

British Healthcare Trades Association

Consumer Code of Practice Desktop

Audit July 2020

Background Information

The British Healthcare Trades Association (BHTA) is a well-established body originally set up to provide mobility aids for those personnel wounded in WW1. The Association comprises 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 Social Care and Health. BHTA Currently have 401 members.

The Code is primarily designed to provide enhanced protection for consumers. However, as it is considered best practice when dealing with their clients, there is an expectation that all Members should apply the code criteria whether they supply direct to consumer or are solely business-to-business operations. Market penetration varies depending upon the sector with those in the prosthetics sector accounting for almost 100% of the market, whereas in the provision of stair lifts it is closer to 50%.

The new CEO Dr Simon Festing started at BHTA at the beginning of March 2020.

Audit Process

The desktop 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

The pre-audit questionnaire was comprehensively completed by BHTA and all evidence was supplied as requested. A number of questions were posed to the key contact during the desk-top audit and were answered promptly.

Recommendations from last audit

It was recommended that 'non retail' Members have a different audit checklist or the current form is amended to ensure that the Auditor can ignore certain questions that relate solely to B2C transactions. BHTA have confirmed that in Autumn 2020, once they have gained some experience of desktop auditing, their audit checklists will be amended and also amended if necessary to reflect any changes to the Code.

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. The membership application process is comprehensive and well structured.

The auditor was provided with examples of two new member applications as requested. The member applications for both companies were examined. All criteria were indicated to have been checked and found to be satisfactory.

Existing Member Inspections/Audit

BHTA currently has 401 member companies. BHTA aims to visit 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 Research Institute for Disabled Consumers.

In 2019/20 BHTA had developed and were about to roll out a programme of desk-top auditing. However, the UK lockdown coincided with the start of this plan, so it has not yet commenced. BHTA had intended that auditors would trail desktop auditing and then consider developing separate documents for desktop auditing and/or B2B members. For the desktop audit it is likely that some evidence will be requested in advance of the audit e.g. sample advertisements, terms and conditions, evidence of assessment/tuition, sample adverse incident record, complaints procedure.

BHTA are considering classifying businesses as high risk if they have more than "x" complaints against them in a year; and/or if they demonstrate and/or sell larger items of furniture in a customer's home. BHTA regard those members who rarely sell to consumers as low risk and may only audit them once every five years. But BHTA will arrange an audit or mystery shop if any allegations are made against any member who gives them cause for concern.

Through the audit programmes BHTA have found that an increasing number of members B2B businesses now also occasionally sell direct to consumers. The audits evidence some concern in relation to the understanding the differences for terms and

conditions. The absence of a written complaint procedure was also a theme for rectification.

BHTA supplied completed audit sheets for members as requested. The audit reports were reviewed and the audits were found to be comprehensive and well recorded. They follow a set procedure with additional comments by the auditor as appropriate.

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

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

In the last year 60 members have left the BHTA. The exit documents for three of those members have been examined and their websites checked. No unauthorised use of the BHTA logo was noted.

Consumer Complaints Process

In the financial year 2018/19 BHTA logged 76 consumer enquiries and provided advice. In many cases, the consumer had not yet properly complained to the business concerned, so the process they should follow was explained to them. Approximately a quarter of the enquiries this year related to problems with deliveries and a further quarter to repairs or faults.

Following the intervention of BHTA, solutions offered by members included repairs, extensions of warranty, annual service, and replacements free of charge. The BHTA calculate that £17,869 of consumer detriment has been avoided by their intervention.

Just three complaints were escalated to the BHTA formal mediation process and one case referred to the independent arbitrator. This case related to whether a riser recliner chair was of satisfactory quality. The arbitrator found in favour of the complainant, who received a replacement chair.

Members who have had complaints made against them are the subject of increased scrutiny that may include a personal visit from the Director of Governance & Policy.

Customer Satisfaction-Feedback

The BHTA website has recently been relaunched and the Customer Satisfaction Survey form can be downloaded from the Code of Practice page. The facility for feedback online is on schedule to be re-built. Currently it is only possible to download the Customer Satisfaction Survey form and email it to BHTA. BHTA would prefer that consumers were able to complete the form online.

Additionally, BHTA member companies provide paper copies of feedback forms which can be returned to BHTA via a freepost address. The feedback forms also alert member's customers to the option of completion online.

In the period January to June 2020 145 customers had provided feedback across roughly 10% of BHTA member companies. This includes some of the Covid 19 lockdown period, so BHTA would normally expect higher levels of feedback. This feedback was all via forms sent back in pre-paid envelopes. They showed that 97% of those that completed a survey rated the BHTA member 'Very Good' or 'Good'.

Conclusions

BHTA continue to fulfil their obligations as a code sponsor.

The Coronavirus pandemic has halted auditing and the intended roll-out of the desktop monitoring. BHTA hope to resume their auditing programme as soon as possible.

Sadly, BHTA anticipate that a number of their members will not reopen once the Covid 19 lockdown is lifted.