

Consumer Code of Practice British Association of Removers Ltd (BAR) Desktop Audit June 2024

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 2024, there are 375 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.

New Members

In the year to date since the last audit, there have been 16 applications to join BAR, 8 new Members were admitted, 9 applications are still open and 16 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. No non-conformities were found for either applicant, some areas for improvement were identified with one applicant. Evidence was supplied to confirm any non-conformities identified by the inspector were followed up and re-checked by BAR.

BAR Membership criteria was last updated in early 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 20/05/23 – 20/05/24 BAR carried out 510 inspections, of these 11 were carried out remotely. Remote audits are only conducted in exceptional circumstances and it is ensured that the following year's audit is conducted onsite. This figure 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 68 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.

The five most recently completed audits were provided for review. As none of the five most recently completed audits had any non-conformities, BAR also provided the audit sheet for the most recent Member audit that had any non-conformities.

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 matters not be rectified within 30 days disciplinary proceedings may occur. Invariably the matter is then resolved.

There have been five implementations of the disciplinary process in 2023. Details of one was provided for the audit. This related to the reluctance of a BAR Member to pay the invoice for a matter that had been referred to the Furniture and Home Improvement Ombudsman and found in the BAR Members favour. The invoice was paid eventually and the business remains a Member of BAR.

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 no less 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 logo is mandatory along with the Membership number for all Members. It is checked at the Pre-Submission stage of the audit. It is found that the majority of Members display the logo.

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 monitor and acknowledge consumer's 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. The compliance team and Ian Studd (the Director General) have reviewed and discussed the CTSI Consumer Vulnerability Guidance, which has fed into the Selling Skills course.

Consumer Complaints Process

Alternative Dispute Resolution is provided by the Furniture & Home Improvement Ombudsman (FHIO). In 2023 127 complaints were logged with FIHO. Of these 72 were found in favour of the Member; 7 in favour of the consumer, 2 where the decision was split; 39 outside Terms of Reference, 4 settled between the Member and the consumer prior to conciliation and 3 others where the consumer withdrew the case or the case was a duplicate.

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 375 BAR Member head offices, 366 are directing consumers to Referenceline on BAR's website, which totals 97.6%. In 2023 there were an average of 233 Referenceline reviews per month for 366 Members

Conclusions

BAR is continuing to fulfil its obligations as a Code Sponsor. BAR keeps in regular contact with all of their Members ensuring they are up-to-date with all legal/consumer issues and offering support where necessary. BAR represents their 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.