


# The UK's Enforcement Gap

A briefing from Unchecked.uk



 /uncheckeduk

 @unchecked\_uk

www.unchecked.uk

## INTRODUCTION

Strong rules help to make sure that the air we breathe and the water we drink is clean, that our food is safe and correctly labelled, our natural spaces are being looked after, and the products we buy are safe.

Strong rules protect the most vulnerable in society and provide a level playing-field for British businesses. They allow us to get on with all the things we want to do in life, secure in the knowledge that ourselves and our loved ones are safe. They are part of what we have come to expect, and it's common sense to maintain them.

But over the years, the agencies which enforce the rules have had their budgets substantially reduced. Strapped for cash and short on staff, many watchdogs no longer have the tools for the important jobs they do.

Most businesses take pride in acting responsibly and fairly. But, left unchecked, rogue operators are free to undermine the protections that we take for granted.

## Unchecked.uk

*Unchecked* is a new campaign which investigates the UK's shrinking enforcement capacity and exposes the real-world costs of the failure to properly enforce the rules.

This briefing outlines some of our findings. Over the coming months, *Unchecked* will carry out in-depth investigations into the real-world impacts of weak enforcement in important areas of public protection.

## The UK's enforcement gap at a glance

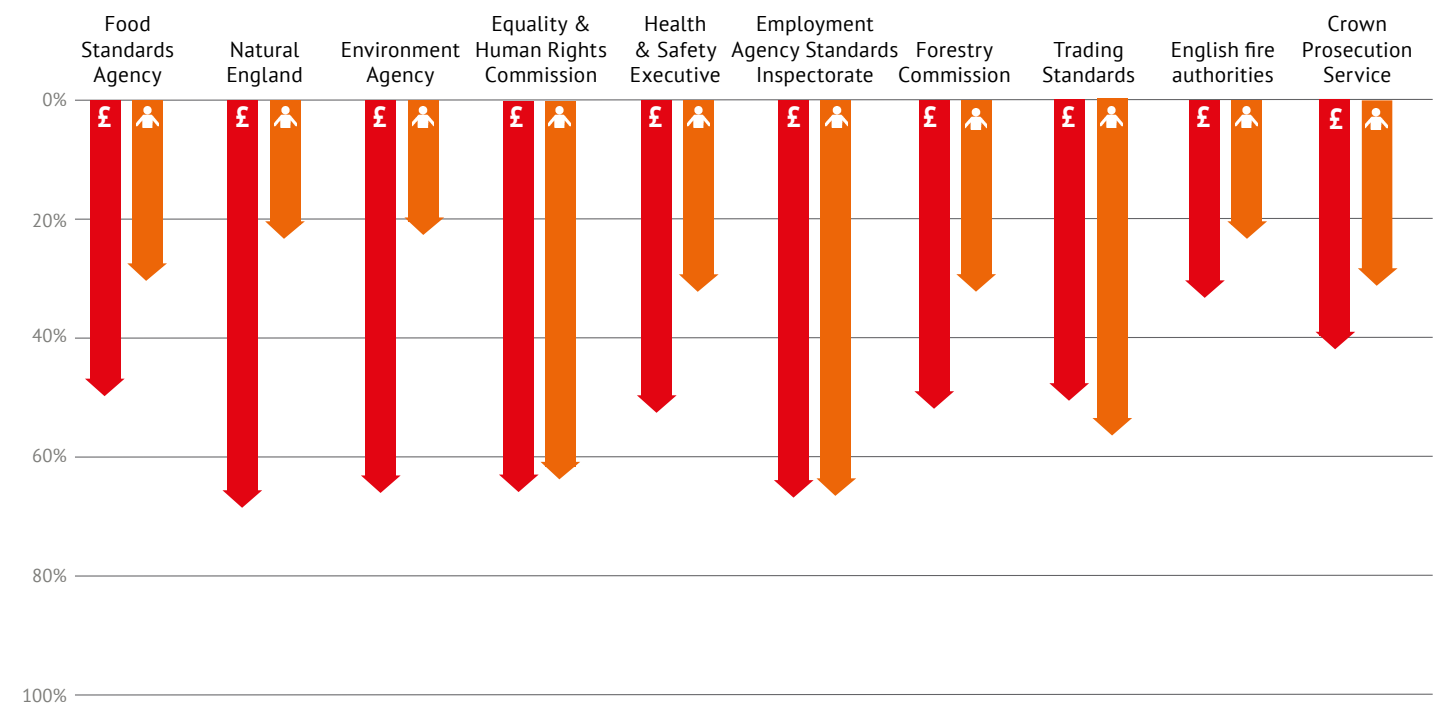
- From 2009/10 to 2016/17, real terms funding for the environmental and social protection work of ten key national regulators<sup>1</sup> fell on average by **50%**.
- The total number of full-time staff working at these regulators fell by **30%** in this period.
- From 2009/10 to 2016/17, spending by Local Authorities and fire authorities in England on key services<sup>2</sup> which protect the health and wellbeing of citizens and the environment fell on average by **35%**.

<sup>1</sup> The Food Standards Agency, the Environment Agency (Environment & Business Division), Natural England, the Forestry Commission, the Health and Safety Executive, the Gangmaster and Labour Abuse Authority, the Employment Agency Standards Inspectorate, the Equality and Human Rights Commission, the Crown Prosecutions Service, the Serious Fraud Office.

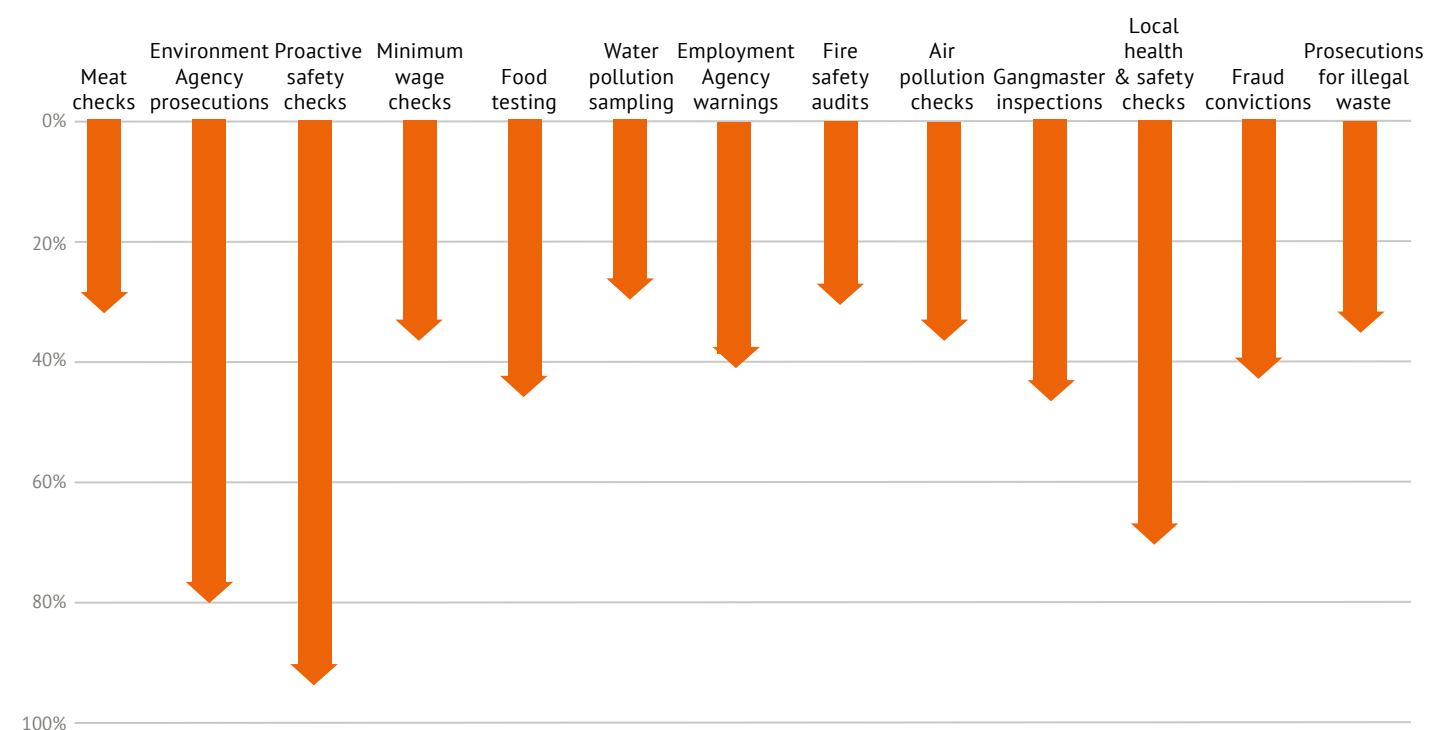
<sup>2</sup> Average net reductions in expenditure by Local Authorities in England on trading standards, food safety, environmental protection, health & safety, and fire authority spend on fire safety (England)

Note: all figures in this briefing cover the period from 2009/10 to 2016/17, unless otherwise specified.  
All % falls in funding and expenditure are calculated in real terms, adjusted to 2016 prices

### Percentage falls in budgets and staff, 2009/10 to 2016/17



### Percentage falls in enforcement activity, 2009/10 to 2016/17





# THE FOOD WE EAT

## THE FOOD WE EAT

### Who checks?

We all want to be confident that the food we eat is safe. The responsibility for ensuring that this is the case is shared between the Food Standards Agency, Food Standards Scotland and Local Authorities. Environmental Health and Trading Standards Officers carry out checks on food premises, and sample food to make sure it is safe and authentic. Local Authorities carry out farm animal health and welfare checks.

### Keeping our food safe: money and manpower

#### Food Standards Agency

- The Food Standards Agency's total funding fell by **47%**
- Food Standards Agency staff numbers in England and Wales fell by **28%**
- Food Standards Agency meat hygiene inspectors in England and Wales fell by **41%**

#### Local authorities

- Total net spend by Local Authorities on trading standards services in England fell by **51%**
- Total Local Authority Trading Standards staff numbers in the UK fell by **56%**
- Local Authority Environmental Health Officers in England and Wales fell by a **third**
- The total number of Local Authority food law enforcement staff in the UK fell by **27%**
- The number of Local Authority staff working on food standards in the UK fell by **half**
- From 2011/12 to 2014/15 Local Authority animal health & welfare resources fell by **45%**

#### Food Standards Scotland

- Since its inception in 2015, Food Standards Scotland's budget fell by nearly **5%**

### Enforcement activity

- Food Standards Agency meat inspections in the UK<sup>3</sup> fell by **32%**
- From 2011/12 to 2016/17, Food Standards Agency spend in England and Wales on meat hygiene controls fell by **24%**
- Spending by Local Authorities in England on food safety fell by **37%**
- Local Authority prosecutions of UK food businesses (hygiene & standards) fell by **16%**
- The number of Local Authority improvement notices served in the UK fell by over **50%**
- Suspension/revocation of approval or licence by Local Authorities in the UK for hygiene breaches fell by **42%**
- Food product sampling and testing by Local Authorities in the UK fell by **44%**
- The number of laboratories which carry out food testing fell from 21 to **12**
- From 2014/15 to 2016/7 National Trading Standards inspections of feed businesses fell by **9.5%**
- Since 2014/15 Local Authority farm welfare visits in England and Wales have fallen by **23%**

*All figures cover the period from 2009/10 to 2016/17 unless otherwise specified.*



3. Note that this figure includes: 1) all unannounced inspections in England, Wales and Scotland, up until the inception of Food Standards Scotland (FSS) in 2015, and 2) Food Business Operator audits in England, Wales, Northern Ireland and Scotland (up until the inception of the FSS)



# OUR ENVIRONMENT

## Who checks?

We all value our countryside, whether it's spending time in green spaces, walking along a river, or discovering our rich and varied wildlife. There are a few different bodies whose job it is to protect the natural environment, wildlife and biodiversity in England, including the Environment Agency and Natural England. Natural Resources Wales and the Scottish Environment Protection Agency are key bodies which oversee environmental regulation in Wales and Scotland.

## Safeguarding the environment: money and manpower

### Environment Agency

- From 2010/11 to 2016/17, the Environment Agency's environmental protection budget<sup>4</sup> fell by **62%**
- Environment Agency staff fell by **22%**

### Natural England

- Funding for Natural England fell by **66%**
- Natural England permanent staff numbers fell by **21%**

### Forestry Commission

- Funding for the Forestry Commission fell by **53%**
- Forestry Commission staff fell by **32%**

### Natural Resources Wales

- Funding for Natural Resources Wales has reduced by **15%** since its inception in 2013

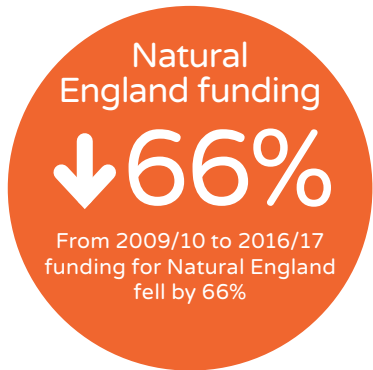
### Scottish Environment Protection Agency

- Funding for the Scottish Environment Protection Agency fell by **34%**

## Enforcement activity

- Total Environment Agency prosecutions of businesses fell by **80%**
- The number of water pollution samples taken by the Environment Agency fell by **28%**
- From 2010/10 to 2017/18, the number of prosecutions by the Environment Agency for waste crime fell by **33%**
- The number of pollution incidents logged by the Environment Agency fell by **29%**
- Natural England's expenditure on science and evidence gathering fell by **10%**
- Between 2013/14 & 2016/17, less than **1%** of water pollution incidents in Wales resulted in a prosecution or civil sanction
- Prosecutions for wildlife crime in the UK fell by **57%**
- Nearly half of Sites of Special Scientific Interest haven't been checked by Natural England in the last **six** years
- In 2013/14, 29% of planning applications deadlines missed by Natural England were linked to 'agency resourcing'. In 2016/17, this had increased to **73%**

*All figures cover the period from 2009/10 to 2016/17 unless otherwise specified.*



4. Figures for Environment Agency funding are for Defra revenue funding for environment and business (the division covering most environment protection measures, such as air, land, water, pollution, waste and biodiversity).

# OUR ENVIRONMENT

# OUR SAFETY AND HEALTH

## OUR SAFETY AND HEALTH

### Who checks?

The task of ensuring that businesses and other establishments are meeting the law on health and safety is shared between the Health and Safety Executive and Local Authorities. There are other important ways that these bodies keep us safe from harm, such as checking up on industrial operators which may be causing pollution. Fire authorities oversee the delivery of fire and rescue services.

### Safety and health: money and manpower

- The Health and Safety Executive's funding fell by **53%**
- Health and Safety Executive staff fell by **32%**
- The number of Health and Safety Executive frontline inspectors fell by **27%**
- The number of Health and Safety Executive construction inspectors fell by **40%**

#### Local authorities

- Spend on Health and Safety by English Local Authorities fell by **41%**
- The number of Local Authority health and safety inspectors fell by **48%**

#### Fire authorities

- Funding for fire authorities in England fell by around **30%**
- Fire and rescue staff numbers in English authorities fell by **21%**
- Frontline firefighter strength in England fell by **20%**
- Fire-control operator numbers in England fell by **31%**

*All figures cover the period from 2009/10 to 2016/17 unless otherwise specified.*

### Enforcement activity

- From 2009/10 to 2014/15 routine air pollution inspections by Local Authorities in England and Wales fell by **37%**
- Proactive health and safety inspections by Local Authorities in England, Scotland and Wales fell by **94%**
- Prosecutions by the Health and Safety Executive in England and Wales fell by **25%**
- Total health and safety enforcement notices issued by the Health and Safety Executive and Local Authorities in England, Scotland and Wales fell by **25%**
- Fire safety audits in England fell by **30%**
- From 2010/11 to 2016/17, the number of staff hours checking fire risk in homes fell by **11%**
- From 2010/11 to 2016/17, unannounced inspections by the Health and Safety Executive fell by **40%**
- Total Local Authority health and safety visits in England, Scotland and Wales fell by **71%**
- The number of health and safety Improvement Notices served by Local Authorities in England, Scotland and Wales fell by **70%**
- The number of health and safety Prohibition Notices served by Local Authorities in England, Scotland and Wales fell by **28%**

Limbs lost

**two**

An average of two eyes or limbs are lost each day in a workplace incident

Health and Safety Executive funding

**↓ 53%**

From 2009/10 to 2016/17 the agency's funding fell by 49%

Air pollution inspections

**↓ 37%**

From 2009/10 to 2016/17 routine air pollution checks by Local Authorities in England and Wales fell by 39%



# WHAT WE BUY

## Who checks?

There are a number of bodies which protect consumers by intercepting or testing dodgy products, catching rogue traders, and cracking down on fraud and scams. Trading Standards teams, the Office for Product Safety and Standards, and the Serious Fraud Office all contribute to protecting the integrity of what we buy. Citizens Advice provides people with advice on money, legal or consumer problems.

The Crown Prosecution Service prosecutes people for different types of crime, including fraud and economic crime.

## Protecting consumers: money and manpower

- Total Local Authority Trading Standards staff fell by **56%**
- From 2010/11 to 2016/17, funding for Local Authority Trading Standards services in England, Wales & Scotland fell by around **46%**
- From 2013/14 to 2016/17, funding for National Trading Standards fell by **8%**
- The Serious Fraud Office's funding fell by **17%**
- Citizens Advice's total funding fell by **22%**
- Total Citizens Advice access-points fell by **23%**
- The number of local Citizens Advice Bureau offices fell by **26%**
- The Crown Prosecution Service's budget fell by **41%**
- Crown Prosecution Service staff numbers fell by **34%**

## Enforcement activity

- Total net spend by Local Authorities on trading standards services in England fell by **51%**
- From 2013-2018 **39%** of councils in the UK analysed no samples for hazardous chemicals
- From 2014/15 to 2016/17, the number of scam investigations commenced by National Trading Standards fell by **24%**
- From 2014/15 to 2016/17 new National Trading Standards investigations into illegal moneylending fell by **21%**
- From 2014/15 to 2016/7 National Trading Standards prosecutions of illegal moneylenders fell by **81%**
- Convictions by the Serious Fraud Office fell by **41%**
- Raids carried out by the Serious Fraud Office fell by **79%**
- On average, Local Authorities in England and Wales issue **less than one** prosecution for doorstep crime each year.

All figures cover the period from 2009/10 to 2016/17 unless otherwise specified.





# WHERE WE WORK

## WHERE WE WORK

### Who checks?

Responsibility for protecting workers and stopping illegal activity such as forced labour, discrimination at work, trafficking or breaches of the National Minimum Wage falls to a few agencies. These include the Gangmaster and Labour Abuse Authority, the Employment Agency Standards Inspectorate, the Equality and Human Rights Commission. Local Authorities and the Health and Safety Executive share responsibility for keeping people safe at work.

### Rights at work: money and manpower

#### Gangmaster and Labour Abuse Authority

- The Gangmaster and Labour Abuse Authority's funding fell by **15%**
- From 2010/11 to 2016/17 Gangmaster and Labour Abuse Authority staff numbers fell by **22%**

#### Employment Agency Standards Inspectorate

- The Employment Agency Standards Inspectorate's funding fell by **63%**
- Employment Agency Standards Inspectorate staff numbers fell by **63%**

#### Equality and Human Rights Commission

- The Equality and Human Rights Commission's funding fell by **67%**
- Equality and Human Rights Commission staff numbers fell by **63%**

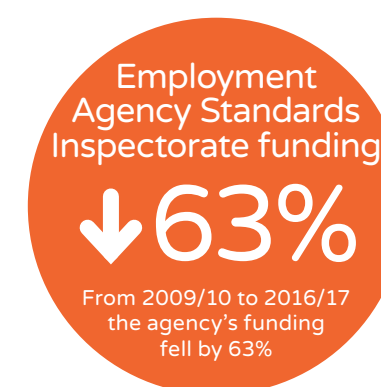
#### Health and Safety Executive

- The Health and Safety Executive's funding fell by **53%**
- Health and Safety Executive staff numbers fell by **32%**

### Enforcement activity

- National Minimum Wage investigations completed by HMRC fell by **27%**
- The number of licenses revoked by the Gangmaster and Labour Abuse Authority fell by **38%**
- Gangmaster and Labour Abuse Authority inspections fell by **43%**
- Employment Agency Standards Inspectorate targeted inspections fell by **13%**
- The number of infringements found by the Employment Agency Standards Inspectorate fell by **65%**
- The number of complaints cleared by the Employment Agency Standards Inspectorate fell by **61%**
- The number of warning letters issued by the Employment Agency Standards Inspectorate fell by **40%**
- From 2009/10 to 2015/16 the number of legal cases taken on by the Equality and Human Rights Commission fell by **76%**

*All figures cover the period from 2009/10 to 2016/17 unless otherwise specified.*





# WHERE WE LIVE

## Who checks?

Local Authority Environmental Health Officers help us to feel proud of where we live and work by keeping tabs on local nuisances like fly tipping, pests, noise and pollution. Local Authority housing enforcement officers make sure rented properties are safe and decent, and help to tackle rogue landlords.

The Environment Agency holds responsibility for major waste offences. Keeping our roads in good order is the job of local highway authorities and Highways England.

## Local spaces: money and manpower

- From 2010/11 to 2017/18 Local Authorities in England have had their funding cut by **49%**
- Local Authority Environmental Health Officers in England and Wales fell by a **third**
- The annual budget shortfall for road maintenance in London rose by **60%**
- Highways England spend on maintaining major roads fell by **43%**
- Spend on road maintenance by English Local Authorities fell by **29%**
- Spend on pest control by English Local Authorities fell by **19%**
- The amount of money spent in England (excluding London) on fixing potholes fell by **17%**
- From 2010/11 to 2016/17 English Local Authority spend on improving private sector homes fell by **63%**

## Enforcement activity

- From 2009/10 to 2017/18 Environment Agency prosecutions for incorrect or illegal waste disposal fell by **33%**
- Fly tipping enforcement actions by English Local Authorities fell by **12%**
- Fly tipping warning letters issued by English local authorities fell by nearly **50%**
- English Local Authority prosecutions of fly tippers fell by **36%**
- The average time it takes English councils to replace road surfaces rose by **34%**
- The estimated time it will take London councils to clear the road-care backlog rose by **43%**
- Over half of councils in England and Wales have not prosecuted a single landlord in **three** years
- Programmed inspections by Environmental Health officers in England and Wales fell by **41%**
- In 2017 Local Authorities took action in relation to **1%** of the most dangerous rented homes in England

All figures cover the period from 2009/10 to 2016/17 unless otherwise specified.



WHERE WE LIVE



Strong rules, fairly enforced, create a better country. From keeping our food safe, to tackling climate change or improving childrens' health, enforcement matters. But the ongoing erosion of enforcement capacity in the UK is hindering regulators' ability to make sure the rules are being adhered to. This undermines the efforts made by most businesses and individuals to act fairly and responsibly, and risks the safety of ordinary people.

*Unchecked* exists to expose the causes and consequences of the UK's enforcement gap, and to show that fairly enforced rules protect the things that matter most to British people.

Visit our website: [www.unchecked.uk](http://www.unchecked.uk)

All references available on request.  
Contact [info@unchecked.uk](mailto:info@unchecked.uk)



Unchecked.uk is a project of The Ecology Trust.