



Your Complaints - what do we do about them?



We receive nearly 20,000 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, complaints about stores overcharging and selling food past its "use-by" date recently prompted a campaign looking at supermarkets (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 over the past few months.

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.

Pricing and out of date food - customer complaints about pricing and out of date food prompted a campaign to check all the major supermarket chains and officers visited a total of 18 stores throughout the county. We did not find many problems with pricing, but test purchases showed that some special offers (in particular "meal deals") were not always honoured. We found a few products on sale past their "use-by" dates in some stores. Follow up checks are planned for the near future to ensure these problems have been put right. In the worst case, legal proceedings are being considered.

Foreign labelled soft drinks were the subject of a number of complaints, so we carried out checks at several cafes and minimarkets/convenience stores. We found that some cans had tiny stick on labels containing a list of ingredients in English, but in most cases they were inadequate and ineffective. The businesses concerned have been advised about their obligations under the Food Labelling Regulations. Clear labelling can be critical to people who suffer allergic reactions to some ingredients.

Petrol stations - a number of visits were made as a result of enquiries or complaints from the public. We did

not find any short measure problems with the pumps we checked, in fact several were dispensing overmeasure! Every pump is checked when first installed and all adjustable parts are sealed against tampering.

Produced in Kent - complaints that some fruit being marketed as Kentish produce was actually of foreign origin were checked, but we found no evidence to support the complaints.

Non delivery of digital cameras by one particular company prompted several consumer complaints. Investigations also revealed the company was not complying with Regulations which require that mail order customers be given notice of their rights. The problems have now been rectified.

Other complaint prompted inspections were made at several businesses on a variety of matters such as misleading or prohibited statements and descriptions, lack of price marking, etc. Unless we find serious or recurring problems, this type of complaint will usually be resolved by means of suitable advice and guidance to the trader.

On-Line Information

Visit our website at: www.tradingstandards.gov.uk/kent where you can 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.

Consumer Safety Matters

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

A cordless rechargeable hedge trimmer was found to work straight from the packaging, despite the instructions stating it would require charging before the first use. The store concerned removed the items from sale whilst we investigated. Enquiries revealed there is usually a residual charge in rechargeable appliances after testing. The matter was resolved with advice to the importer and a warning was added to the product packing to alert purchasers.

Smoke Bombs were sold by street traders in Canterbury. Complaints followed an incident at a school where pupils had set off smoke bombs with the result that the Fire Brigade were called and the school suffered smoke damage. We checked 8 street traders and made two test purchases. Analysis revealed that the items were not fireworks or explosives and they did comply with safety regulations, so no laws were being broken. Although not a legal requirement we "suggested" that the traders do not sell these items to children under 16.

A folding wooden stool had no locking device which resulted in serious injury for the user. The stool had folded up when the consumer repositioned himself, crushing his hands under his own body weight and resulting in the loss of fingertips. Investigations are currently underway.

Replacement windows which were installed more than a year ago had not been fitted with toughened safety glass. We visited the business in question, which had changed hands and advised about the relevant safety legislation. Although the new company was not legally obliged to do anything it agreed to help resolve the matter with the consumer.

A child's bicycle was checked to make sure it was safe after a report that an 18 month old child had lost the tips of some fingers. We found the bicycle did comply with all the relevant legislation. The incident highlights the need for adult supervision when young children are playing together as the accident occurred when the child's three year old brother had been riding the bicycle and the younger child had managed to stick her fingers into the rear wheel cogs whilst it was moving.

A fitted kitchen gave the user electric shocks. A fitter who went to repair a burst pipe found that none of the electric sockets had been earthed. The problem was rectified, but highlighted a loophole in the law on unsafe electric installations in the home, as currently there is no criminal legislation to cover this type of

problem. However, this issue is now being addressed by proposed amendments to the Building Regulations.

A variety of other safety related reports led to checks on items such as a cot bed, a pushchair rain cover and a bouncing cradle. We also looked at the safety of a number of domestic electrical appliances including cookers, a TV and a junction box, as well as sunglasses and toys. Happily, we find the safety standards of most new goods to be fine - but do take care if buying second-hand items.

Vulnerable Consumers

Most consumers are able to sort out their own problems when provided with the right advice and guidance. However, some such as the elderly or disabled cannot always do this. The following are cases where our staff have been able to intervene with practical help.

Bookshelf restored to rightful owner. A very elderly lady, suffering from Parkinson's disease had entered into an agreement with a local business to restore a valuable old bookshelf. Problems ensued and the customer never received the bookshelf back. One of our advisors resolved the problems, and the grateful owner has now been reunited with her property

Double glazing - double payment! A consumer who purchased double glazing agreed to pay extra for "payment protection insurance". However, a misleading mailshot led the customer to believe they weren't covered and so they set up a second payment protection policy. After protracted negotiations with the company concerned, we managed to persuade them to cancel the second policy.

Jail for Rogue Motor Trader

A case going back several years finally resulted in prosecution for a motor trader who ran a leasing company which was defrauding customers. He was jailed for three years and disqualified from being a company director for six years. The trader had previously been in prison in 1997 for a similar scam.

We initiated enquiries over two years ago following complaints from the public about the business, and collated evidence which we passed to the police who brought the prosecution.

Negotiating a Solution

When we get large numbers of complaints about a particular company or trader we follow up to see what can be done to resolve the problems. We will attempt to establish a relationship with the businesses concerned and visit them to try and agree measures for them to put in place to help resolve the problems. This type of action often results in a successful outcome for customers. The following are a few recent examples.

A large local mail order supply company acts as an agent for other companies throughout the country, and unfortunately generates an ongoing stream of complaints - mainly relating to non-delivery of goods. We have established a relationship with the company and currently hold monthly meetings with them to look at the problems they have. Progress is being made. The company has severed links with some of its problem suppliers which should result in fewer complaints in the future.

A plumbing company which was the subject of many complaints about overcharging agreed to stock its vans with standard items such as valves, pumps and ballcocks, etc. so the fitters do not have to leave the customer's premises for parts, which was one of the main reasons for the extra charges. We were also successful in persuading another plumbing and heating company to stop using unfair conditions in its contracts and to reimburse excessive call-out charges.



A finance company providing credit for customers with poor credit ratings to buy cheap cars was the source of complaints. The nature of the business meant customers often paid high credit charges and ended up with poor quality vehicles. The company was keen to resolve the problems once we intervened and we have advised it of its obligations and established links with other branches around the County.

A removal company generated several complaints about various aspects of its business, particularly insurance claims. We inspected the terms and conditions on its contract and considered the wording to be unclear, so advised the proprietor to change the documentation. No further complaints have been received.

'Rip-Off Tip-Off'

This is a national website developed by Trading Standards and the DTI which consumers or traders can use to tell the 'rip-off tip-off' team, anonymously if they wish, about rogue traders who they suspect are ripping off the public.

Visit www.Rip-Off Tip-Off.net for more information

Problem Traders

Unfortunately there are traders who deliberately flout the law, and have no interest in co-operating with us. Also many consumer problems are covered by civil rather than criminal law, 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 sometimes other steps we can take, and new consumer legislation introduced recently (such as "Stop Now Orders") will provide more options in future.



Free Holidays - a company offering free holidays was the subject of numerous complaints and enquiries. No progress was made in resolving the problems with the company and consequently we assisted the Office of Fair Trading in compiling a dossier of complaints against the company so they can take action against it. The company and its directors are now the subject of a "Stop Now Order" which they must comply with or face criminal proceedings.

Data Protection - a company was exploiting the registration requirements of the Data Protection Act and targeting small businesses, many of whom complained to us. We issued a joint press release with Kent Police, warning about the scam and once again we assisted the OFT in compiling a dossier of the complaints and it has now taken action under the Misleading Advertisement Regulations.

Tarmac Gangs pop up around the County on a regular basis. They go around door to door offering to tarmac driveways, often targeting elderly or vulnerable householders. They generally do a substandard job at greatly inflated prices, using threatening or menacing behaviour to extract money from reluctant consumers. One such gang appeared a few months ago, prompting the usual crop of complaints. We found the man running the gang and made our interest known. Needless to say he refused to discuss their methods of business with us, but they obviously moved on, as the complaints about this particular gang declined.

All in a Day's Work

The following enquiries were followed up during the course of other planned work.

Misdescribed house - property details described a house as having 3 bedrooms. However, one of the bedrooms was in fact a loft conversion, built without planning permission. The complaint was investigated during a routine visit to the estate agent concerned but enquiries revealed the house was no longer being marketed, and the estate agent had in fact recompensed the consumer for the £500 wasted on survey fees.

Restrictive statements - paperwork provided to consumers by a company selling salvaged vehicle parts contained restrictive statements prompting complaints. When we checked, we discovered the trader should have been registered with us under the Kent County Council Act. The Act is aimed at regulating the sale of second hand goods and most dealers of second-hand goods trading in Kent must register with KCC. Follow up checks found all the problems had been corrected and the trader is now registered.

Pet food labelling - during a visit to a packing company, officers followed up a complaint about pricing and discovered a discrepancy in the discount pricing generated by the weighing machine computer. The matter was resolved by advice to the business.

Top 10 Complaints

1. Second-hand cars
2. House repairs etc.
3. Large white goods
4. Double glazing
5. PC's & related hardware
6. Radio, TV & audiovisual equipment
7. Furniture/pictures
8. Food & drink
9. Car repairs/servicing
10. Garden goods & services

In the Pipeline

Kent Trading Standards recently surveyed the safety of used cars sold from the roadside, and car servicing by garages. Prosecutions are likely to result from these surveys.

Press Releases

We issue regular press releases to raise awareness, tell people about successful prosecutions and to alert the public to various scams. The press releases can all be viewed on our website at

www.tradingstandards.gov.uk/kent. In the past few months these have included:

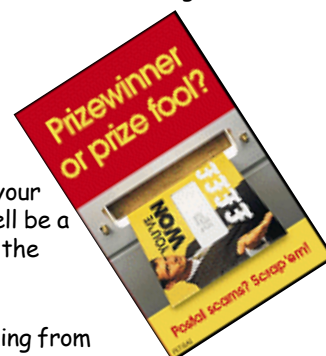
- ◆ Horse Export Misconduct Leads to Hefty Fines
- ◆ Be Sure They're Kent Strawberries
- ◆ Beware of Bogus Companies Exploiting Data Protection Act
- ◆ Replacing Your Double Glazing Could be a Pane!
- ◆ Off Licences Caught Selling Alcohol to Under Eighteens
- ◆ Rogue Sellers



Scam Alert!

Watch out for these popular scams aimed at parting you from your money, and remember - if it sounds too good to be true, it probably is!

Prize Draw Promotions - promising you anything from a free holiday to thousands of pounds, and telling you to phone a premium rate number to find out your prize. The cost of the call may well be a great deal more than the value of the prize.



Doorstep Sellers - selling anything from over-priced burglar alarms to unnecessary repairs to your roof. They often target the elderly.

The "Nigerian Scam" - an official looking letter or email from Nigeria, promising you a million dollars or more in return for "helping the sender" transfer money out of the country by handing over your bank account details. Throw it straight in the bin!

Bogus Homeworking Schemes - typical scams include sales of "directories" listing companies offering homeworking - usually you will only receive a list of contacts for other schemes. Jobs addressing & stuffing envelopes usually require you to pay a "registration" fee, receiving nothing in return other than instructions on placing similar advertisements to recoup your money. Assembly kit work involves buying a kit costing anything from £50 upwards. Because the kits often have no instructions or quality standard requirements, the homeworker has no proof their work meets the required standard, and they are often not paid for the assembled kit on this pretext.

Consumer advice helpline: 08457 585497

Re:Action is available in large print format if required