

EXAMPLE OF EMPLOYER'S REFERENCE

Candidate: Mr A Man

Referee Statement by: General Manager – Authority
Name.....

I am the Consumer Protection Group Manager for the Trading Standards Service (TSS) of South Council.

Background

Mr A Man joined South Authority Trading Standards in July 2004 as a Consumer Protection Officer. In this position he has undertaken generic enforcement duties as well as providing consumer advice using his strong civil law skills.

I joined South Authority in November 2003 as Manager and since then I have worked with and observed Andy closely. I believe Andy to be an excellent and capable officer who has a good knowledge of consumer law and of the role of trading standards in protecting and educating consumers and businesses. He is able to work on his own initiative with minimal supervision. Indeed Andy is highly adaptable and has a good grasp of the strategic issues that affect the service.

Due to his obvious skills, I appointed Andy as a Trainee Trading Standards Officer in September 2004, in order that he could formally be given the opportunity to progress through the DCATS framework.

These enquiries, all with a criminal element, were wide ranging in nature and reflect Andy's role as a generic officer. Subject areas have included;

- False trade descriptions (e.g. traders falsely claiming to be members of trader associations)
- Pricing (e.g. traders not giving correct price indications, misleading special offers, traders not including VAT in their prices)
- Safety complaints (e.g. toys, children's outer garments with hood cords, prams)
- Credit (e.g. credit advertisements)
- Counterfeit goods
- Unfair contract terms
- Underage sales and
- Weights and measures, etc.

As well as informal advice, Andy has experience in reaching enforcement outcomes that are appropriate for the circumstances including; advisory warnings, formal warnings (including reference to Part 8 of the Enterprise Act), cautions, fixed penalty notices (with the Police re underage sales), suspension notices and prosecution reports.

Andy has drafted a number of trader advice guidance leaflets for our service such as one on the Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations 1987.

Criminal Procedure

In connection with the investigations referred to above, Andy has led several PACE interviews and has assisted other officers. I have personally reviewed a number of cases Andy has investigated which all have been correctly pursued and disposed of properly. I have also reviewed the majority of enforcement outcomes reached; including a number of warning and advisory letters he has sent to traders, which were correct and accurate. Reports and letters written by Andy have complied with TSS policies and procedures. He has also drafted a number of witness statements and cautions.

Further, Andy is aware of the particular elements of the offences he is investigating/advising on, time limits, defences, evidence requirements, admissibility and the provisions of both our Enforcement Policy and the Enforcement Concordat. He is able to assess the facts of complaints he investigates and apply them to the relevant legislation in order to make informed decisions. Andy is also good at researching specific information on legislation and other matters.

Andy has also recently updated our PACE Code B notices and seizure notices.

Project Work

Andy has acted as lead officer on several projects such as the OFT credit sweep in February 2005 which involved identifying credit advertisements, assessing whether they complied with the Consumer Credit (Advertisements) Regulations 2004, advising local traders on the legislation and referring other non-compliant advertisements to the home authority TSS or the OFT for action. In May 2006 he assisted in the OFT in the ICPEN website sweep on home working and business opportunity scams.

Andy has also carried out a number of trader inspections, both on his own and with other officers. He has also conducted a number of underage test-purchase operations on alcohol, cigarettes, knives and spray paint.

Following a spray paint operation in 2005, he drafted a guidance leaflet for DIY traders on age-restricted products, which he distributed to local traders.

Andy has attended training courses on consumer credit, criminal procedure and civil law. He has also studied in his own time a number of subjects which has helped him continue and expand his knowledge of trading standards legislation etc such as Food and Agriculture law. Andy is currently studying the weights and measures law module for DCATS and is participating in the TSI CPPD scheme

In view of the above, I therefore believe Andy has kept up to date and applied the knowledge he gained from his DCA subjects and other legal qualifications in his employment with the Trading Standards Service in South Council.

Signed.....

Date.....

Name:

Position