
British Healthcare Trades Association

Consumer Code of Practice

Audit October 2023

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 347 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 still going through a period of review and change. This has continued as the BHTA completes its 'Code and Compliance Transformation' with the assistance of a Chartered Trading Standards Practitioner and Consumer Codes Auditor'

Following the Covid pandemic and Government lockdowns, there have been changes in how the teams at BHTA are working, with remote working being adopted, some offices closing and some turnover of staff, remote working and remote compliance audits will be used going forward.

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.

The revised Consumer Code is awaiting full approval by CTSI. It is aimed to make the Code of Practice simpler, more user friendly and reflective of market changes. The Code will be supplemented by a 2 page subject specific 'Code Explainers, (Annexes).

Recommendations from last audit

This was the recommendation on the last audit '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.'

BHTA is moving to a solely remote on line 'desktop' audit using a comprehensive checklist this is considered acceptable and efficient.

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 (CRM).

The applications confirm that applicants are 'fit and proper' and 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 to the Head of Policy and Compliance, further questions are raised and investigations are carried out before a decision is made as to whether to agree the application.

BHTA have welcomed 16 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 347 member companies. Historically BHTA currently audited one third of member businesses who sell to consumers, 10% were tested by a Mystery Shopping visit that is carried out by the Research Institute for Disabled Consumers. This has now moved to a first stage remote system with the intention of all members completing the comprehensive check list. The process is likely to be called 'Compliance Check.' This is because most BHTA members are subject to other third party accreditation or certification audits eg. BSI/ISO

Should the remote check raise any concerns then stage two would be a face-to-face compliance audit.

As part of the Code and Compliance Transformation, BHTA are intending to implement more process driven 'guardrails' to make dealing with unsatisfactory returns or no-returns more systematic and less ad-hoc

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, 15 members have left the BHTA.

Consumer Complaints Process

In the financial year ending 30 June 2022, BHTA logged 62 contacts from the public regarding complaints or potential complaints and provided advice. Of these:

- 38 were advised of the BHTA complaints process, but did **not** advance to a formal complaint (61%)
- 24 were advised of the BHTA complaints process, but did advance to a formal complaint (38%); of these:
 - 4 stopped communicating with BHTA
 - 2 were rejected by BHTA as out of scope of the code
 - 10 were not upheld
 - 8 were upheld

Two complaints were escalated via BHTA's formal mediation process and referred to BHTA's Independent Arbitrator. 1 upheld and the other not upheld.

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Customer Satisfaction and Customer Satisfaction and Feedback

Online access to BHTA's customer satisfaction survey form (CSSF) has been paused while the principle and practice of customer feedback is reviewed as part of the 'Code and Compliance Transformation' and approved by CTSI

Members can request an electronic copy of BHTA Customer Satisfaction Survey Form (CSSF) which can be downloaded from the Commit to the Code page on the BHTA website and emailed, posted or scanned and sent to BHTA.

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.