

Consumer Code of Practice British Association of Removers Ltd (BAR) Desktop Audit June 2023

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 June 2023, there are 376 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 helps to distil government requirements in relation to EU-Exit, Covid 19 restrictions etc to it's members.

New Members

In the year to date since the last audit, there have been 28 applications to join BAR, 11 new members were admitted, 14 applications are still open and 12 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 were followed up and re-checked by BAR.

BAR membership criteria has been updated, the updates were to the following sections:

- Finance – amendments
- Addition of Employers Liability
- Premises, Office (a), amendments
- Vehicles – amendments

An email that was sent to all Members outlining the changes in April 2023.

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 wholly owned subsidiary of BAR covering the whole of the United Kingdom. Every member location must have an annual inspection as a mandatory requirement of continued membership. Every member must comply 100%, without exception, with both the Criteria of Membership and the Code of Practice.

In the period (9 months) since the last audit BAR carried out 392 inspections. This includes annual and change of address inspections for current Members, new applicant inspections, and Code follow-up inspections for new Members. Of these audits just 36 had any non-compliances.

Members to be audited are sent a Pre-Audit Submission form to be completed and returned prior to the audit date. 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.

Membership Withdrawal and Sanctions for Non-Compliant Member Businesses

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

However BAR had one implementation of the disciplinary process in 2022. The non-compliance related to the failure of a the member to cooperate with ADR Provider, The Furniture & Home Improvement Ombudsman. The matter was resolved following email correspondence. The member was advised that should they not respond to the Final Warning, or if BAR remained dissatisfied with the response to the warning, their membership would be terminated with immediate effect. The member made an offer of compensation to the consumer and the matter was resolved.

Terms and Conditions and other Pre-Contractual Information

BAR have produced a set of model Ts&Cs, these are supplied to members. 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. Members collate and acknowledge Consumer Vulnerability during the initial telephone conversation and or during the property survey (in person or video surveys) and BAR cover this in their Selling Skills Course.

Recommendation:

During the 2022 audit BAR were directed to the new CTSI Guidance on Consumer Vulnerability. BAR should have regard to the CTSI Guidance before next delivering their Selling Skills Course.

Consumer Complaints Process

Alternative Dispute Resolution is provided by The Furniture & Home Improvement Ombudsman (FHIO). In 2022 107 complaints were logged with FIHO. Of these 62 were found in favour of the member; nine in favour of the consumer, two where the decision was split; 22 outside Terms of Reference, and six settled between the member and the consumer prior to conciliation.

Best Practice:

BAR continue to meet monthly (online) with FIHO 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

BAR add a link to Referenceline to each Member record on their website, unless the Member advises that they use another method for customer satisfaction monitoring. Of the 378 BAR member head offices 353 are using Referenceline, which totals 93.38%. In 2023 to date 250 reviews per month for 78 Members

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. Overall, the BAR Code continues to provide significant protection for consumers in the removals sector.