

OFT – Consumer Codes Approval Scheme – Summary for working group discussion – 2nd session

1. Organisational

- a) To make sure that CCAS Approved code sponsors can influence and raise standards in their sector.*
- b) To make sure that all businesses that subscribe to a CCAS Approved code of practice will comply with its requirements.*
- c) Code sponsors must have adequate funding and staff to fulfil their obligations.
What constitutes adequate resources and funding depends on the size of code sponsors, what the code requires them to do, and the demands of their sectors.*

2. Preparation of the code

- a) To make sure that your code of practice is relevant to real consumer needs.*
- b) To make sure your code of practice stays relevant to real consumer needs.*

3. Content of the Code

- a) To end undesirable trade practices, To ease consumer concerns about undesirable practices.*
 - Describe the relevant requirements in your COP*
 - Details of how you have reacted to concerns that have been raised from all sources used and the measures taken to ease them*
 - Explain how you stay aware of consumer concerns and undesirable practices and give details of how you plan to eradicate them.*
- b) Ensure appropriate training so all staff understand the requirement of the COP and their own legal obligations to consumers.*
- c) To make sure that consumers are protected from misleading advertising*
 - COP must clearly state that advertisements must comply with any relevant code of advertising or legislation as listed in code 3C.*
- d) To make sure that consumers have accurate and adequate pre-contractual information that enables them to make an informed purchase decision.*
 - Clear and accurate info;*
 - Info about the main characteristics of the product*
 - Key contract terms*
 - Explanations of any differences between the goods and services that are for sale and customer expectations.*
 - Any disparity between a consumer requirements and the nature of goods to be purchased.*
 - Pricing shown as a total price and breakdown*
 - Withdrawal or cancellation rights*
 - Complaint and after sales procedures*
 - Pre contractual terms*

- *Must provide the code in other formats- Braille, audio etc*
- e) *To make sure that consumers are protected from high pressure selling techniques that may lead them to make an ill informed and incorrect purchasing decision.*
- *Must show addressing of high pressure selling which affects consumers due to lack of clear and accessible pre contractual information.*
 - *Does not allow consumers to make informed purchasing decisions based on clear and comp info.*
- f) *To make sure that consumers are provided with clear and fair contractual terms and conditions*
- g) *To make sure that consumers are given the opportunity to agree appropriate delivery and completion dates that meet their requirements*
- h) *Code members must provide clear and accurate information on any cancellation rights which...are provided in law, they offer although not required in law*
- i) *To make sure that consumers understand all guarantees and warranties that apply to their transaction*
- j) *To make sure that deposits or prepayments made by consumers are protected and refunded swiftly where appropriate*
- k) *To ensure customers receive good customer service.*
- *Customer service provisions. Consumers may have enquiries at different times or events including,*
 - *Before a contract has been agreed*
 - *After ordering*
 - *After booking*
 - *After paying and receiving goods and services*
 - *Have user friendly procedures*
 - *Cust serv not the same as complaint handling*
- l) *To support Vulnerable customers with extra effort help needed and appropriate customer service. Similar to the PSR register and involves the DDA.*

4. Complaints Handling

- a) *To make sure that complaints from consumers are dealt with quickly and effectively.*
- b) *To ensure code members provide the same level of co-operation to an intermediary who acts on behalf of a complainant as they would offer to the complainant him/herself.*
- c) *To make sure that in the case of complaints that are not resolved by the code member's own complaints procedure, there is the opportunity to resolve them through conciliation.*
- d) *To make sure that if a complaint has failed to be resolved by the conciliation service, an independent redress scheme is readily available for consumers to use.*

5. Monitoring

- a) *To make sure that every code sponsor is able to ensure that their code of practice is effective by carrying out regular checks on their members using clearly defined and agreed methods.*
- b) *To make sure that the results of the code sponsor's monitoring procedures (which it uses to assess information obtained from its performance indicators) can be checked and reviewed by others.*
- c) *To make sure that the operation of the code can be checked and reviewed by the OFT*
- d) *To make sure that the requirements of criterion 5c are met. To assist the OFT in monitoring the operation of the code.*
- e) *To make sure that codes of practice keep pace with changing market and industry practices and expectations.*
- f) *To make sure that consumer satisfaction is an integral part of keeping pace with changing circumstances and expectations.*

6. Enforcement

- a) *To make sure that any breach of a code of practice is dealt with as effectively, impartially and quickly as possible.*
- b) *To make sure that consumers and code members are clear about the escalating sanctions that code members will face for any breaches of a code of practice.*

7. Publicity

- a) *To make sure that consumers understand the benefits of dealing with an organisation that subscribes to a code of practice.*
- b) *To make sure that consumers can easily identify traders who adhere to a CoP.*
- c) *To make sure that codes of practice are freely available for customers and other interested parties.*
- d) *To make sure that any CoP related publicity material that a code sponsor issues is accurate and correctly describes the code sponsor's relationship with the OFT and the CCAS.*
- e) *To increase the effectiveness of the CCAS by building awareness of the scheme.*
- f) *To ensure that the CCAS logo is only used in accordance with the standard copyright licence as amended from time to time.*

8. Additional items we thought were important

- a) *Process of closing the contract*
- b) *Commission declarations*
- c) *Telephone recording*