

ASSESSMENT OF TRADERS FOR “TRADING STANDARDS APPROVED” FAIR TRADER SCHEMES IN KENT

Kent County Council Trading Standards carry out background checks on businesses who wish to be part of approved trader schemes that we operate in partnership with commercial scheme operators.

The purpose of “Trading Standards Approved” accreditation is to provide consumers, particularly the vulnerable, in Kent with a choice of businesses who can be relied upon to act lawfully and legitimately. The aim is to prevent consumers becoming victims of crime associated with rogue trading and to stop rogue traders. Checks on individual businesses are carried out to prevent criminals joining schemes and thereby prevent consumers becoming victims of crime. In carrying out our checks, Kent County Council will rely on our own records and also on intelligence received from partners that has been shared for the purpose of prevention of crime. In line with our information security procedures and protocols, neither the existence of specific intelligence, nor the details of the intelligence will be shared with the scheme operator, any applicant to the scheme or any non-public authority organisation.

Every trader is treated individually to ensure that our recommendation to the fair trader scheme is consistent, fair and proportionate.

Kent County Council’s Intelligence Team would recommend to fair trader schemes that traders should be removed/refused membership to the scheme where there is any intelligence that suggests the trader is not suitable for the scheme.

This may include, but is not limited to:

- Any unlawful activity or criminal behaviour
- Aggressive behaviour/character (not restricted to trading practices only)
- Poor customer care
- Failure to be transparent and honest with information provided to the scheme operator, Kent County Council or our partners
- Direct or indirect discrimination/targeting of particular groups
- Inability or repeated failure to issue legally required documentation
- Repeated/ongoing failure to rectify issue(s) or legislative breach(es) raised by Trading Standards or other regulatory authorities.
- Any complaints that constitute a serious breach or repeated minor breaches of the fair trader scheme’s code of conduct*
- Unreasonable** number of complaints made against the business in the preceding 3 years

All intelligence handled by KCC is graded in accordance with either the National Intelligence Model or the Intelligence Operating Model. To ensure that the intelligence used is reliable, intelligence which is graded:

- 1 or 2 is relied upon without further question
- 3 or 4 instigates further enquiries
- 5 is read for information but only taken into account if it can be corroborated in some other way



DBS CHECKS (CRIMINAL BACKGROUND CHECKS)

All business owners are required to have a basic DBS check completed. Where convictions are recorded on the disclosure certificate, Kent County Council Trading Standards makes a balanced judgement taking into account:

- The nature of the offence
- Its relevance to the post, position or profession in question
- How long ago the offence took place
- The persons age at the time
- Whether it was an isolated offence or part of a pattern of offending
- What is known about the person's conduct and character before or since

EXCEPTION

Where offences are recorded which relate to murder/ manslaughter, theft, fraud, supply of controlled drugs, money laundering, violence or sexual offences; these traders will automatically be removed/refused from the scheme.

Any trade scheme provider working in partnership with Kent County Council Trading Standards may need, and is at liberty, to apply their own criteria for approval of a trader following a DBS check based on what is fair and proportionate for them. This may be different from the criteria set out above for Kent County Council.

***For the Checktrade Fair Trader Scheme**

Minor breaches are a failure to:

- I. Let you know straight away if they can't do the work
- II. Keep appointments and arrive on time (calling in advance if they need to reschedule)
- III. Be realistic about when they can start work and how long it will take
- IV. Be courteous. Treat you, your property and belongings with respect
- V. Keep you in the picture about all aspects of the work
- VI. Return phone messages promptly
- VII. Deal with complaints promptly and professionally

Major breaches are a failure to:

- I. Be honest in all dealings
- II. Tell you about any call-out fees before coming to you
- III. Create an additional contract for variations from the original agreement

You must never:

- I Demand cash payment
- II. Be verbally or physically abusive or threatening to a customer in any way
- III. Obtain work through cold calling

****Unreasonable is quantified as the percentage complaints of the company's trading activity.**

- I. Less than 5% is considered reasonable
- II. 5-10% would result in random sampling taking place to ascertain whether the complaints are justified
- III. Over 10% would suggest that the company is not suitable for the scheme and that they are not projecting trust to the customer

