

Local Authority Assured Trader Scheme Network

A practical handbook for local authority
Trading Standards Services

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1. Foreword – about LAATSN

The Local Authority Assured Trader Scheme Network (LAATSN) was set up in 2006 to assist the development of local authority assured trader schemes. LAATSN aims to bring greater consistency to such schemes through its underpinning framework of minimum standards, and to develop schemes by providing best practice guidance. It also aims to encourage the take-up of existing schemes, as opposed to a proliferation of new scheme models.

LAATSN is supported by the Local Authorities Coordinators of Regulatory Services (LACORS), the Trading Standards Institute (TSI), and the Office of Fair Trading (OFT).

At the end of 2008 LAATSN comprised **16 member schemes**, operated by **37 local authorities**. Current local authority members (LAATSN scheme operators) are listed at the end of this handbook.

This handbook has been developed following a consultation with local authority Trading Standards Services on developing LAATSN. Responses to the consultation showed that local authorities were most interested in:

- finding out about practical issues local authorities have been faced with in implementing their schemes
- exploring how local authorities have encouraged take up of their schemes by businesses
- best practice in the operation of schemes.

The handbook aims to provide practical examples of how local authorities meet many of the minimum standards and best practice elements of LAATSN. We are very grateful to those local authorities who have contributed to this handbook.

Further details about LAATSN, such as how to apply and LAATSN's Minimum Standards and Best Practice Guidance can be found at www.oft.gov.uk/laatsn

2. Benefits of schemes

Positive effects to businesses and consumers

Local authority assured trader schemes provide a focus for encouraging compliance with legislation and best practice, raise customer service standards, provide a signpost to reputable businesses and promote consumer confidence. They assist in the process of marginalising rogue traders and open channels of communication between local authority Trading Standards Services and local businesses.

The 2006 report 'Implementing Hampton: from enforcement to compliance' stated that positive incentive schemes have been developed by regulators who deal with businesses with a consumer presence, with positive effects to both businesses and consumers. It cited the Buy With Confidence Scheme as a best practice example of a positive incentive scheme¹.

Buy with Confidence

Buy with Confidence (BWC) was established in Hampshire County Council in 1999 and is a generic multi-sector scheme. Following a merger in 2008 between BWC and the Customer First scheme set up by Devon County Council, BWC is now operated by 23 local authorities with coverage predominantly across the south of England.

Addressing local authority objectives and priorities

LAATSN scheme operators consulted during the preparation of this handbook comment that their assured trader schemes meet specific corporate objectives – including tackling deprivation and inequalities, improving community safety and reducing crime and disorder, promoting independent living and supporting economic prosperity.

¹ Implementing Hampton: from enforcement to compliance (HM Treasury, Better Regulation Office, Cabinet Office – November 2006)

LAATSN members' views

Buy With Confidence – Nottingham City Council and Nottinghamshire County Council

'This is a very positive method of enforcement as it helps good traders and we believe that this will be beneficial to the community as a whole. We want to encourage good businesses and when we are asked by victims of doorsteps crime how they can avoid this happening in the future we can point them to Buy With Confidence'

Rhondda Cynon Taf Building and Motor Trade Charter schemes

Rhondda's Motor Trade Charter has been in existence for over ten years. The Motor Trade Charter was set up in response to the high level of motor trade complaints nationally – a difference in complaint levels has been noted locally since the introduction of the scheme.

Buy With Confidence – East Sussex County Council

East Sussex County Council operates Buy With Confidence and states that 'customer satisfaction reporting is at over 3000 pieces of feedback for the scheme showing that customers are happy. On the business side, the local authority has seen businesses grow and be able to employ additional staff – supporting the County's economic prosperity by encouraging compliant businesses.'

LAATSN members' views on benefits

More generally, LAATSN scheme operators suggest that their schemes offer the following benefits:

- raising the profile of Trading Standards by providing a useful service to the public and businesses
- demonstrating support for local businesses
- empowering consumers and increasing consumer confidence
- making it easier for consumers to access reliable traders
- signposting consumers when seeking pre-shopping advice
- reducing doorstep crime

- protecting consumers, including vulnerable people
- marginalising rogue traders
- backing up enforcement activity by providing alternatives for consumers and businesses
- providing a focus for encouraging compliance with legislation and best practice.

LAATSN member's view

Buy With Confidence

'Membership of the scheme does raise consumer expectations and on occasions this can prove a challenge'

A survey carried out by Devon County Council of its BWC members found that the vast majority felt that recognition by LAATSN would be beneficial to the scheme and their business.

3. Getting started

What sort of scheme?

The scope of schemes within LAATSN varies – from generic, multi-sector schemes through to sector-specific schemes covering, to date, the motor trade (car sales, services and repairs) and the home improvement and building trades.

Consultation

Consultation with organisations representing consumers, scheme members and other stakeholders is a key factor in making sure schemes are relevant to local community needs. This is recognised as best practice within LAATSN [Standard 1d and 1e]. LAATSN members comment that the consultation process serves other important functions, such as securing the goodwill of potential partner agencies. It may also serve as an early marketing exercise, potentially leading to expressions of interest or applications from businesses.

LAATSN Best Practice – Buy With Confidence

At Buy With Confidence's inception in Hampshire a Business Advice Group was established and tasked with ensuring wide consultation among local businesses and business organisations. Similarly, Devon County Council TSS undertook consultation before the launch of its CustomerFirst scheme with local business partnerships, the local motor trade and its Consumer Watchdog scheme on behalf of consumers. [Standard 1d]

Support and assistance

If you are considering introducing an assured trader scheme, you may be able to join or adopt an existing scheme (see below for further information). Support may also be available from existing LAATSN scheme operators, including:

- general advice regarding schemes
- consultancy services
- visits to see the scheme in operation
- training and mentoring

- documentation, including
 - terms and conditions of membership
 - procedures
- practical help with marketing and advertising material
- interactive toolkit
- website hosting/use of website portal.

Note however, that a fee may be charged for these services by the scheme operator, and some may only be available if you join an existing scheme.

Details of the specific assistance individual LAATSN scheme operators can provide can be found on the LAATSN webpages at: www.of.gov.uk/laatsn

Joining an existing scheme

An authority which chooses to join or take up an existing scheme may eliminate many of the planning and procedural considerations of starting a scheme from scratch, and potentially reduce set-up costs.

If you join an existing LAATSN scheme, you can obtain LAATSN membership using an abbreviated declaration procedure.

You can find details of all LAATSN member schemes, the application process and LAATSN standards at www.of.gov.uk/laatsn

Member's view – Sandwell MBC

Tradewell in Sandwell has been developed by Sandwell TSS in partnership with other local bodies that have a common interest, including CABx, Age Concern, Age Well, Sandwell Traders Association and the local authority's Private Sector Housing service. The scheme's objectives include protecting older and more vulnerable adults who are at risk of rogue traders and assisting homeowners identify and engage competent and reliable tradespersons.

'Rather than trying to set up your own scheme, consider taking on a scheme that has already been set up. It works out much cheaper, much less time consuming and much less hassle. Since we got all the details we had no issues in setting up the scheme apart from the time and effort to get it started, getting awareness out to both traders and members of the public at the same time'.

Resources – funding and staffing

LAATSN minimum standards require that scheme operators have adequate resources and are funded in such a way that the objectives of the scheme are not compromised [Standard 1b]. Discussions with scheme operators demonstrate that costs and resources can vary depending on the scheme.

Feedback suggests that the majority of funding has come directly from local authority budgets – however, this has not been the only source of financial or staffing support. Some schemes have identified other funding streams, a number through working in partnership with other agencies.

Aside from set up costs, funding may be required for advertising, printing and promotion, and for conducting background checks on applicants. As mentioned above, members have commented that joining an existing scheme can reduce set up costs – for example, eliminating the need for website development from scratch.

Once established, a number of schemes have, to some extent, become self-financing through membership fees. Whether a membership fee is charged to business, and what level it is set at varies between schemes.

Perth and Kinross Council

Perth and Kinross Better Business Partnership Scheme is a membership scheme for small businesses and tradespersons, aimed at improving confidence in local small traders. There is no restriction on the type of business or trade that may apply.

The scheme (launched in August 2003) was funded using a one-off grant from the Scottish Executive Community Safety Fund. A joint bid by Perth and Kinross Council's Trading Standards Service and Tayside Police (Western Division) was submitted to tackle bogus trader crime and at the same time promote a fairer trading environment within the Council area. The initial grant funded start-up costs, publicity, leaflets, and paperwork. A minimal charge for membership (set at only £10) covers the cost of printing ID badges. General administration costs are absorbed by the Trading Standards Service and The Environment Service of Perth and Kinross Council. The work by Trading Standards staff (TSO and support staff as necessary) in maintaining the scheme is supported by the Council's Community Safety Partnership.

A number of schemes have a project officer in the lead – often supported by colleagues within the service providing administrative support, along with auditing and complaints handling as required. One large authority has a project officer who delegates tasks – for example, on the handling of complaints. This is overseen by an officer with support from the complaints team who assist with mediation. All auditing staff worked together on a recent promotional campaign with each person making a contribution.

Medway Council

Medway Fair Trader Scheme was formed from the recommendations of the Best Value Review (in 2003). A permanent post was created within the Trading Standards Team to manage the scheme. In addition to this post there is also a permanent part-time scheme administrator who undertakes all the admin duties for the scheme.

Working in partnership

A number of local authorities have set up schemes in partnership with other organisations or agencies. Several have developed close links with partner organisations – examples include the police and police vehicle crime groups, local authority private sector housing departments, Citizens Advice Bureaux, Age Concern, and local business representative groups.

One scheme operator commented that when working with private sector organisations – that may have robust approaches to marketing – it may be appropriate to draw up a partnership agreement in order to set boundaries.

Staffordshire County Council and City of Stoke on Trent

The Staffordshire and Stoke on Trent Trader Register is governed by a multi-agency Steering Group representing all partner agencies. It is jointly funded by Staffordshire County Council Community Services and City of Stoke on Trent Community and Adult Services.

Consumer contacts are managed by Age Concern South Staffordshire on behalf of the local authorities. This includes handling consumer telephone calls, distributing consumer literature and signposting trader enquiries to the authorities.

Resources provided by the local authorities are predominantly staff resources, including an Area Manager with overall scheme management responsibility, a Trading Standards Officer to investigate complaints against registered members, and Business Support Officers providing business and partner liaison support and promoting the scheme.

These resources are provided through a reprioritisation of officer resource, away from routine inspection, towards supporting an initiative that aims to tackle areas that attract a high level of consumer complaints and consumer detriment. Financial resource is provided by each service to meet the costs of printing, publicity materials and of Age Concern South Staffordshire.

Setting up – some advice from LAATSN members

- 'Have a marketing plan to demonstrate to traders at the beginning – show them value for money and a long term perspective from the Council. It is more difficult to get traders to buy into the vision you have when it is just a vision.'
- 'Put together a printing and planning schedule – running a scheme requires a person to drive forward the project and manage it.'
- 'Ensure adequate resources are available prior to launch – specifically for promotional activity to give the scheme the oxygen of publicity.'
- 'It's important to have resources available to match demand and the desired level of impact, that is, how fast it is intended the scheme should grow.'
- 'Consider what budget is available – is year on year funding required?'
- 'Consider whether it might be appropriate to have a free membership period.'
- 'As the scheme's popularity grew our rate of auditing also needed to grow and we needed to get more organised.'
- 'Set up monitoring systems [for applications] at the outset because whilst you may not need them at first with only a few applications, you will need them later, and it is more difficult to set up when you are busier.'

4. Operating a scheme – some practical examples

LAATSN minimum standards and best practice

This section looks in more detail at how scheme operators run their schemes and how they meet many of LAATSN's minimum standards and best practice criteria. It should be noted that this section does not cover the full range of LAATSN criteria – these are published on the LAATSN webpages at: www.oft.gov.uk/laatsn

Broadly, the criteria cover:

- organisation and consultation [Standards 1a to 1e]
- content of codes [Standards 2a to 2l]
- complaints about scheme members [Standards 3a to 3d]
- assessment and monitoring [Standards 4a to 4f]
- enforcement of the scheme [Standards 5a to 5c]
- publicity [Standards 6a to 6d].

Content of codes – Vulnerable consumers [Standard 2K]

LAATSN's minimum standards require that additional effort/help is provided to vulnerable consumers, as appropriate to the trade sector.

Perth and Kinross

Perth and Kinross Better Business Partnership operates a password system which allows the customer to phone the local trading standards department to confirm that the trader is who he says he is before he is allowed into their home. The scheme also issues photo identification cards.

Dudley Metropolitan Borough Council

Dudley Trading Standards and Age Concern Dudley recognised a demand for a list of reliable trades people who would do a good job for a fair price. This demand was satisfied by developing the Fix-a-Home listed trader scheme. The scheme provides a list of local trades people who will do repairs or small jobs around the house. Members must be invited or recommended by a satisfied customer before they can join the scheme.

Members are required to ensure that vulnerable homeowners understand the price and details of any work to be undertaken. Also, when dealing with vulnerable homeowners, particularly the elderly, members must ensure that specific appointments are made by telephone, prior to visiting. Members are also advised that it may be appropriate to make an appointment with a relative or friend of the homeowner and to arrange for them to be present during the visit.

Staffordshire and Stoke on Trent

Staffordshire and Stoke on Trent's Home Improvement Trader Register Scheme is administered by Age Concern South Staffordshire. Part of their remit is to try and identify householders who need additional support, using their experience of dealing with the key client group of older or more vulnerable members of the community. They are given a choice of receiving details of traders on the Register or being referred to a Home Improvement Agency. The Home Improvement Agencies exist to enable older, disabled or vulnerable people to live in their homes with comfort, dignity and security. Anyone who is eligible or further assistance and contacts the Trader Register will be offered the opportunity to receive additional help from their local Home Improvement Agency.

Content of codes – Protection of deposits or prepayments [Best Practice Standard 2I]

A best practice element of LAATSN, the protection of deposits or prepayments ensures that mechanisms are in place so that advance payments are protected. Examples include when goods or services are not available for any reason and need to be ordered with payment up front, or when a member has ceased trading due to liquidation or bankruptcy.

Best Practice – South Yorkshire Trading Standards Services’ Motor Trade Partnership Scheme

Membership of the Motor Trade Partnership scheme is open to new and used motor vehicle retailers, whose premises are located within the boundaries of Sheffield, Doncaster, Rotherham and Barnsley. In the event that a member becomes insolvent and ceases to trade the scheme policy will cover cash deposits paid in advance to the member, subject to a maximum amount per claim.

Complaints about scheme members and conciliation [Standards 3a to 3c]

All LAATSN members’ schemes require their member businesses to have in place effective complaint resolution procedures which are clearly communicated to consumers. Additionally, member businesses are required to cooperate in full with Trading Standard Services, and agree to cooperate with appropriate intermediaries. Where complaints are not resolved by the business’s complaints procedure, the consumer must be allowed access to conciliation services.

Buy With Confidence

The Customer Complaints procedure sets out in the detail the requirement for members of the scheme to have a complaints procedure in place and details the response times required. The procedure requires that all complaints are recorded.

Many authorities operating BWC provide an ‘off the peg’ complaints procedure suitable for a small business which is available to applicants and members free of charge. Both training and guidance on handling complaints is often made available to members.

Carmarthenshire County Council

Carmarthenshire’s Registered Traders Scheme was founded in 2003 and covers all aspects of the building trade. Its terms and conditions of membership state that if an issue cannot be resolved, Trading Standards will offer an impartial intervention service. This is carried out by the scheme coordinator and the Fair Trading Manager. The availability of this service is communicated to consumers through distribution of the trader list.

Trading Standards will ask for advice and assistance (in visiting the property to

examine alleged defects(s)) from the Home Improvement Team. A technical opinion on the severity or otherwise and suggested remedies is extremely helpful in attempting to mediate an amicable solution.

Assessment of the suitability of businesses [Standard 4a]

LAATSN scheme operators are required to develop performance indicators and independent compliance assessments to determine whether businesses are suitable for membership of their scheme.

Examples of the types of checks carried out by scheme operators include:

- on-site audit visits
- compliance with TS legislation
- complaints records (TSS databases and Consumer Direct)
- companies House
- bankruptcy
- disqualification of Directors
- Experian
- criminal record checks
- insurance.

Linked to this minimum standard, LAATSN recognises carrying out additional checks as best practice in certain cases – for example in cases where scheme member businesses seek to carry out work on domestic premises or the business's work brings them into contact with vulnerable people.

Buy With Confidence

Buy With Confidence scheme operators carry out full and comprehensive initial compliance assessment of prospective members. As part of the audit procedure, random references are obtained from previous customers. In addition, Criminal Record Bureau checks are carried out on employees and unsupervised subcontractors working in or on domestic premises. [Best Practice element of Standard 4a]

Member satisfaction and relationship building with businesses [Standard 4e]

Collecting regular feedback from both consumers and scheme member businesses is an effective way of assessing whether the scheme is working well, and identifying areas of the code that need to be changed. It is up to the scheme operator to decide the best way to assess scheme member satisfaction. A LAATSN scheme operator comments that 'it is integral to the scheme to have the goodwill of members – they must want to be part of it'. Another, that 'approaches to businesses are made on a partnership basis, rather than an enforcement basis'. LAATSN scheme operators indicate that contact with businesses is maintained in various ways, but common features of schemes include provision of training sessions on civil and criminal law, trader of the year awards and newsletters informing scheme member businesses of new legislation.

Assessment and monitoring – Compliance monitoring [Standard 4b]

Monitoring that scheme member businesses continue to conform to the requirements of the scheme is an important mandatory element of the LAATSN minimum standards. Reassessment is a requirement. Customer feedback may also be a key measure of the extent to which scheme member businesses are adhering to the code and its overall effectiveness.

Dundee City Council

Dundee Trusted Trader Scheme has been in operation since 2005, covering the property and home maintenance and vehicle servicing sectors. It allows consumers to assess the services provided by local businesses and empowers them to make better choices when making certain purchasing decisions. It is a condition of membership that all customers are given the opportunity to fill in a customer survey form. Prepaid customer feedback forms are provided to all members.

Bedfordshire County Council

Trading Standards Approved is an approval scheme aimed at motor trade and home improvement businesses. Bedfordshire County Council has undertaken a 'mystery shopping' exercise on motor trade members in the past. The Scheme's Terms and Conditions contain a clause whereby members are informed that this, and other suitable types of monitoring, may be carried out. The results of the mystery shop exercise were published to members in a newsletter. One survey resulted in a member being removed from the scheme.

Medway Council

Medway's Fair Trader Scheme uses feedback forms for assessing member and customer satisfaction. Following approval, members are subject to random inspection and checks to ensure that the requirements of the scheme continue to be met. The frequency of these inspections and checks is based on their LACORS risk factor and the level of complaints received about the member.

Enforcement of the scheme – Dealing with non-compliance by business with a scheme's code [Standards 5b and 5c]

To maintain a scheme's integrity, robust, effective, fair and impartial disciplinary measures must be established by the scheme operator. This includes detailing sanctions available when disciplining member businesses for non-compliance with the code and establishing an independent panel for hearing appeals. This could be through agreement with another scheme operator, or by setting up a panel with a majority of independent members – such as a local authority representative, a consumer representative and a business representative.

Wirral Metropolitan Borough Council

Wirral's Trader Scheme was launched in 2003 and is open to all traders within Wirral committed to delivering the highest standards of customer care and service.

Parties are invited to comment and, if relevant, a 'conditions notice' is served on the member with the terms they are required to fulfil to maintain their membership. There is also the option of a written warning, breach of which may result in revocation of membership. Where revocation is likely, a notice is issued to the member setting out their right of appeal and the appeals process.

This procedure has been put into operation in the case of one member, who was given the opportunity to rectify problems with their business, and was served with a Conditions Notice with which they did not comply adequately. They were given a Revocation Notice and 28 days to appeal after which time they were removed from the scheme.

Publicising the scheme [Standards 6a and 6b]

As well as building up membership, publicising the local scheme (by both scheme operators and businesses) is important. This ensures that consumers understand the benefits of dealing with a business that subscribes to an assured trader scheme.

Once membership of LAATSN is ratified, scheme operators receive a CD containing a selection of standard key messages, sample press releases for various events – for example launch of the scheme or other milestone events – sample radio advertisement texts and sample print artwork, including posters, business and consumer leaflets. Additionally, the Consumer Direct website signposts to the LAATSN webpages on the OFT website, which provides links to local LAATSN schemes.

The November/December 2008 edition of Citizens Advice 'Adviser' magazine carried a detailed article on LAATSN, and listed each local authority LAATSN scheme operator, to raise awareness of local authority assured trader schemes with CAB staff.

Scheme operators publicise their schemes in a number of different ways:

Dundee City Council

Dundee City Council has recently had the departmental van liveried with its Trusted Trader Scheme logo. Dundee is also looking into the possibility of having a fleet of local taxis similarly liveried.

Wirral MBC

Wirral operates a trader of the year award, which generates press interest for its Wirral Trader Scheme.

Cheshire County Council

Cheshire's Golden Spanner Approved Motor Trader Scheme was launched in 1998 to encourage and promote high standards in car sales, servicing and repairs. The scheme works with members to produce a fortnightly newspaper advertisement in which members advertise together under a single Golden Spanner banner. This advert also runs in partnership with other Cheshire County Council departments – such as road safety. Other departments contribute towards cost.

LAATSN members offer the following comments and suggestions on publicity and promotion:

- 'As ever, it's a question of striking a balance in terms of budget.'
- 'Consider printing and promotion at an early stage.'
- 'Working with departments such as housing and social services, and other organisations and charities may provide an effective way of publicising the scheme more widely.'
- 'It can take time for a brand to become established and there are clear benefits to joining an existing scheme to take advantage of existing brand awareness and shared promotional materials.'

Scheme members play a key role in building consumer awareness of the code. As well as providing certificates of membership, many scheme operators offer additional promotional material to consumers and businesses to strengthen awareness of the schemes. Examples include consumer and trader leaflets, customer feedback cards, car mirror hangers, key rings, tax disc holders, sustainable carrier bags, trolley tokens and magnifying glasses for small print.

5. Joining LAATSN

By joining LAATSN local authorities can demonstrate to their elected members, their consumers and their local businesses that their assured trader scheme has national support and underpinning through compliance with a framework of minimum standards. This in turn brings consistency to local authority schemes, promoting business and consumer confidence.

Sharing best practice with other LAATSN scheme operators will encourage the development and improvement of schemes.

For ratification to LAATSN a peer audit is conducted by another LAATSN scheme operator to confirm the minimum standards have been met. To ensure continued compliance, reaudits are carried out every three years. For further information on the application process or more general information contact laatsn@oft.gsi.gov.uk

6. December 2008 – LAATSN members

(contact details and links to each scheme can be found on the website at:
www.offt.gov.uk/laatsn)

- Bedfordshire County Council Trading Standards Approved Scheme
- Buy With Confidence – operated by:
 - Bath and North East Somerset Council
 - Bracknell Forest District Council
 - Brighton and Hove Council
 - Buckinghamshire County Council
 - Devon County Council
 - Dorset County Council
 - East Sussex County Council
 - Hampshire County Council
 - Isle of Wight Council
 - Kent County Council
 - Milton Keynes Council
 - Nottingham City Council
 - Nottinghamshire County Council
 - Oxfordshire County Council
 - Portsmouth City Council
 - Southampton City Council
 - South Gloucestershire Council
 - Surrey County Council
 - West Sussex County Council
- Carmarthenshire County Council Registered Traders Scheme
- Cheshire County Council Golden Spanner Approved Motor Trader Scheme
- County Durham Registered Trader Scheme
- Dudley Trading Standards Fix-A-Home Listed Trader Scheme

- Dundee City Council Trusted Trader Scheme
- Medway Fair Trader Scheme
- Perth and Kinross Council Better Business Partnership Scheme
- Rhondda Cynon Taf Building and Motor Trade Charter Schemes
- Sandwell MBC Tradewell in Sandwell Scheme
- Solihull MBC Shipshape Scheme
- South Yorkshire Trading Standards Services Motor Trade Partnership Scheme:
 - Barnsley Metropolitan Borough Council
 - Doncaster Metropolitan Borough Council
 - Rotherham Metropolitan Borough Council
 - Sheffield City Council
- Staffordshire and Stoke on Trent Home Improvement Trader Register Scheme
- Wirral Trader Scheme