

Consumer Code of Practice British Association of Removers Ltd (BAR) Audit September 2022

Background Information

The British Association of Removers Limited (BAR) Code of Practice is one of the most established CCAS Codes. It has consistently been a source of enhanced consumer protection within the removals sector. As of September 2022, there are 377 members in the Code.

BAR is bound under the Code to provide surety for advance payments (cash, BACS payments and/or debit card payments only) for private residential removal and storage contracts concluded in the United Kingdom. This is an excellent form of consumer protection in the case of a BAR member suffering financial failure whilst responsible for un-discharged removal contracts.

Audit Process

The audit focused on the following areas:

- Member application and exit process including checks completed on new applicants and process for members leaving the scheme
- Member auditing - content and process
- Terms and conditions and other pre-contractual information
- Sanctions for non-complaint member businesses including the disciplinary process
- Customer service provisions including process for consumers to leave feedback
- Consumer complaints process (including ADR)
- Customer satisfaction

Audit Summary

Across all CCAS criteria the BAR Code continues to work effectively. Constant review of membership criteria and strengthening, where necessary, have ensured the Code continues to be effective in protecting consumer detriment.

BAR represents the removal industry on the National Home Buying and Selling Group and helped to distil government requirements in relation to Covid 19 restrictions to its

members which assisted in ensuring that the home buying/selling market throughout the pandemic.

New Members

In the year since the last audit, to date there have been 47 applications to join BAR, 12 new members were admitted, 11 applications are still open and 21 members left. BAR have very strict basic criteria in relation to the status of potential members, including, for example, number of years trading, annual turnover. Many applicants are rejected at the early stages of their application as they do not fulfil these basic criteria.

Two completed applications were examined containing the application form, inspectors written reports and initial inspection reports. Evidence was supplied to confirm any non-conformities identified by the inspector which were followed up and re-checked by BAR. There have been no changes in the application process since the last audit.

Best Practice:

A full application checklist is followed to ensure consistency in processing applications. Details of new applications are shared with the relevant Area Secretaries, the Chair of BAR and BAR members and are then reviewed, approved/rejected by the BAR Advisory Committee.

Existing Member Inspections/Audit

The Member Inspection process is managed by BAR but carried out by an external team of qualified auditors employed by Quality Service Standards Ltd, a UKAS (United Kingdom Accreditation Service) a wholly owned subsidiary of BAR and covers the whole of the United Kingdom.

Two completed audits were examined from April/May 2022. Members to be audited are sent a Pre-Audit Submission form to be completed and returned prior to the audit date. There was evidence that those members with nonconformities had received a PDF report highlighting any issues requiring action within 30 days. 100% of members are inspected annually and this remains a key strength of the BAR Code. The inspections assess compliance against each element of the membership criteria and BAR Code of Practice.

In the year since the last audit, BAR carried out 508 inspections, this includes annual inspections for current members including inspections of multiple branches of members, new applicant inspections and follow-up inspections.

Membership Withdrawal and Sanctions for Non-Compliant Member Businesses

If any non-compliance with the Code occurs e.g. non-payment of awards required at ADR or non-compliance at audit, members are sent an email which states that should these matters not be rectified within 30 days disciplinary proceedings may occur. Invariably the matter is then resolved.

No members are currently in the disciplinary process.

Terms and Conditions and other Pre-Contractual Information

BAR have produced a set of model Terms and Conditions (Ts&Cs). These are supplied to members and are required to be used as a condition of acceptance into membership. The Ts&Cs are checked during the Pre-Audit Submission process. Variation from the BAR model Ts&Cs is only permitted where the member's Ts&Cs provide enhanced consumer protection.

BAR has continued to provide its members with assistance in relation to legal updates. Members have direct access to a dedicated Legal Advice helpline. In addition, a magazine 'R&S' is published quarterly and emails fortnightly.

Marketing and Advertising by Member Businesses

The use of the BAR & CTSI logos is mandatory for all members. It is checked at the Pre-Submission stage of the audit. It is found that the majority of members display the logos.

Customer Service Provisions

BAR considers that all consumers who are using their members services are situationally vulnerable as moving house is such an emotional time. During the audit, BAR have been directed to the new CTSI Guidance on Consumer Vulnerability. They will review this and share with members if appropriate.

Consumer Complaints Process

Alternative Dispute Resolution is provided by The Furniture & Home Improvement Ombudsman (FHIO). In 2021, 127 complaints were logged with FIHO. Of these, 77 were found in favour of the member; two in favour of the consumer, one where the decision was split; 33 outside Terms of Reference and 12 settled between the member and the consumer prior to conciliation.

Best Practice:

BAR meet (online) with FIHO monthly to discuss ongoing cases and to discuss outcomes. This means that BAR can monitor the types of issues that are raised with FHIO and quickly identify any worrying trends or bad practice by members.

Customer Satisfaction and Feedback

The partnership between BAR and Referenceline to provide online customer feedback is increasingly popular with members. Not all members use Referenceline so BAR must continue to remain vigilant that all members seek customer feedback. Some members use alternative online surveys or a simple form that they hand to the customer after every move. It is a Code requirement that all members provide each customer with an opportunity to leave feedback after a move. This is checked as part of the annual inspection.

Recommendation:

Many consumers leave reviews of BAR members on Google reviews. These could be monitored as part of the annual review.

Conclusions

BAR is continuing to fulfil its obligations as a Code Sponsor. BAR keeps in regular contact with all of its members ensuring that they are up-to-date with all legal/consumer issues and offering support where necessary. BAR represents its members on the National Home Buying and Selling Group and, therefore, keeps abreast of any national emerging issues in the sector. The BAR Code continues to provide significant protection for consumers in the removals sector.