

Grading

Job Description and Employee Specification

<u>Job title:</u> Trading Standards Enforcement Practitioner	<u>Service area:</u> Communities
<u>Post number:</u> OPWP2312	<u>Division:</u> Public Protection
<u>Grade:</u> 5/6/7	<u>Section/team:</u> Trading Standards
<u>Overall purpose of job:</u> <p>Carry out the statutory Trading Standards functions of the Council and other complementary criminal and civil functions that the Council has determined shall be duly enforced or administered.</p> <p>In carrying out their duties the post holder will seek to encourage the economic development of North Lincolnshire (and East Riding of Yorkshire) by creating a fair and safe trading environment, through education, advice and enforcement.</p> <p>Post holders will be expected to be flexible in undertaking the duties and responsibilities attached to their post and may be asked to perform other duties, which reasonably correspond to the general character of the post and are commensurate with its level of responsibility.</p>	
<u>Main responsibilities:</u> <u>Lower Grade</u> <ul style="list-style-type: none"> • Provide support and assistance to the Trading Standards team. • Taking initial enquiries from service users via the telephone, email and face to face and providing advice and information. • Carrying out under supervision, a programme of inspections of a range of lower risk premises to ensure compliance with legislation and to promote improvements in compliance through personal contact. • Carrying out under supervision, revisits to check on compliance with formal and informal notices, the preliminary investigation of complaints and incidents and to assist with general duties. • Use information technology and other methods (as directed) to maintain all necessary records and databases, interrogate data to produce reports, enable the preparation and submission of statistical returns, the compilation of management information. • Be responsible for the safe keeping and maintenance of equipment ensuring it is used correctly and safely. • Develop and maintain appropriate technical and professional knowledge and skills by undertaking continuous training and development and act as a full member of the Trading Standards Team and contribute to team meetings. • Devise material for promotional and media campaigns and participate as required. 	

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Middle Grade

At the middle grade, the post holder will maintain and have a greater responsibility for the above duties and will have the necessary knowledge, skills, experience and qualifications to operate with a greater degree of autonomy under the general direction of the Lead Trading Standards Officer.

At the middle grade, the post holder will be expected to do all the above, in addition to the following:-

- Under supervision, carrying out a programme of inspections of a range of low and medium risk premises to secure compliance with legislation and to promote improvements in compliance through personal contact.
- Under supervision take samples, responding to service requests, participating in surveys and projects.
- Under supervision, draft reports and serve legal notices.
- Under supervision, investigate complaints relating to Trading Standards issues including preparation and service of statutory notices, preparation of witness statements, preparation of documents for legal proceedings and attendance in court. Enforcement duties shall be carried out in accordance with the Police and Criminal Evidence Act 1984.
- Under supervision provide advice to the business community on the interpretation of regulations and practical methods of meeting those requirements
- Be responsible for the accurate entry of premise, visit, sample, service request and complaint information onto the databases and ensure the integrity and accuracy of the systems are maintained within the service area.
- Represent the service on Regional and National Technical Groups and attend meetings as required.

Higher Grade

At the higher grade, the post holder will maintain and have a greater responsibility for the above duties and will have the necessary knowledge, skills, experience and qualifications to operate independently across a range of environmental protection disciplines.

At the higher grade, the post holder will be expected to do all the above, in addition to the following:-

- Be responsible for taking samples, responding to service requests, participating in surveys and projects.
- Produce reports and serve legal notices.
- Investigate incidents and complaints relating to Trading Standards issues including preparation and service of statutory notices, preparation of witness statements, preparation of documents for legal proceedings and attendance in court, Licensing and other Council Committees. Enforcement duties shall be carried out in accordance with the Police and Criminal Evidence Act 1984.
- Establish and maintain a specialist role in at least one of the service's functions and advise the section team leader accordingly. Provide expert advice on a

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specialist area to the business community on the interpretation of regulations and practical methods of meeting those requirements.

- Assist in planning the workload of the section, including setting targets to ensure service objectives are addressed. Performing duties allocated to ensure service objectives are achieved. Plan and undertake special projects and surveys.

Knowledge, skill and experience:

Lower Grade

- A minimum of GCSE equivalent in maths and English.
- Accurate and numerate with good attention to detail.
- Good organisational/time management skills.
- Computer literate with experience of different software packages, including spreadsheets and their functions (ideally Excel), word processing (ideally Word), databases and E-mail.
- Able to demonstrate good customer care skills.
- Good verbal and written communication skills.
- An awareness of the criminal law framework.
- Ability to interpret legislation and guidance and impart this information to businesses in a non-confrontational manner.
- Ability to work independently and as part of a specialist team and with officers from other agencies.
- Ability to handle the equipment routinely used in duties, such as testing equipment.
- An understanding of health and safety issues.
- Ability to travel around North Lincolnshire (and East Riding of Yorkshire) conveniently and at short notice.

Middle Grade

In addition to all of the above:-

- Has a minimum of 12 months relevant work experience within Trading Standards, or relatable subject area.
- Good verbal and written communication skills including confidence to answer the telephone and face to face enquiries.
- Ability to carry out the investigation and resolution of low/medium complaints with members of the public and the business community including in conflict/enforcement situations.
- Experience of team working and working on own initiative.
- Able to meet tight deadlines/work under pressure and multi task during and outside core working hours with a well-developed understanding of risk based methods for determining day to day priorities.

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- Knowledge of the procedures and rules governing investigations and evidence gathering.
- A good working knowledge of at least one area of Trading Standards legislation, or relatable subject area.

Higher Grade

In addition to all of the above:-

- Diploma in Consumer Affairs and Trading Standards (min 40 points) or equivalent qualification.
- Detailed knowledge of a range of Trading Standards legislation and expert knowledge in a specialist area.
- Experience of dealing with members of the public and businesses in a range of potential conflict situations.
- Well-developed skills to undertake the investigation and resolution of complaints with members of the public and the business community including in conflict / enforcement situations.
- Well-developed verbal communication skills including the ability to diffuse conflict situations.
- Excellent written communication skills with high level of attention to detail. Good presentation skills.
- An understanding of various business and manufacturing processes. The ability to evaluate the effectiveness of processes and quality systems against the criteria for statutory defences.
- Ability to make and act upon appropriate decisions taken away from the office often in difficult or pressurised situations.

Creativity and innovation:

Lower Grade

- Carry out risk assessments for a variety of working situations.
- Preparing written reports, letters and inspection reports using templates.
- Identifying, consulting and working with colleagues, other officers and external organisations to resolve problems.
- Devise materials to promote the service.

Middle Grade

In addition to all of the above:-

- Under supervision preparing statutory notices, reports and similar as required to deal with a wide variety of problems.
- Identify by inspection and investigation breaches of statutory offences.
- Resolving conflict and potentially contentious situations through consultation and negotiation.
- Ability to respond and show rational quick thinking when conducting interviews to question offenders and gather evidence in accordance with Police & Criminal Evidence Act 1984 to establish offences and possible defences.
- Offer practical advice to traders and consumers.

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Higher Grade

In addition to all of the above:-

- Complex problem solving, determining the most appropriate resolution to complaints and incidents, utilise the full range of available legal remedies in a practical way, including giving advice and prosecution.
- Pursuing legal proceedings including briefing legal representatives, preparation of court files and information and appearing in court as an expert witness.
- Identify by inspection and investigation breaches of statutory offences including determining statutory nuisances.
- Identifying, consulting and working with colleagues, other officers and external organisations to resolve complex situations.
- Conducting interviews and evidence gathering in accordance with Police & Criminal Evidence Act 1984.
- Recognise opportunities to improve the effectiveness and efficiency of service delivery within the service and advise the Team Leader accordingly.
- Recognise opportunities to incorporate council and community themes and priorities into duties undertaken.
- Devise and provide training to colleagues in areas of expertise and devise presentations to other stakeholders to promote the service.

Contacts and relationships:

Lower Grade

In order to carry out the functions of the post it is necessary to influence attitudes and behaviour and enforce statutory requirements as necessary. In particular:-

- Colleagues in the team and other parts of the council (daily) – communicating, advising, providing or obtaining information and working in partnership.
- General public (daily) – receiving requests for service / complaints, advising.
- Other sections members – supporting, advising, exchanging information and knowledge, communicating and sharing workload.
- External bodies, agencies and contractors (monthly) – supporting, advising, fact finding, and signposting clients.

Middle Grade

In addition to all of the above:-

- Colleagues in the team and other parts of the council (daily) – negotiating, motivating, influencing, instructing.
- General public (daily) – fact-finding, interviewing, persuading, negotiating, educating, mediating and enforcing.
- Elected members and parish councillors (monthly) – supporting, receiving requests for service/complaints, advising, educating and influencing.
- External bodies and enforcement agencies (monthly) – supporting, advising, fact finding, motivating, influencing, persuading and signposting clients.

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- Offenders (daily) – cautioning, taking appropriate enforcement action against and ensuring their compliance. These situations may be quite contentious, requiring the use of tact and diplomacy.
- Statutory Consultees – fact finding, obtaining and interpreting information.

Higher Grade

In addition to all of the above:-

- Offenders (monthly) – formal interviewing under PACE conditions
- Members of the public and businesses – dealing with a range of potential conflict situations, which may be contentious and complex, requiring the use of tact and diplomacy.
- Magistrates, Court Clerks, Government Inspectors, offenders - Pursuing legal proceedings including briefing legal representatives, preparation of court files and information and appearing in court as an expert witness.

Decision making:

Lower Grade

- Prioritising own workload from daily incoming work in response to changing and conflicting demands.
- Advise other officers of any potential offences.

Middle Grade

In addition to all of the above:-

- Determining the existence of minor offences and service of legal notices
- Interpretation and application of legislation.
- Determine the most appropriate method of resolution, including the most appropriate legal powers, time limits for compliance and the parties responsible for taking action.
- Recommending the next course of action to secure compliance e.g. prosecution/simple caution in accordance with the Council's Enforcement Policy.

Higher Grade

In addition to all of the above:-

- Negotiation with those responsible for statutory contraventions to achieve a mutually acceptable resolution.
- Operational decisions in the field without recourse to advice, sometimes out of office hours, including the seizure of goods and documents, the arrest of alleged offenders and instigation of criminal investigations.
- Prohibit the movement of animals on welfare and disease grounds, and in the case of suffering, order their destruction.
- Decide on evacuation and closure of premises in emergency situations associated with public danger or disease controls.
- Prohibit goods vehicles from being driven on the highway when in an overloaded or dangerous condition.

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- Advise the team leader on the use of powers to prohibit, suspend and recall unsafe goods from the supply chain.
- Decide appropriate course of action in relation to infringements and advise accordingly.

Responsibility for resources:**Financial resources:**

None

Physical resources:**Lower & Middle Grade**

- IT equipment and mobile phone (£1000, solely responsible)
- Own safety equipment (£500, solely responsible)
- Testing Equipment, Standards etc when used for duties away from office (value up to £5,000, joint responsibility) - used occasionally when assisting in the area of metrology
- Surveillance equipment. (£1000- sole responsibility when in use) – used occasionally subject to case load demands
- Physical evidence following seizures etc (any amount up to £60,000+) joint responsibility – monthly, however regularity and size of seizure are subject to individual cases.
- Hire vehicles
- Up to 50% of working time could be spent away from the designated base.

Higher Grade**In addition to all of the above:-**

- Physical evidence following seizures etc (any amount up to £60,000+) sole responsibility – monthly, however regularity and size of seizure are subject to individual cases.

WORK ENVIRONMENT**Work demands:****Lower Grade**

- An individual must prioritise their own workload, which will fluctuate. There is pressure to meet deadlines and time limits in which the proactive aspects of the job are carried out. Routine duties are always liable to be interrupted by unforeseen demands on the service and the post holder is responsible for rearranging work patterns in order to meet emergency situations where these arise.
- Out of hours working is required on a weekend and an evening / night as dictated by service needs.

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Middle Grade**In addition to all of the above:-**

- The individual will be required to manage a varied caseload in respect of low to medium risk inspections and complaints, some of which will include statutory deadlines which are normally fixed.
- Work may come in on a daily basis and the postholder will be required to manage competing priorities, some of which may be affected by external factors.

Higher Grade**In addition to all of the above:-**

- The individual will be required to manage a more varied caseload in respect of medium to high risk inspections and complaints, some of which will include statutory deadlines which are normally fixed.

Physical demands:

- Normal physical effort when working in the office.
- The post holder is required to carry out enforcement activities, which involves visiting commercial premises, and members of the public in their own homes or other locations.
- Officers are required to seize items. These may be heavy, bulky or hazardous in nature. (Appropriate personal protective equipment will be provided including body armour).

Working conditions:

The work of the post holder can involve;

- Lone working (daily)
- Noise, dust, fumes (weekly)
- Offensive odours (occasionally)
- Unpleasant and distressing situations (occasionally)
- Contact with businesses who may be affected by the risk of prosecution, or remedial work that can result in significant expense for businesses and this can lead to protracted negotiation and conflict. (weekly)
- Visiting service users at home (monthly)
- Visits may be undertaken in inclement weather (occasionally)

Work context:

The work of the post holder can involve;

- Lone working (daily)
- Working out of normal hours (occasionally)
- Confrontational situations (daily), body armour may be required in certain circumstances

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- Unpleasant and disturbing situations (occasionally)
- Risk of infection or injury, when dealing with animals (rarely)
- Pressure to meet deadlines (daily)

Position in organisation:

Indicate how many staff the post is directly accountable for: 0

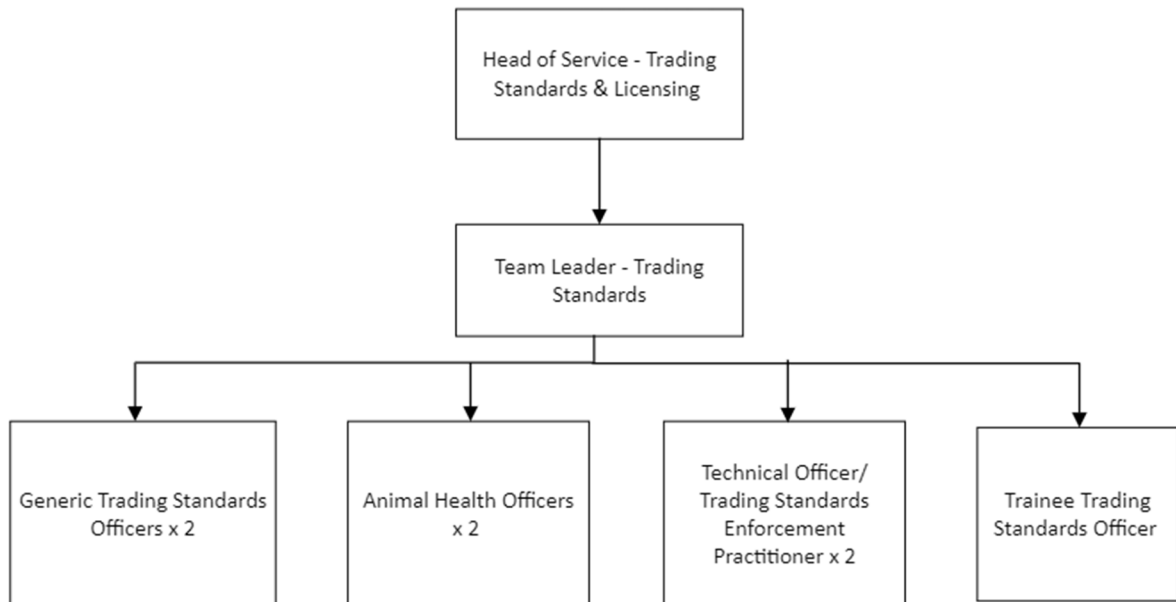
Are posts in more than one location? Yes ☐ No ☐

Is this at the same site? Are the posts managed highly mobile?

Is the supervision/management shared with another post in the structure?

Yes ☐ No ☐

Please indicate which post(s)

**Job Description Version Control**

Date evaluated	12.3.24
Date updated	12.3.24
Updated by (manager name)	Richard Copley
Checked by (HR name)	Jo Parker

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ESSENTIAL CRITERIA	ASSESSED THROUGH:
Knowledge, Skills and Experience	Application form (follow up at interview)
<p>Grade 5 –</p> <ul style="list-style-type: none"> • Accurate and numerate with good attention to detail. • Good organisational/time management skills. • Computer literate with experience of different software packages, including spreadsheets and their functions (ideally Excel), word processing (ideally Word), databases and E-mail. • Able to demonstrate good customer care skills. • Good verbal and written communication skills. • An awareness of the criminal law framework. • Ability to interpret legislation and guidance and impart this information to businesses in a non-confrontational manner. • Ability to work independently and as part of a specialist team and with officers from other agencies. • Ability to handle the equipment routinely used in duties, such as testing equipment. • An understanding of health and safety issues. <p>Grade 6 – In addition to all of the above:-</p> <ul style="list-style-type: none"> • Has a minimum of 12 months relevant work experience within Trading Standards, or relatable subject area. • Good verbal and written communication skills including confidence to answer the telephone and face to face enquiries. • Ability to carry out the investigation and resolution of low/medium complaints with members of the public and the business community including in conflict/enforcement situations. • Experience of team working and working on own initiative. • Able to meet tight deadlines/work under pressure and multi task during and outside core working hours with a well-developed understanding of risk based methods for determining day to day priorities. • Knowledge of the procedures and rules governing investigations and evidence gathering. • A good working knowledge of at least one area of Trading Standards legislation, or relatable subject area. <p>Grade 7 – In addition to all of the above:-</p> <ul style="list-style-type: none"> • Detailed knowledge of a range of Trading Standards legislation and expert knowledge in a specialist area. • Experience of dealing with members of the public and businesses in a range of potential conflict situations. • Well-developed skills to undertake the investigation and resolution of complaints with members of the public and the business community including in conflict / enforcement situations. • Well-developed verbal communication skills including the ability to diffuse conflict situations. 	

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- Excellent written communication skills with high level of attention to detail. Good presentation skills.
- An understanding of various business and manufacturing processes. The ability to evaluate the effectiveness of processes and quality systems against the criteria for statutory defences.
- Ability to make and act upon appropriate decisions taken away from the office often in difficult or pressurised situations.

Knowledge, Skills and Experience	Interview
Education, Training and Qualifications	Original documents
Grade 5/6 - A minimum of GCSE equivalent in maths and English. Grade 7 - Diploma in Consumer Affairs and Trading Standards (min 40 points) or equivalent qualification.	
Working Arrangements	Interview
All Grades - Ability to travel around North Lincolnshire (and East Riding of Yorkshire) conveniently and at short notice.	

DESIRABLE CRITERIA	ASSESSED THROUGH:
Knowledge, Skills and Experience	Application form (follow up at interview)
•	
Knowledge, Skills and Experience	Interview
•	
Education, Training and Qualifications	Original documents
•	
Working Arrangements	Interview
•	

THE POST IS SUBJECT TO:	
Disclosure of convictions under the Rehabilitation of Offenders (Exemption) Act 1974	
Yes <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>
Political restriction	
Yes <input type="checkbox"/>	<u>No</u> <input type="checkbox"/>
The ability to speak fluent English under the Immigration Act 2016	
<u>Yes</u> <input type="checkbox"/>	No <input type="checkbox"/>

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• Version Control	
Author	HR Policy Team
Status	V0.1
Date approved	19 September 2012
Last updated	21 December 2021