
British Healthcare Trades Association Consumer Code of Practice Audit October 2022

Background Information

The British Healthcare Trades Association (BHTA) is a well-established body originally set up to provide mobility aids for people wounded in WW1. The Association comprises of several distinct sections operating under one banner. Their members sell to consumers and businesses but also directly to public bodies such as the NHS and Local Authority Health & Social Care. BHTA currently have 348 members.

The Code is primarily designed to provide enhanced protection for consumers. However, as it is considered best practice, there is an expectation that all Members should apply the code criteria whether they are supplying direct to consumers or via business-to-business contracts. Market penetration of membership of BHTA varies depending upon the sector, in the prosthetics sector accounting for almost 100% of the market, whereas within the sector of the provision of stair lifts it is closer to 50%.

Audit Process

The onsite audit was carried out by a Trading Standards Practitioner from the Chartered Trading Standards Institute (CTSI).

The audit focused on the following areas:

1. Outstanding actions/observations from last audit
2. Any planned changes to the code or to the operation of the code
3. Member application process, including checks carried out on prospective businesses
4. Member auditing - content and process (including general compliance with the code, staff training and dealing with consumer complaints)
5. Sanctions for non complaint member businesses
6. Any disciplinary cases in previous year
7. Consumer complaints process (including ADR)
8. Customer satisfaction, information/complaints from enforcement agencies, and how this information is used to develop and improve the code.

Audit Summary

Due to the departure of the Head of Policy and Compliance in December 2021 and the appointment of David Stockdale as CEO in June 2022, the BHTA is going through a period of review and change.

Additionally, following the Covid pandemic and Government lockdowns, there have been changes in how the teams at BHTA are working, with remote working being adopted, offices closing and some turnover of staff.

The BHTA continues to provide support to its members and provide insights regarding important developments in the healthcare sector, especially currently in relation to post-Brexit changes. On behalf of its members, the BHTA engages with and lobbies key stakeholders, including government and regulatory bodies.

Recommendations from last audit

Since the last audit, the BHTA have restarted auditing, however, they currently have just one auditor. Recruitment will commence once the current reviews are complete.

Member Application Process

All applications are thoroughly considered, with an initial screening check and a more thorough check for those applicants that progress to formally submit their application. The applicant is required to complete a detailed assessment and audit.

All checks are captured in the BHTA's Customer Relationship Management system.

The applications confirm that applicants have received and read BHTA's Code, Articles and terms and conditions. Applicants are subject to checks appropriate to the business, e.g., Companies House listing, Advertising Standards Authority rulings, correctly listed with the FCA if offering credit. If an applicant does not pass any of the checks the matter is escalated, further questions are raised and investigations are carried out before a decision is made as to whether to agree the application.

BHTA have welcomed eight new members in the last 12 months. Recent applications were provided for review. The member applications were examined. All criteria were indicated to have been checked and found to be satisfactory.

Existing Member Inspections / Audit

BHTA currently has 348 member companies. BHTA currently commits to audit one third of member businesses who sell to consumers, 10% of these will be tested by a Mystery Shopping visit that is carried out by the Research Institute for Disabled Consumers.

Recommendation:

The current review of member monitoring will be comprehensive and will modernise the process. Any resulting changes to the Code should be agreed with CTSI.

Membership Termination / Withdrawal and Sanctions for Non-Compliant Member Businesses

Non-compliant members face a range of sanctions, including closer scrutiny, suspension of membership or expulsion. There have been no members subject to disciplinary proceedings since the last audit.

In the last year, 33 members have left the BHTA.

Consumer Complaints Process

In the financial year ending 30 June 2021, BHTA logged 21 consumer complaints and provided advice.

Of these 21 complaints, 19 had been resolved by the end of the year, as follows: -

5% compromise was mediated

42% found in favour of the consumer

48% consumer informed that they did not have a valid case

5% the consumer withdrew or ceased communication with BHTA

BHTA advised on a further 67 potential cases which did not result in formal complaint.

There was no consistent theme to the year's consumer complaints, they included whether items were fit for a particular stated purpose, complaints in relation to call-out charges, whether faults were inherent or due to customer misuse, delays with replacement parts and noisy motors, and post-Covid-19-pandemic issues (e.g., problems with battery-powered items restarted after prolonged dormancy).

Two complaints were escalated via BHTA's formal mediation process and referred to BHTA's Independent Arbitrator.

Any members who have complaints made against them are the subject of increased scrutiny.

Customer Satisfaction and Customer Satisfaction and Feedback

The BHTA Customer Satisfaction Survey Form (CSSF) can be downloaded from the Code of Practice page and emailed, posted or scanned and sent to BHTA.

In the period November 2021 to October 2022, 15 customers provided feedback across roughly 2% of BHTA member companies. 98% of those that completed a CSSF rated the BHTA member 'Very Good' or 'Good'.

The drop-off in CSSF returns compared to those in the reporting period in the previous audit (July 2020 to October 2021) partly stems from significant operational challenges for BHTA, including Covid pandemic/Government lockdowns; adoption of remote working by both BHTA and its members; departure (in December 2021) of the Head of Policy and Compliance after 30 years; appointment of new CEO in June 2022 and extreme changes and uncertainty in legislation and the UK government.

These affected the development of online CSSFs and BHTA is looking forward to stabilising these operational factors in 2023, which may include aligning CSSF reporting to standard BHTA timetables – calendar year or fiscal year.

Conclusions

The BHTA continues to support and represent its members. The BHTA arranges opportunities for its member sections (currently numbering 12) to meet three times per year, a mixture of in-person and virtual events. The meetings enable smaller and newer businesses to learn from larger businesses who share their experiences. In the meetings, the BHTA provides updates on topics requested by members and updates relating to the sector e.g., meetings with major stakeholders like MHRA, Amazon and the new NHS Central Commercial Function.

Due to recent changes in personnel, member monitoring is under review. This review should be completed within the coming months in good time for review at the next audit.