Scams Prevention Strategy Partnership & Advisory Group
FINAL APPROVED, September 2020
Scotland's Scams Awareness, Prevention & Enforcement Strategy
Partnership & Advisory Group: Terms of Reference

Purpose & Remit

The newly established Scams Prevention Strategy Partnership & Advisory Group exists to develop and provide a package of **clear, robust and holistic advice to Ministers** on what actions and wider considerations, or approach should be adopted for delivery within the upcoming Scams Awareness, Prevention & Enforcement Strategy for Scotland.

The Partnership & Advisory Group will build on the work of the previous Scams Partnership Group (October 2019 – January 2020) – the latter group brought together 29 organisations in order to provide initial insights regarding what currently works and what needs to be improved in order to successfully tackle scams in Scotland. Based on feedback from members, it is proposed that the partnership is streamlined and refocused to direct discussions towards production of tangible outputs that address the key issues identified by the previous group.

Key criteria for advice and recommendations is outlined at **Annex A**.

Scope of Work

In fulfilling its remit, the Scams Prevention Strategy Partnership & Advisory Group will undertake work in relation to the following topics:

- **Strategic vision and outcomes** – the strategy must have a well-rounded and coherent narrative that sets the ambition, ties actions together, and outlines the contribution that they make to the longer term outcomes for Scotland set out in the National Performance Framework (NPF).
- **Mapping the landscape** – strategic actions should be contextualised within the existing scams prevention landscape, taking into account of both current and potential new opportunities for collaboration and efficiency gains between relevant bodies. It will be important to establish a shared and comprehensive understanding of: lines of communication, data sharing, signposting, other partnership working and any potential conflicts of interest or unaligned objectives across the various national (and, where appropriate, regional and local) advice providers, regulators, enforcement bodies and consumer interests and advocacy groups.

And, informed by this work, the Partnership & Advisory Group will further deliver the following through establishment of three specific sub-working groups:

1. **Data Sharing, Measuring & Monitoring** – develop an approach to ensure consistency in the gathering, sharing and assessment of the scale of detriment created by scams for people living in Scotland, and the impact of interventions. This will include identifying and agreeing key indicators and a baseline measure for the effective monitoring and reporting of anti-scams interventions across partner organisations.
2. **Accessing Support & Enabling People** – model the ideal consumer journey for the reporting of scams and access to further information, support and redress in Scotland; and use this as the basis for scoping feasible options and advising on the most effective route to its implementation, informed by the idea of a 'single point of

contact' developed in our stakeholder engagement to date. This work will adhere to an assets-based approach to service design.

3. **Sharing Good Practice** – explore how greater coordination of awareness raising and targeted prevention interventions can be achieved within the existing landscape. This will include identifying how partners – including government – can best support the sharing of good practice and learning, as well as the practical implementation of a 'cross-organisational calendar of events and campaigns'.

<u>Roles & Responsibilities</u>

Governance & Secretariat

The new Partnership & Advisory Group – including sub-working groups – will be **Chaired** by the Scottish Government.

Secretariat functions for both the main Partnership & Advisory Group, and each supporting sub-working group, will be provided by the Scottish Government. This will include management of membership, meeting arrangements, coordination of communications, supporting wider engagement across members, and drafting and submission of formal recommendations to Ministers on behalf of the group. All formal correspondence of this nature between the Partnership & Advisory Group and Ministers, as drafted by the Secretariat, will be circulated to members in advance for approval.

Agendas and associated papers for each meeting of the Partnership & Advisory Group, and its three sub-working groups, **will be jointly developed and submitted by members** in advance, supported by the Secretariat.

The outputs of each sub-working groups will be presented to the full Partnership & Advisory Group for consideration and agreement, at the appropriate time. Formal recommendations based on these outputs will be **determined by discussion and general consensus, or where required according to a simple majority vote** of members of the Partnership & Advisory Group (each organisation will have one vote).

Formal approved minutes of each meeting of the Partnership & Advisory Group, and sub-working groups, will be published on the Scottish Government's website in due course following each session. Any formal outputs, including the final recommendations submitted to Ministers for consideration, will also be **made available online** at an appropriate time in line with development and publication of the strategy early 2021.

Communication & Transparency

As Secretariat and Chair for both the main advisory group and sub-working groups, the Scottish Government will ensure that updates following each session of sub-working groups are circulated to the Partnership & Advisory Group, as appropriate. This will ensure openness and a broader shared understanding and awareness of progress.

Meeting Schedule(s) & Lifespan

The Partnership & Advisory Group will **meet as required between September-December 2020**, with members agreeing to input as appropriate via email or other virtual correspondence as appropriate out with formal sessions during this period.

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The three supporting **sub-working groups** to the Partnership & Advisory Group will **meet regularly as required between September-December 2020**. Meeting schedules for sub-working groups will be agreed at the first meeting of each if appropriate – members may decide that meeting dates will be set on an on-going basis as work evolves. Some sub-working groups may need to meet more than others.

It is anticipated that **each working group will likely meet a minimum of two times** with development work being progressed in-between sessions, coordinated by the Secretariat and informed by papers and comments submitted by partners.

The Data Working Group will need to begin its work first ahead of the other two working groups, as its outputs are likely to inform subsequent considerations regarding the nature and feasibility of a 'single point of contact' and stakeholder collaboration. Coordination across the sub-working groups will be provided by the Secretariat to ensure meetings are scheduled appropriately on this basis.

Membership

Membership will be comprised of representatives from 16 key stakeholder organisations, listed below. Participation at formal meetings of the group will not be limited to a set number of individuals per organisation – members will be expected to determine representation based on who is best placed to make decisions on the topics under discussion. The Secretariat should be informed in advance of who will be attending as named representative(s).

- Advice Direct Scotland (ADS)
- Chartered Institute of Trading Standards
- Citizens Advice Scotland (CAS)
- CoSLA
- Financial Conduct Authority (FCA) – *observer status**
- Improvement Service
- NatWest
- Neighbourhood Watch Scotland
- Ofcom – *observer status**
- Police Scotland
- Royal Mail
- Scottish Business Resilience Centre (SBRC)
- Society of Chief Officers of Trading Standards in Scotland (SCOTSS)
- Scottish Council for Voluntary Organisation (SCVO)
- Trading Standards Scotland (TSS)
- Which?

*Ofcom and the FCA will be invited to attend as observers. This is to ensure they have a comprehensive understanding of the challenges and action being taken by the Group.

Supporting the Partnership & Advisory Group will be key Scottish Government policy teams:
- Consumers
- Cyber Resilience
- Organised Crime
- Safer Communities

Annex B sets out how the Partnership & Advisory Group's **three sub-working groups** will operate, and associated membership.

KEY CRITERIA FOR ADVICE

The recommendations of the Advisory Group concerning actions to be taken forwards under the strategy, for Ministerial consideration and agreement, should be practical, actionable and outcomes focused.

In developing recommendations, the Advisory Group will take into account the following criteria. Actions should be:

- **Scotland centric** – they should respect contextual factors specific to Scotland;
- **Additionality** – account should be taken of existing or planned work elsewhere on similar issues and care taken to add value and avoid duplication;
- **Balanced** – actions should take into account the needs of both the general populous and those living in vulnerable circumstances;
- **Fair and Accessible** – actions and any associated advice will have due regard to equalities, shall not discriminate based on any protected characteristics, and will aim to ensure that social and economic inclusivity is supported;
- **Evidence-based** – any advice should be clearly informed by robust evidence, and wherever possible should draw on a wide range of relevant sources to ensure integrity and representativeness, including for example: academic research, case studies, organisational data and intelligence, professional insight and wider stakeholder engagement;
- **Future Proofed** – as far as is practical, account should be taken of emerging and predicted changes in the external environment and the resultant changes in peoples' needs and experiences of scams, in particular related to the coronavirus and recovery efforts.

Interventions recommended will be structured under the following **thematic framework**:

- Theme 1: Awareness, Education and Support
- Theme 2: Prevention
- Theme 3: Enforcement

Theme 1: Awareness, Education and Support

1.   In order for a consumer to be able to effectively access support and information, in most instances this means they must first feel able and willing to report the scam. In part, this relies on the consumer knowing and understanding: what a scam is; that there is no shame in having fallen victim to a scam; and who they can turn to, and how, when they are exposed to or suffer harm as a result of one. People who have a good knowledge of their consumer rights, and are familiar with current scam tactics, will also be better equipped to self-protect. They may be more vigilant, able to better spot the warning signs of a scam, and so cautious before responding to prompts.

Theme 2: Prevention

2.   In many respects, the most effective and cost-efficient way of tackling scams and their impacts on consumers is to intervene to stop them before they occur. This can operate at different levels. Prevention may involve putting in place barriers to shield a consumer from specific, targeted activities, for example through the use of call blockers to stop nuisance calls. At the same time, prevention may require authorities to be proactive in

attempting to anticipate, identify and engage scams perpetrators before they are able to reach the end consumer. This also means having up-to-date information on common and innovative scams tactics; as well as data trends evidencing the change over time in intensity and impacts across different consumer groups.

Enforcement

3.   In order to control the overall level and proliferation of scams that impact on consumers in Scotland, the relevant regulatory and enforcement agencies need to be able – and perceived – to take quick and effective action in response to victim reports. There are two main benefits to this. Consumer trust that institutions – including national and local government – will protect their interests is an important element in encouraging consumers to feel confident, and willing to participate in markets. Also, protecting those in the most vulnerable circumstances in society from being targeted by criminal activity means that scammers must be consistently and appropriately deterred. The repercussions of carrying out scams need to be proportionate, but also applied on a regular basis and quickly in order to avoid lag time between perpetration and consequences.

SUB-WORKING GROUPS: SCOPE & MEMBERSHIP

Each working group will be comprised of a **core membership** based on those organisations on the Partnership & Advisory Group with the most relevant expertise, knowledge base or control over key levers of change. These members will be expected to attend every meeting of their respective working group, subject to availability, and will lead development and delivery of outputs for submission to the Partnership & Advisory Group for endorsement and agreement. Membership of each working group will not be mutually exclusive; and not all members of the Partnership & Advisory Group must be a member of one or more of the core working group teams. **Core membership** of each working group is outlined below:

(1) Data Sharing, Measuring & Monitoring	(2) Accessing Support & Enabling People	(3) Sharing Good Practice
Scope: Intelligence / technical - Establishing baseline and indicators for measuring and monitoring scams - Facilitating collation of data across advice and enforcement bodies	Scope: operational / frontline - Improving processes for the reporting of scams, taking enforcement action, and providing feedback. - Frontline communications - Education	Scope: stakeholder coordination / continuous improvement - Cross-partner communication mechanisms e.g. forums, online 'hub' platforms - Case studies - Partners' calendar of events
Chair: Scottish Government	Chair: Scottish Government	Chair: Scottish Government
ADS	ADS	ADS
CAS	CAS	CAS
Police Scotland	Police Scotland	Royal Mail
TSS	SBRC	Ofcom – *observer status*
Improvement Service	TSS	TSS
Which?	Which?	Which?
Royal Mail	SCOTSS	Police Scotland
Ofcom – *observer status*	NatWest	SCVO
SCOTSS		NWS
SG Analytical Services		Improvement Service
SG Cyber Resilience		SCOTSS
		SG Safer Communities

Beyond the core membership, each working group will operate an open invite for any other interested stakeholder organisation from the new Partnership & Advisory Group, those that previously sat on the Scams Partnership Group, and/or any other organisations identified by partners as appropriate, to attend in a supporting capacity. Those organisations that will be offered this opportunity in the first instance includes:

Adult Protection Committee	Post Diagnostic Group
Alzheimer Scotland	Scottish Charity Regulator
Crimestoppers	Scottish Commission for Learning Disability
East Renfrewshire Council (Prevention)	TechUK
Focus on Dementia (NHS)	Truecall
National Association of Primary Care	UK Finance
National Financial Harm group	Youngscot
Office of the Scottish Charity Regulator	*Cyber Catalyst Network – select members