



Your Complaints - what do we do about them?



If you have contacted our Consumer Advice team, we hope you received the advice you needed. You may have been told that we would not be taking up your specific complaint with the business concerned - even if the

business appeared to have broken the law in some way. This is because we receive around 18,000 complaints and enquiries every year, and with less than 40 enforcement staff to cover the whole of Kent we cannot take action over every complaint as well as fulfilling our many other statutory duties.

In Kent we have 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 carry out targeted campaigns. For example, recently we have embarked on a major project in partnership with Kent Police and Social Services. It follows 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. (See below).

It is 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 bulletin will show how we have dealt with just a few of the problems we have been told about, and also give you an insight into our other activities. If you thought "**what do they do all day, if they won't sort out my complaint?**" **we hope this bulletin will answer your question!**

Community Safety

Bogus builders calling door to door, offering to tarmac driveways or carry out house repairs regularly try to con Kent house-holders out of thousands of pounds. Every home owner is a potential victim, but some particularly vulnerable consumers such as the elderly are often deliberately targeted by these unscrupulous rogues. The examples below are just a few of the cases which we found out about, and where we were able to help.

Victims of Doorstep Rogues

An 87 year old man had been visited regularly by a gang of builders over a two year period. He had paid a total of £80,000 for work allegedly done to his property. Our Officers and Police visited him when we found out the builders were due to return to collect another £15,000 said to be outstanding for work done. When a builder turned up he was confronted by the officers. Returning to his van under the pretext of collecting a guarantee and completed work schedule, he jumped in and drove off at high speed. Police gave chase but lost him. The van was later found to have had false number plates. Our officers remained with the householder who received a telephone call from the builder 15 minutes later asking if the police had gone. He told them Trading Standards officers were still present, but the builder hung up when the phone was passed over. The householder has had no further contact from him.

A 92 year old lady was approached by three men offering to tarmac her drive for £1,200. After work started they asked for £9,000 taking her to the bank to collect the cash. Fortunately the bank manager became suspicious and called the Police who arrested the men. A local highway inspector examined the work on our behalf and gave his opinion that the work would have cost £500 if done properly, but he considered the standard of work was so poor it was worthless! Thankfully, the swift action by the bank manager meant we were able to make sure the resident did not pay for the sub-standard work

A retired couple received an unsolicited call from some builders who said they needed work doing on their gutters, saying it would cost £90. After doing the work they demanded £6,600 cash. They took the husband to the bank but fortunately the bank would not permit him to withdraw such a large amount of cash and he had to make arrangements for the builders to call back for the money. Meanwhile a local builder told the householder the work was shoddy, so he phoned the London number on the visiting card. The company did exist but said they had not done any work in the area. Police and Trading Standards were contacted and arranged to be present when the builders called for the money. They arrived before our officers but departed, without any money, when the householder told them we were on our way.

We have now written to bank and building society managers throughout the county, asking them to look out for this sort of incident.

We want to know!

A dedicated telephone number has been set up to receive calls from the public about rogue traders. 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. **If these people are operating in your area now and you have any information, please call us on 0845 3032500**



In the few weeks since we started our campaign to crackdown on the doorstep rogues we have saved 9 Kent Consumers a total of £63,775

Consumer Safety Matters

Some potentially serious safety issues which we have investigated over the past few months.

Folding Furniture - In the last issue of **Re:Action** we mentioned a folding wooden stool with no locking device which collapsed resulting in serious injury for the user. We decided to carry out a campaign looking at similar items of furniture, and officers examined products on sale at 13 premises around the county. Most of the furniture we checked appeared to use similar folding mechanisms. Although most items were clearly safe, a few had designs which were less desirable, although none could actually be classified as hazardous. Officers also checked any cushions and seat covers to make sure they complied with fire safety regulations and were displaying the correct labels etc. Seven retailers were cautioned for failing to produce all the information which should have been available to consumers.

Gas Safety - a spate of calls about a company supplying and fitting gas products were investigated. Officers found that the problems were not as serious as they first appeared, and the trader was trying to resolve them. We provided advice, and are monitoring enquiries to see if any further action is needed.

Medical treatment - was needed by a consumer after a product she was reaching for on a supermarket shelf somehow spilled directly into her eye. We are investigating to see if the product may need a child resistant closure.

Vacuum cleaners - sold with two pin plugs at a major supermarket prompted complaints. On checking we found that the problem had arisen because the manufacturer had put EU models into UK packaging. The supermarket withdrew the cleaners from sale.

Rubber band gun - a complaint from a concerned consumer resulted in checks on this toy. These guns appear quite harmless, but we are awaiting copies of documents from the importer to show that they have full British Safety Standard approvals.

Paint ball guns - enquiries into the safety of this gun resulted in the company withdrawing them from sale. The local authority where the company is based has also been informed, and will be dealing with any further legal action required.

Other safety related complaints led to checks on a variety of issues such as unknown travellers selling dumped electrical items from a household tip and the display of replica guns and combat knives in an army surplus shop. We also inspected products ranging from an eyelash curler that allegedly cut off the lashes rather than curling them to various domestic appliances, toys and power tools. In most cases we find the safety standards of new goods to be fine, but always take care when buying second hand.

Using our intelligence

The following are examples of cases where we followed up with inspections after receiving a number of complaints about particular activities or traders. 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 trader to identify where the problem lies and attempt to resolve the situation 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.

Mortgage Broker Monitored - a mortgage broking company has been the subject of many complaints, the most common being their failure to return the brokerage fee when no loan has been found for the client. We have now managed to establish a relationship with the business, and have been successful in agreeing a complaint referral procedure, which we hope will lead to a reduction in complaints. Progress will be closely monitored.



Work Awaited - following complaints from consumers who had paid for work which had not yet been done, officers visited the proprietor of a loft conversion company. He has been advised about his obligations, and we will be checking to see if the problems have been resolved.

Pirates Chart New Waters - more and more people are going on-line to buy products ranging from holidays to clothing. We are now looking at complaints against Kent based internet traders. Fewer counterfeit products are turning up at traditional outlets such as markets and bootfairs, and research from the Anti-Counterfeiting Group confirms the theory that some of this trade has now transferred to the internet, so this is one aspect we will be checking when we look at the sites in question.

Improvements Expected - numerous complaints about a major retail chain have resulted in a large project undertaken, not just in Kent but involving other authorities across the south east. Kent, Surrey, Hants and East and West Sussex are collating and analysing complaints against the company. Senior managers in the company were approached with the initial findings, and agreed to put in place some measures which we hope will lead to improvements. We are now watching to see if complaints start to diminish. A follow up meeting with the company is already scheduled.

Compensation for holidaymakers

Investigations into complaints about a Kent based travel company, resulted in prosecution. The company and its director were fined a total of £3,500 with costs of £1,250 and ordered to pay compensation amounting to £19,446 to consumers. The company had taken holiday bookings without making provision to protect consumer's money in the event of the company ceasing to trade. In addition they had continued to take holiday bookings months after problems had clearly arisen.

Problem Traders

Unfortunately there are always traders who deliberately flout 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 introduced recently will provide more options in future.

Shoddy sheds - Stop Now Orders (SNORs) are new powers aimed at preventing businesses from continually breaching various consumer protection laws. Our first SNOR was granted against a trader supplying garden sheds. More than 20 dissatisfied customers provided written evidence describing a range of problems including extra charges for items such as roofing felt and glass for windows. Other customers had been told the base where a previous shed had stood for years was inadequate and charged for a new base consisting only of some concrete barge boards laid onto sand. Generally, the sheds were poorly erected and a number were found to be faulty. Some customers reported feeling intimidated by the workmen. Finally, after a long drawn out legal process the Stop Now Order was finally awarded against the trader. If the Order is breached the trader may be fined or imprisoned for contempt of Court.



Disappearing trick - A plumbing and heating company which generated numerous complaints was visited under our “early intervention” initiative and advice and warnings issued. Despite this complaints continued. However, before we could take firmer action the company ceased trading and the proprietor disappeared.



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

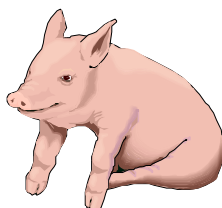
No such thing as a free holiday - in the last issue of **Re:Action** we explained what we did about a company offering “free” holidays, which gave rise to numerous complaints. The company and its director signed an undertaking to cease misleading advertising. Since then the company has ceased trading and the director has now left Kent. However, he is still bound by the undertaking and could face legal proceedings if he starts trading unfairly again.

Don't get caught! - one-day sales known as “mock auctions” are a favourite ploy to part trusting consumers from their money. East Kent was visited by the company recently. Specific areas were targeted and leaflets were delivered door to door on a Saturday afternoon advertising sales taking place the following day. The sellers used the usual technique of planting a stooge in the audience who purchased a black sack full of goodies, encouraging others to do the same. One woman who paid £100 for a black sack received some plastic pearls, a throw-away camera and a very cheap DVD player. We received complaints following the sale, and have sent a warning letter to the business involved, we will also be keeping an eye open for them in future.

All in a days work

The following complaints were followed up during the course of our planned activities.

Pigs - officers visited two pig farms following anonymous complaints about the food the animals were given, their health and the conditions they were kept in. We found no evidence to suggest the pigs were being fed anything they should not have been, and the vet accompanying our staff declared the pigs to be in satisfactory condition. The farmers were given advice about the current animal health and welfare regulations.



Leaking Lorry - a complaint about a lorry collecting waste material from a slaughterhouse was followed up. Allegations were made that material was spilling out on to trees and into the gutter. However, officers who subsequently observed the vehicle found nothing to warrant further investigation.

Beer - a complaint that beer was watered down was followed up, but analysis of a sample of the beer in question revealed no problems.

Meat - an investigation is underway following a complaint about a butcher describing imported meat as UK meat.

Fish - a customer at a seaside fish bar complained that the cod purchased was actually coley. A sample we sent for analysis however, proved to be genuine cod.

Wine - purchased from a discount supermarket was alleged to taste of chemicals. However, no stocks of the batch concerned could be found when we visited the store.

Property - several complaints about estate agents, letting agents and developers were followed up in East Kent. In one case a company is being prosecuted under the Property Misdescriptions Act.

Chinese Restaurant - allegations that chicken used in a Chinese restaurant was not chicken were investigated, but proved to be unfounded.

What else do we do?

In the previous pages we have told you what we have done in response to some of 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. Several licencees have been prosecuted for selling to under 18's
- **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. (See "Prison for rogue trader" below).
- **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. A business presently faces prosecution for over-stocking fireworks!
- **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. A licensee was fined £6,000 in our most recent case.
- **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.
- **Weights and Measures** - you may not be aware that as well as testing shop scales, petrol pumps and measuring instruments in pubs and restaurants, we also visit packers and importers to check all sorts of products ranging from fruit and vegetables to plumbing paste. We also carry out roadside inspections on fuel delivery tankers and check other bulk loads for weights or measure.
- **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.
- **but that's not all** - we enforce the rules relating to trade descriptions and the package travel regulations (see holidaymakers compensated page 2). We also seize counterfeit goods (more than 11,000 items last year, ranging from clothing, music CDs and DVDs to fake perfume), and keep an eye on motor traders who might be selling unsafe cars or clocked vehicles or not carrying out services properly. Then there are checks at markets and car boot sales; investigations about claimed membership of trade associations; misleading price indications. We carry out around 5,000 inspections each year, many of them unannounced spot checks. Add to that 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.



Prison for Rogue Trader

Persistence and hard work over many months finally paid off when an East Kent business woman eventually appeared in Court. The trader, who was also facing police charges, was convicted of carrying on a business as a mortgage broker after her consumer credit licence had been revoked. She was sentenced to three months in prison.

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.