 18 between 60-69
- 4 between 70-79
- 1 over 80 which was the top Mark of 85%.

A real mixed bag of marks some students struggling with section A in its entirety but managing to pull themselves through the exam by a couple of decent answers from sections B and C. However, this year saw greater numbers of students, 18 out of 46 (39% of students) achieving marks between 60-69 so very well done to those high achievers! Generally this was a well answered paper with 40 students passing this final CSCATS examination.

Section A

- Q1.** There are 6 principles of the Regulators Code and stating them would get half of the marks, a brief explanation of them would have gained the other half.
- Q2.** Powers are provided to allow officers to carry out their duties, to enter premises and take samples etc. many mentioned the words ultra vires, which would be acting outside our powers, which could lead to possible prosecution, litigation and inadmissibility of any evidence.
- Q3.** Generally it was understood what ombudsmen were and what they did. In terms of examples of ombudsmen some were made up and a few decided that they did not know much about them anyway and decided to tell the Examiner about other forms of ADR, which did not accrue marks.
- Q4.** A broad expanse of answers. Over 50% were aware of the ECC, it's work, where it was based (CTSI HQ) and how it was funded (50:50 BEIS and EU)
- Q5.** Many knew of the Advertising Standards Authority and the fact it worked with the Code of Advertising Practice CAP there are 2 codes: one for broadcast adverts and another for non-broadcast. Since 2013, if any advertisers refuse to comply then the power to refer lies with the National Trading Standards Board (NTSB) who work with the London Borough of Camden to undertake any necessary enforcement work.

Section B

- Q6. Attempted by 40 out of 46 students. A wide spread of marks as with most questions, ranging from 7 to 21. A few chose to merely list alternatives and mentioned such as advice, training, verbal warnings, written warnings, caution, variation and suspension of licenses, fixed penalty notices and others. Some authorities obviously take advantage of selling training courses to those who infringe. Better marks were achieved by those who explained why the alternatives were used and the relative benefits for all sides by the use of them. It demonstrated the scope and abilities of some students which bodes well for the future of TSS.
- Q7. In contrast to the alternative question 6 which most saw as the better question only 6 people attempted this with marks ranging from 2 through to 16, only two achieving marks in double figures. A couple mentioned Primary and Home Authority but most failed to mention CTSI and the many and varied lead officers plus the fact that we have local branches throughout the UK which meet on a regular basis. There are of course trading standards associations such as CENTSA, LOTSA, SWERCOTS, etc. ACTSO, The National Conference, or Symposium from 2018, TS Review, Business Companion, NTSB, TS Review and many others; all methods of disseminating good or best practice, not only to other TSS but also businesses. A short diatribe alongside each would have swept up marks. I would imagine that having read this feedback many will be kicking themselves for not remembering these various avenues for co-ordination.

Section C

- Q8. The nub of this question was *“As a representative of your authority explain, with examples, how you think trading standards contributes to the wealth of the nation and the local economy.”* This has been a regular exam question but perhaps it was the wording that threw people, as the first paragraph stated *“The Government are seeking feedback on why they should invest more resources in trading standards services.”*

37 attempted this question and marks varied from 3-25 this showed that some at least completely understood what it was all about, giving a general overview of legislative areas and duties of TSS, how they contributed to the general economy and in the local economy. It also needed students to state how TSS impact on local services and resources by clamping down on rogue traders and encouraging honest businesses, in the area, to thrive and grow by providing advice either through Primary Authority or by other methods including training courses and free online advice. Successful businesses employ staff and make profits and pay taxes, both locally and nationally, all of which contribute to a thriving economic state. Some focussed on particular legislative areas to demonstrate how control on underage sales helped towards the health of the nation, cut down on anti-social behaviour, reduced the burden on the police and NHS freeing up resources in other areas. Whilst a few candidates excelled in this area, many managed double figures and reasonable marks.

Q9. This question certainly brought out the best in many students and it was obvious from the specific nature of the answers that many conducted initiatives on door step crime and were heavily involved in its prevention. Mentioning such things as the “Banking Protocol” working with social services, charities and the police and a few authorities obviously have rapid response style officers to be despatched whenever such events were reported.

Many students talked about their proactive involvement in setting up neighbourhood watch schemes and “no cold calling zones” to help combat this problem and involving neighbours to keep an eye on vulnerable people living nearby. Some visited community centres to carry out talks and advise these particular consumers what to look out for and more importantly not to part with their cash and seek help when they were worried.

Similarly the work carried out on underage sales was also well covered with most mentioning advice and training followed by targeted visits where complaints had been received and, or intelligence had been provided to highlight problem traders. Licence variation and, or suspension for persistent offenders plus prosecutions.

31 students attempted this question and I had the lowest range of marks with 12 being the lowest and 23 the highest. By far the most enjoyable question to mark as there was widespread knowledge of the subject areas.

Q10. This was another regular question that has appeared many times on the examination over the years. Most students who attempted this question used the example of BEIS although a few still believed it was called BIS.

The functions of BEIS should be well known and most understood their involvement with areas such as NTSB funding and Primary Authority although many were confused about Regulatory Delivery. All government Departments headed up by a Secretary of State such as DEFRA, BEIS, etc have the power to make secondary legislation and also put forward Bills for Primary legislation and many gave the example of the Consumer Rights Act being championed by BEIS (actually BIS at the time). Other agencies mentioned were many and varied including Competition and Markets authority, Financial Conduct Authority, Food Standards Agency and the Police. Although strictly speaking not a government department or an agency marks were awarded. CTSI is not an agency or a government department and no marks were given for putting this down in an answer. Marks varied from those who struggled to get 7 to others who managed a very strong 24.