

British Healthcare Trades Association Consumer Code of Practice Desktop Audit October 2021

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 385 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%.

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. The BHTA plan a light-touch review over the next couple of months for any factual inaccuracies (hyperlinks etc). The full review previously planned (content, relevance, language, operations) was postponed, with

the expectation it would recommence in late 2021 however due to the recent departure of BHTA's CEO a further delay is anticipated (at least one quarter). BHTA plan to launch a promotional campaign early in 2022 which aims to:

- Educate stakeholders about the BHTA, its Code, and its members
- Increase membership engagement by encouraging members to participate
- Drive membership acquisition by creating a FOMO effect
- Improve member satisfaction by sharing campaign performance and successes

In preparation for this the consumer pages have been re-written and the presentation improved.

Recommendations from last audit

At the time of the last audit the Coronavirus pandemic and government lockdowns had halted auditing and the intended roll-out of the desktop monitoring. BHTA have recently recommenced auditing.

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 now captured in the BHTA's new Customer Relationship Management system. Screenshots were provided for two completed new applications. The screenshots confirm that applicants have received and read BHTA's Code, Articles and terms and conditions. As previously, new members 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 carried out before a decision is made whether to agree the application.

The BHTA maintain a "Do Not Admit" list which is more accurately described as a 'do not admit without asking questions' list. This is a watchlist kept by BHTA of non-members relating to any court cases or anecdotal allegations made against them. It is revised annually to ensure information is not retained for an unduly long period of time.

BHTA have welcomed 21 new members in the last 12 months. 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 385 member companies. BHTA aims to test 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. The remainder are audited, previously this was an on-site audit.

In 2019/20 BHTA developed a programme of desk-top auditing, however the pandemic and UK lockdowns interrupted the roll-out of the programme.

BHTA have recently restarted their auditing programme. Their intention is to carry out two thirds of audits as remote/desktop audits.

BHTA supplied records of their most recently completed member audits. 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.

Recommendation:

The audit reports provided related to audits that took place in late 2019 (and were the same ones provided for last year's audit). The auditing programme must recommence as soon as possible.

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 27 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 ending 30 June 2020 BHTA logged 38 consumer complaints and provided advice. This figure represents consumer complaints below normal levels, undoubtedly due to the pandemic and government lockdowns.

Of these 38 complaints 30 had been resolved by the end of the year, as follows: -

- 37% compromise was mediated
- 23% found in favour of the consumer
- 27% consumer informed that they did not have a valid case
- 13% the consumer withdrew or ceased communication with BHTA

BHTA advised on a further 45 potential cases which did not result in formal complaint.

There was no consistent theme to the year's consumer complaints, they included whether items were fit for a particular stated purpose, complaints in relation to call-out charges, whether faults were inherent or due to customer misuse, delays with replacement parts and noisy motors. In two of the complaints about delays in delivery of parts, after intervention from BHTA, the manufacturers expedited delivery and apologised directly to the retailers' customers.

No complaints were escalated to the BHTA formal mediation process or referred to the independent arbitrator.

Any members who have complaints made against them are the subject of increased scrutiny, which may include a personal visit from the Director of Governance & Policy.

Customer Satisfaction and Customer Satisfaction and Feedback

The Customer Satisfaction Survey form can be downloaded from the Code of Practice page. 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 July 2020 - October 2021 237 customers had provided feedback across roughly 17% of BHTA member companies. Again, this year it 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 98% of those that completed a survey rated the BHTA member 'Very Good' or 'Good'.

Recommendation:

BHTA have indicated previously that they wish to allow customers of BHTA members to leave online reviews. This should be developed as soon as possible.

Conclusions

The pandemic and government lockdowns have created many and significant challenges for the BHTA, its sections and its members, however the 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 must resume its auditing programme as soon as possible.