The UK’s Enforcement Gap
A briefing from Unchecked.uk

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**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\(^1\) 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\(^2\) which protect the health and wellbeing of citizens and the environment fell on average by **35%**.

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\(^1\) 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.

\(^2\) 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 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
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 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 it’s 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 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
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.

£500m
UK agency workers lose out on £500m a year in missing holiday pay

63%
From 2009/10 to 2016/17 the agency’s funding fell by 63%.

27%
From 2009/10 to 2016/17 minimum wage checks completed by HMRC fell by 27%.
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%

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

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
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

All references available on request.
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