

British Association of Removers Ltd (BAR) – Consumer Code of Practice

Audit May 2017

Background information

The 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 for many years and 2016 was no exception. There are currently 416 members of the scheme, who carried out 500,497 moves/transactions in 2016 (an increase of over 10% on last year).

Over the last year BAR has introduced a number of new initiatives to improve the way the Code is managed. These include launching the new website and some excellent new materials for members and consumers.

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 against a BAR member going into financial failure whilst responsible for an un-discharged removal contract.

BAR continues to make the most of their Trading Standards Primary Authority Partnership to underpin the work, materials and training provided to members with legislative protection. BAR has been a valuable member of the BEIS workshops, looking at the changes to the Primary Authority Framework in Oct 2017.

Audit Process

A qualified Trading Standards Practitioner from the Chartered Trading Standards Institute carried out a desktop audit. The audit included interviews with BAR and focused on the following areas:

- Member application process including checks carried out on prospective businesses
- Member auditing - content and process
- Terms and conditions and other pre-contractual Information
- Marketing and advertising by member businesses
- Sanctions for non-complaint member businesses
- Customer service provisions (including support for vulnerable consumers)
- Consumer complaints process (including ADR)

- Customer satisfaction
- Outstanding issues/matters arising from the last audit in March 2016.

Audit Summary

BAR has made a number of significant improvements to the systems supporting the Code and materials for members and consumers over the last 12 months. In particular, new processes for raising member staff awareness and understanding of the Code have proven to be very effective. Across all CCAS criteria the BAR Code is working very effectively.

At the last audit interview BAR stated that work was underway to improve customer awareness of the code. It was very pleasing to see examples of this during the audit.

Code sponsors are required to produce a written report annually on the operation of the code. Some of the information required was being displayed elsewhere by BAR but the full report for 2015-16 was not published. BAR have stated that the report for 2016-2017 is currently being worked on and will be published at the end of May 2017.

Action:

It was noted at the last audit that the annual report should be published as soon as practicable after each anniversary of the Code achieving approval. It must cover all aspects of the operation of the Code including compliance checks, sanctions for non-compliance and performance indicator information. Formats are available from CTSI.

New Members

In 2016 there were 14 new applicants approved as members and 7 applications were rejected. Often applicants will meet initial application criteria but then fail to meet the full requirements of the application process.

There are very robust procedures in place to process applications, notably the online checklist of required information, which is an excellent tool for ensuring consistency. The process can take over six weeks to complete, which in itself is evidence that new member applications are subjected to considerable scrutiny.

The follow-up Code inspections for new applicants are a key strength of the system. They are used to address the challenges that new members face when complying with the Code's requirements. They take place within 3 months of being accepted into BAR membership, to ensure that all Code requirements have been successfully adopted into the business. Full BAR membership is now intentionally withheld until the applicant demonstrates full compliance.

Observation:

Application forms are well populated but some were found to be missing some information. Examples included full name of CPC holder and confirmation of insurance protection arrangements. The system is robust enough that these issues are picked up prior to member approval, but the application forms could be amended by BAR staff at the point of receipt after getting clarification from the applicant, either by telephone or email.

Existing Member Inspections/Audit

All inspections are conducted by inspectors employed by Quality Service Standards Ltd (QSS), which is a UKAS accredited wholly owned subsidiary of BAR, to assess compliance against each element of the membership criteria and BAR Code of Practice.

100% of members are inspected annually and this remains a key strength in the BAR systems. Existing member inspections were reviewed and it is clear that this is an area that BAR remains very committed to, with a range of different resources allocated. In 2016 BAR carried out 555 site visits, which were a combination of annual inspections, new applicant inspections, change of address and new member follow up visits.

Best Practice:

Existing BAR members have to complete a detailed pre-submission questionnaire to BAR (not the inspector) prior to their agreed inspection date. This allows BAR to maintain a holistic view of its existing members. In addition, if the member submits the form late then they will incur a financial penalty.

It was noted that guidance on how to use the BAR and CTSI logos is provided to existing members at audit. This is an excellent way of providing support and ensuring consistency.

It was pleasing to observe that auditors are checking whether members are using the correct versions of CTSI leaflets and advising members to update their leaflet library when found to be using outdated versions.

A history of all inspection visits is logged within the system so BAR can monitor member compliance levels. This assists in the identification of any repeat nonconformity, which can in turn lead to the member receiving extra support. In addition, BAR continues to hold regular nonconformity meetings to monitor current inspection activities.

Membership Withdrawal and Sanctions for Non Compliant Member Businesses

Over the past year, 15 businesses either resigned from BAR or had their membership terminated. Several businesses (no longer members of BAR) were examined. The procedures for removal were reviewed and the websites for withdrawn members checked to ensure that they were no longer using the BAR logo.

Observation:

One ex-member was found to be still appearing on a trader review website claiming to be a BAR member. Whilst BAR had clearly done everything possible to remove the member, approaches could be made to such websites asking that the information be changed. The ex-member could also be written to, and the Primary Authority Partner informed. The website stated that the ex-member is the only BAR-registered business in that location, which was also incorrect.

There is a very good system in place to deal with non-compliant member businesses. The process for removing businesses was examined and evidence provided that the disciplinary board was still in place, but had not been needed since last audit. The disciplinary process itself was found to be very transparent and involves a set of procedures that work extremely well.

Terms and Conditions and other Pre-Contractual Information

BAR has continued to embrace the Primary Authority Principle and have delivered huge benefits for its members as a result. Terms and conditions and other pre-contractual information are a key area in which the Primary Authority Partner has provided consistency and assurance for members across the board, and there were no concerns identified with this element at audit.

Marketing and Advertising by Member Businesses

A number of member advertisements were assessed and there are no issues of concern with marketing and advertising. It was noted at previous audit that the Primary Authority Partner could provide advice on marketing and advertising claims made by members if requested to. This has been acted upon by BAR and dialogue has now taken place with the Primary Authority Partner on this subject. This dialogue has been part of a wider discussion on legislative advice, which resulted in priority being given initially to other areas, notably an excellent guide for members on Fire Safety requirements.

Customer Service Provisions

The measures in place that require Code members to ensure that their staff members understand the Code were examined at length. These measures must include knowledge of the terms of the Code, legal responsibilities and appropriate training of staff.

The BAR Code states that all members and their employees must be made aware of the Code. This is checked as part of their annual inspection by QSS. The auditor was very impressed to learn that BAR has developed materials to assist members since last audit, and that the BAR website now contains resource information in the “members only” section on this subject.

Best Practice:

BAR has developed two excellent documents to help ensure that members understand the code. The first is a comprehensive questionnaire that tests the relevant staff members on various aspects of the Code. The second is a poster that acts as an aide-mémoire for Code member staff to ensure that they treat consumers in the way that the Code requires them to. In addition, a very effective leaflet has been produced for consumers to know what to expect from Code members.

Consumer Complaints Process

There were 83 complaints received to Oct 2016. This was a significant reduction on previous years and may well indicate that members are better understanding and following the code.

The complaints system was assessed and continues to be very easy to follow, supported by the new website. There continues to be a clear distinction between the work carried out by BAR and the ADR function delivered by The Property Ombudsman (TPO). The website was updated in January 2017 and is particularly effective now when explaining how the ADR scheme works and what consumers need to do in order to access it.

The alternative dispute resolution process was examined and continues to be satisfactory. The Property Ombudsman (TPO) is a certified ADR provider that continues to provide dispute resolution services to all BAR members and consumers. Over £10,000 was recovered by consumers due to CCAS/ADR mechanisms during 2016.

Observation:

Given that there were 462 complaints received last year it may be advisable to investigate the reasons for this lower complaint level. Any reduction in complaints is obviously welcomed, as it indicates consumers are happier with the services provided by members. It may not be possible to determine the reasons for the drop, and levels may increase in future years.

Customer Satisfaction and Feedback

2063 customer satisfaction questionnaires were completed to October 2016. This is a significant number of responses, demonstrating that BAR has a meaningful data set to draw from when measuring customer satisfaction and feedback. Overall customer service satisfaction was very high, being recorded at 98%. In addition, 98% of consumers would recommend the BAR member to others (which is a clear endorsement of the scheme).

Since last audit BAR has agreed a new exclusive partnership with Referenceline to provide an online customer feedback mechanism. A significant proportion of BAR members were already using Referenceline, which now accounts for the majority of BAR member's feedback. To assist those members leaving the TrustedMover platform, Referenceline imported all pre-existing reviews into the Referenceline platform, including any relevant Code data. This avoided losing any historical ratings, scores or customer references.

It was noted that (as recorded at previous audits) not all members use Referenceline. BAR is clear though that it is a requirement for all members to carry out customer surveys and obtain feedback, ensuring that the mandatory questions are included. Some members do use alternative online surveys or a simple form that they hand to the customer after every move. These are checked at their annual inspection by QSS.

Conclusions

It is the opinion of the auditor that BAR is continuing to fulfil its obligations as a Code Sponsor. The way in which the Code is managed has again changed, with a greater emphasis seen this year on member and consumer education.

BAR has invested heavily in a range of processes to ensure that the Code is effective and runs smoothly. Obvious examples include the new website and the drive to bring together various activities (such as customer satisfaction data collection) into one place as much as possible. In addition, extensive use of the Primary Authority Partnership to underpin the work of the Code is a clear reflection of the embedded culture of continual improvement at BAR.

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