



What do we do about your complaints?

Have you contacted us with a complaint recently? If you have, we hope the advice we gave you helped you sort out your problem. But we may have told you that we couldn't take action ourselves against the business concerned.



Why didn't we take up your specific complaint with the business concerned - even though they appeared to have broken the law in some way? Because we receive around 18,000 complaints and enquiries every year, and have less than 40 enforcement staff to cover the whole of Kent we just cannot take action over every complaint as well as fulfilling our many other statutory duties.

Did we do anything at all about your complaint? - Yes, we did. In Kent we have successfully adopted an "intelligence led" approach and every complaint or enquiry we receive is logged so that we can keep track of problem areas or traders.

We use this information to target our activities. For example, we are currently working in partnership with Kent Police and Social Services to tackle the increasing numbers of complaints relating to unsolicited calls by doorstep sellers and, in particular, those involving bogus builders and rogue traders, who often target vulnerable consumers. This approach has proved very successful as you will see from some of the items in this newsletter.

Telling you what we have done - It is just not possible for us to feed back individually to every person who has contacted us with a complaint or an enquiry, but we hope this newsletter will give you some idea of how we have dealt with just a few of the problems we have been told about. You can also find information on our other activities which you may not be aware of. If you thought "what do they do all day if they won't sort out my complaint?" we hope this newsletter will give you some idea!

Community Safety

The battle against bogus builders calling door to door, offering to tarmac driveways or carry out house repairs continues. Kent house-holders are regularly conned out of thousands of pounds, and although every home owner is a potential victim, vulnerable consumers such as the elderly, are often deliberately targeted by these callous conmen. Below are some of the things we have been doing, and examples of just a few of the cases which we found out about, and where we were able to help.

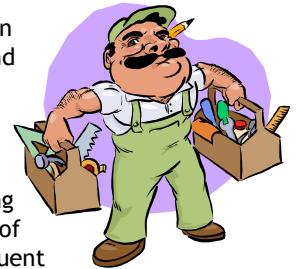
Kent initiative takes off - have you seen our posters in your bank or post office? We sent letters, staff guidance and warning posters to over 800 banks, building societies and post offices around Kent, alerting staff to rogue traders who may be taking vulnerable consumers to draw out large sums of cash. This campaign proved very successful, and the idea has now been adopted nationally by the British Bankers Association. Our Community Safety Officer has helped draft guidance for the financial institutions based on our experience.

Suspicious? - Tell us!

Did you know there are an estimated 15,000 cases of bogus trading every year? Many more go unreported. The Office of Fair Trading estimate that an average of £2,000 is handed over in each case, so the conmen are getting away with a possible £30 million of our hard earned cash every year!

A warning flyer and an incident identification sheet for the public to provide details of a rogue trader or cold caller are distributed by Neighbourhood Watch, Police and Social Services in areas which we know are target hotspots, but if you are aware of these people operating in your area now, and you have any information which you think might help, please let us know by calling our "rogue trader hotline" on **08453 450210**

Bogus Builder Cons Elderly Victim - an elderly gentleman was withdrawing and transferring large sums of money from his bank account, and bank staff became concerned when a large cheque bounced. The customer told them he wanted the money for building work. He had already paid thousands of pounds for work done, and the subsequent cheque had only bounced because he had already handed over so much money to the trader. Our officers visited the consumer and inspected the work alleged to have been done on his property. Local builders told us the whole roof could have been replaced for less money than he had been charged for "repairs". To make matters worse, the building had been left in a dangerous state, and an emergency team from the local council had to be called to prop up an unsupported chimney. The builders responsible were approached, but quickly departed leaving their scaffolding and tools on the premises. These were removed by our officers so the builders had no excuse to return to the property.



Although this victim had already been conned out of a large sum of money before we became involved, he was saved from parting with many more thousands of pounds.



Doorstep Sellers - Have the confidence to say NO!

Rapid Reaction - our "rapid reaction" team was set up to intervene between rogue doorstep traders and vulnerable consumers. In just the first six months of operation we prevented more than £91,000 being paid to these unscrupulous rogues. Since then many more thousands have been saved for Kent consumers.

Consumer Safety Matters

Your reports of dangerous items on sale are always taken seriously. Below are some of the safety issues we have investigated over the past few months.

“Bargain” Furniture Safety Hazard - Consumers tempted by furniture sold cheaply in dubious locations such as supermarket car parks, motorway service stations and door to door found to their cost that the “bargain” buys were not what they seemed. One woman paid £400 for what she thought was a leather sofa. It turned out to be PVC with safety labels which had been photocopied and stapled on. During 2003 large consignments of potentially lethal furniture from Poland had been arriving via the ports at Dover and Ramsgate, and at one point lorries were being sent back on an almost daily basis. Our officers seized many items which were sent away for safety testing. A large proportion failed the tests, and could have proved lethal if they had caught fire.

This is no easy task to deal with as we have limited powers to permanently stop these substandard imports, and prosecution across international borders is very difficult. The lorry drivers seldom know who owns the load or its eventual destination, and documentation usually turns out to be false. In addition since Poland joined the EC in May 2004 Customs no longer have the power to randomly stop Polish vehicles for us to examine.

Many months of discussions with the DTI (Department of Trade and Industry) and the Polish Embassy, as well as talks with some of the Polish manufacturers involved have had some impact, as there has been a slowdown in the amount of problem furniture arriving. However, suspect items of various types do continue to come into the country so beware. We all like to think we are getting a good deal, but if you, or

anyone you know is offered cheap, bargain furniture (or any other consumer product) by people knocking at your door, or in a car park or any other dubious location - don't be tempted! At the very least it is likely to be substandard and poor value and at worst it could be dangerous.

Knife injury - a consumer who purchased a carpet knife was injured because the item was inadequately packaged. The retailer concerned withdrew the knives from sale once we pointed out the problem.

Collapsing Ladder - a complaint from a Kent resident about a ladder stabiliser was passed on to colleagues in the area where the company concerned are based. The consumer had been catapulted from his ladder when the telescopic leg button on the stabiliser shot back extremely quickly. However, tests carried out by two different laboratories concluded the devices were as safe as can be expected for this type of equipment.

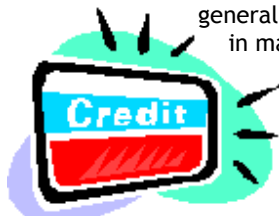
Safety net - enquiries are underway following a report of a pet dog injured by the bolts used to hold a safety net in place on a trampoline. The bolts appear to be too long and sharp, and our concern is that they could prove a hazard for children playing under the trampoline.

Many other safety issues raised by consumers have been followed up by our staff. They included a motorbike with suspected faulty steering, an apparently unroadworthy car, and concerns about the safety of garden furniture and a tooth whitening product. There was also a problem with a heated trolley which kept not only the food, but the trolley handle warm. One consumer was worried that insoles purchased from a charity shop which disintegrated were made of asbestos, and another reported a strange smelling pot plant.

Using our intelligence

The following are examples of cases where we use the intelligence you help provide us with. Where we find there is a problem, perhaps because there are a number of complaints about particular activities or businesses, we will investigate. We have also introduced an “early intervention” campaign aimed at tackling problem areas of trade or traders before an unfair practice turns into a major problem. A consumer advisor and enforcement officer visit the business to find out where the problem lies and attempt to resolve it by advising on a suitable course of action and getting the trader to agree to try to put things right. We then monitor the businesses carefully to see what, if any, follow up action is needed.

Finance Company Scrutinised - complaints about the company covered a variety of matters including alleged harassment, default and termination problems, sales of “compulsory” insurance and generally poor service. We decided to tackle the issue by visiting the local Kent branches of the business to discuss the complaints with the Area Managers. Although in some cases their version of events was different from the consumers, we found the managers were generally keen to sort out the problems, and in many cases we were able to resolve the situation. Complaint levels have dropped as a result, but we will continue to liaise closely with the company to make sure the improvement is maintained.



“Buy one, get one free” - complaints about this type of offer at supermarkets were investigated in a recent campaign. We visited a number of supermarkets, some which had been the subject of complaints and some which hadn't. Officers paid particular attention to multiple item offers, shelf edge reductions and took into account any store leaflets (either delivered to homes or available in store). They also kept a look out for out of date items. We found problems with overcharging, out of date information and out of date food at various branches of one particular supermarket, although they also undercharged on one offer price. Similar problems were also found at two branches of another large retailer. Legal action resulted in several cases.

Property - a large property developer was prosecuted following an investigation into complaints from people who had bought homes on a new development. Purchasers discovered that the 40 prestigious four or five bedroom houses they believed would be built on an adjoining area of the development turned out to be more than twice as many smaller, affordable homes. The company was fined a total of £16,000 for misleading buyers. They were also ordered to pay £4,800 costs.



Remember, if an offer seems too good to be true - it probably is!

Problem Traders

Unfortunately there will always be traders who deliberately ignore the law, and have no interest in co-operating with us. This not only affects the consumers who are conned into parting with their money, but also businesses who trade fairly and have to face unfair competition. Another problem is that many consumer issues are covered by civil law rather than criminal, and sometimes the only thing the customer can do is to pursue the matter in the civil court. However, even when no criminal laws have been broken there are other steps we can take, and new consumer legislation is providing us with more options.

Clocked car - a consumer who purchased a car advertised with a mileage of 63,000 complained to us after experiencing a series of problems with the vehicle. Our investigations confirmed that the car had previously had a recorded mileage of 176,258. The dealer was fined a total of £2,000 and ordered to pay prosecution costs of £350. His solicitor told the court that he is no longer involved in the car trade.

Dealer Posed as Private Seller

A car dealer who posed as a private seller and sold "clocked" cars with falsified service histories was sentenced to 120 hours Community Service. He was also ordered to pay prosecution costs and to compensate purchasers.

Plumbing - We received many complaints about a particular plumbing company, concerning poor workmanship and over-charging. Persistent attempts to talk to the trader and resolve the problems did result in some issues (for example unfair contract terms) being addressed, but many other problems remain unresolved and complaints continue. It is very difficult to prove criminal offences, but we are now working towards action under new civil legislation. The problems are compounded because of the company's links with another plumbing firm also generating a large volume of complaints. Our investigations continue.



All in a Day's Work

Although we rarely make special visits to investigate individual complaints, we often follow up enquiries during the course of our planned activities. Below are some examples.

Food Problems - following consumer complaints about food for sale past its "use by" date we carried out test purchasing at several shops. A number of problems were found. Cautions were given to several retailers, and in some cases prosecutions resulted. One newsagents shop was fined a total of £10,500 and ordered to pay prosecution costs.

Allergic Reaction - an investigation followed a complaint about a vegan pizza purchased from a health food store which a consumer alleged was the cause of a serious allergic reaction. The purchaser, who is allergic to dairy, nut and egg products, had suffered a very serious reaction which resulted in several hours in hospital with swollen lips and tongue and breathing difficulties. The store concerned suspended sales of the product, and a sample was sent to the Public Analyst at Kent Scientific Services for analysis. If we find the pizza does contain ingredients it shouldn't, legal action may result.

Cruelty to pigs - an investigation following a report from the RSPCA resulted in prosecution for a pig farmer. He was found guilty of keeping three pigs which did not have access to fresh water; allowing two pigs access to unprocessed animal by-product and keeping them in solid pens which did not permit them to have sight of each other. He was also convicted of cruelty to 4 pigs through lack of reasonable care/supervision. We asked the magistrates to ban the farmer from keeping pigs, which they did. He will not be allowed to keep pigs for a period of 10 years. In addition he was fined £2,280 and ordered to pay £780 prosecution costs.

Cattle - we visited a farmer after receiving a complaint alleging that his cattle were in a poor state and were not being fed properly. Our staff were accompanied by a veterinary officer from DEFRA (Department of Environment, Food and Rural Affairs). After the inspection officers decided that the herd was in no immediate welfare danger. However, the farmer was given advice on stock management, and arrangements were made for a further visit to make sure no serious welfare problems occur.

Motor Trader - following several consumer complaints, a car dealer was inspected, and issued with a caution for offences under the Trade Descriptions Act.

Car Engine Damaged - a consumer contacted us to complain when her car broke down after she had filled up with what she thought was diesel, but which turned out to be petrol. Checks at the petrol station during a routine inspection revealed that the company was not at fault as the pump nozzles were correctly labelled. The consumer later called again to apologise and seek advice as she had discovered it was in fact her mistake, she had inadvertently filled up with unleaded causing a possible £3,000 bill for repairs to the engine.

Estate Agents - several complaints about a particular estate agent were followed up when we carried out an inspection at the agent's premises. Although the complaints were not strictly the subject of legislation that we enforce, we did raise the matters with the agents, so hopefully this will help stop similar complaints in future. Another agent was given a caution for misdescribing an off road drive where no drop kerb existed.

Fireworks - a number of complaints relating to the sale or storage of fireworks have been investigated, and enforcement action taken where necessary. In one case elderly residents were frightened of the risk of explosion because their neighbours were illegally storing fireworks to sell on. In another case fireworks were offered for sale by a youth selling from a vehicle - this is illegal. Another report led to the discovery of a large stock of fireworks in a store which was inadequate and unlicensed - in fact it was a garden shed! Officers contacted the supplier to immediately collect the fireworks.

Dog at the Docks - a ferry passenger reported seeing a dog in a vehicle whilst driving out of Dover Docks. Officers investigated, and were able to trace the animal and owner to confirm that the dog had the appropriate chip and documentation to allow it into the country.



What else do we do?

In the previous pages we have told you what we do about your complaints, but you may not be aware of the full range of our activities. The following is a brief description of our main areas of work.

Community Safety - making Kent a safer place to live and do business in is a high priority for us. Our Community Safety Officer is involved in many local and national projects aimed at doing just that. Protecting the vulnerable is one major project (see page 1). Cracking down on under-age drinking, which is linked to rowdiness and petty vandalism, is another. We want to promote a culture change in Kent from the current tolerance of alcohol sales to underage young people, to one of zero tolerance where any person who *might* be under 18 will have to provide proof of their age if they want to buy alcohol.

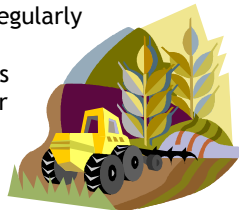
Consumer Credit - the rules governing consumer credit are complex, and cover areas such as credit advertising, credit licensing, mortgage broking etc. Our specialist officers make sure that businesses are sticking to the rules.

Estate Agents - our home is the biggest investment most of us ever make, and making sure that property descriptions are accurate is another of our responsibilities.

Explosives - we register premises stocking explosives, the majority of which are fireworks. However, there are a number of other businesses which keep other types of explosives ranging from shotgun cartridges and bird scarers, to blasting explosives. Our officers check to see that all these items are stored safely.

Farm Animal Health and Welfare - many people don't know we are responsible for the health and welfare of farm animals in transit and at markets. We also enforce the rules aimed at preventing the spread of diseases such as foot and mouth, and rabies.

Food and Agriculture - it's our job to make sure that food is labelled accurately, contains only permitted ingredients and is not sold past its "use-by" date. We regularly take samples of all types of food and agricultural products, including petfoods and fertilizers. We also check drinks, for example to see that cheap alternatives haven't been substituted for branded spirits in pubs and restaurants.

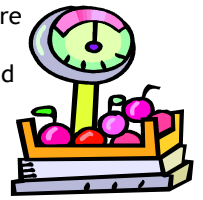


Petrol - filling stations are high risk areas which have to be licenced to store petrol. Approving and licensing such premises and making sure they store and handle petrol safely is another of our duties.

Product Safety - monitoring the safety of consumer goods involves much more than just following up complaints and responding to changes in the law. We aim to identify problems early on by liaising closely with manufacturers and

importers in Kent, so controlling the distribution chain much more effectively. We also work closely with Customs to intercept many dangerous goods before they ever reach the market place. (see "safety matters" page 2).

Weights and Measures - you may not be aware that as well as testing all shapes and sizes of scales and measuring instruments in shops and factories, pubs and restaurants we also visit packers and importers to check all sorts of products ranging from tea, milk, fruit and vegetables to propane gas, fertilisers and liquid anaesthetic. We also test petrol pumps for accuracy, check weighbridges and carry out roadside checks on fuel delivery tankers.



Business Support - trading standards legislation can be complex, so we help businesses to trade fairly and within the law by providing them with specialist advice and information. We also carry out around 5,000 inspections each year, many of them unannounced spot checks.

but that's not all - we enforce the rules relating to trade descriptions and the package travel regulations. We also seize counterfeit goods (ranging from clothing, music CDs and DVDs to fake perfume and shoes), and keep an eye on motor traders who might be selling unsafe cars, clocked vehicles or not carrying out services properly. Then there are checks at markets and car boot sales; investigating claims about membership of trade associations; misleading price indications; registering second hand dealers and motor salvage operators. Not forgetting the educational activities our advice team get involved in, such as the Young Consumers of the Year Competition, providing resources for students.... There is much more, but we hope this is enough to give you some idea of the wide range of our activities.

Don't Get Caught!

What do we get most complaints about?

Prize notification letters (or phone calls/messages left on your answerphone) saying you have won a large prize or substantial sum of money, but to claim the prize you have to send off money or make a phone call (which will almost certainly be at premium rates).

Competition scams have been around for a long time, but unfortunately many people are still tempted by the thought they may have won a big prize. Some can ill afford the money they send off, often to addresses abroad.



If you, or any of your friends or relatives receive these letters or calls, **IGNORE THEM**. You are very unlikely to receive anything at all. If you do, it will almost certainly be of little value, and it will prove almost impossible to get your money back. You will also be targeted all the more in future.

Re:Action is available in large print if required

The Consumer advice helpline: 08457 585497 is open 10am-4pm weekdays

or visit our website at: www.tradingstandards.gov.uk/kent where you will find useful information to view or download including factsheets, safety recalls and press releases. You can also register a complaint and find links to other useful sites. (Don't forget you can use the computer in your local library if you don't have one at home).