



Norfolk Factsheet 9

Consumer rights and trading standards

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For details of all Age UK Factsheets, go to:

<https://www.ageuk.org.uk/norfolk/>

If you would like Age UK Norfolk to search any of the websites listed in this factsheet on your behalf, please contact the advice line on 0300 500 1217

Introduction

This fact sheet is designed to inform you of your legal rights when buying goods or services, information if you require further advice and help on how to make a complaint if you wish to do so.

Section A: Rights and Responsibilities:

The Consumer Rights Act 2015:

This act aims to make it easier for consumers to understand and access their key rights, including:

- The right to clear and honest information before you buy
- The right to get what you pay for
- The right to goods and digital content being fit for purpose and services being performed with reasonable care and skill
- The right that faults in what you buy will be put right free of charge or a refund or replacement provided

The rights in the Consumer Rights Act 2015 stand alongside the Consumer Contracts Regulations 2014 to create a greatly simplified body of consumer law.

The Consumer Contracts Regulations 2014:

These regulations give you key cancellation rights when you enter into contracts at a distance over the phone, online, from a catalogue or face-to-face with someone who has visited your home, for instance:

- Your right to cancel an order for goods made at a distance starts when you receive the goods and lasts for 14 days
- Your right to cancel a service made at a distance starts the moment you enter into the contract and lasts 14 days
- If you want to download digital content within the 14-day cancellation period, you must agree to waive your cancellation rights
- Companies are not allowed to charge you for items they put in your online shopping basket or that you have bought as a result of a pre-ticked box

Buying goods and services:

Under the Consumer Rights Act all goods and services must be of 'satisfactory quality', 'fit for purpose' and 'as described'. The rules also include digital content in this definition. So all products – whether physical or digital – must meet these standards.

As a buyer, you should:

- Try to avoid paying by money transfers
- Be careful when using direct banking transactions to pay for goods. Make sure transactions are secure.
- Don't send confidential personal or financial information by email
- Use an online payment option such as PayPal which helps to protect you.

A trader should:

- Give you information about the goods or services before you buy, when you buy and after you have agreed to buy the goods or services.
- Give you information about your cancellation rights. (It is very important that you check if you have cancellation rights before you enter a contract).
- Provide their telephone helpline number in case you have any questions or need help after the contract has been made. (You should not be charged at more than the basic rate for these helpline calls).

Frequently Asked Questions:

Q: What happens if I buy something and it is not safe?

A: By law, products sold to customers must be safe - this applies to new and second-hand goods. If you have bought something that is unsafe, contact the Citizens Advice Consumer Service on 03454 040506 for advice.

Q: What happens if I buy something which is of a poor standard or not fit for the purpose for which it was sold?

A: Goods must be of a reasonable standard and must also fit the purpose for which they were sold, taking into account the way they have been described to you. If you have a complaint, contact Citizens Advice Consumer Service on 03454 040506 for advice.

Q: What happens if I pay for a service and it is not carried out with care, within a reasonable time limit or a reasonable price?

A: When you pay for a service you are entitled to certain standards. A service should be carried out with reasonable care and skill, within a reasonable time and at a reasonable price. If you think that a trader has misled you with false descriptions about a service, misleading price claims or a term is unfair and you do not wish to be bound by it, contact Citizens Advice Consumer Service on 03454 040506 for advice.

Q: What rights do I have when I buy something from a doorstep seller?

A: When someone tries to sell you something or gets you to sign up for something in your own or someone else's home, your place of work, in the street or anywhere that is not a usual business premises of the trader, it's called an 'off-premises sale' or 'doorstep sale'.

Doorstep/off-premises sellers should:

- show identification that gives their name and their company name;
- make it clear from the start of your conversation that they are selling something;
- not pressure you into buying something.

You do not have to sign for anything until you have had time to think it over and compare prices. Do not sign an agreement until you have studied it carefully, had it checked and fully understand what commitment you are making. Keep a copy of anything you sign. (see notes re Cooling Off Period (p7) and Home Credit p9)).

Q: What is a 'loan shark'?

A: Loan sharks are unregulated money lenders i.e. anyone who is lending money without having a licence from the FCA. These unlicensed money-lenders are working illegally and often charge very high interest rates. You can check if someone has a licence by using the Financial Services Register for companies and individuals authorised by the FCA at <https://register.fca.org.uk>

For information, go to www.gov.uk 'Report a loan shark'. If anyone thinks they have been the victim of a loan shark or that there is one operating in the community, they can report them anonymously to the Illegal Money Lending Team England on the 24/7 confidential hotline 0300 5552222 or email reportaloanshark@stoploansharks.gov.uk

Q: What rights do I have if I buy second-hand goods?

A: The same consumer rights rules apply to second-hand and sale goods from shops. They must be of satisfactory quality and, if they are faulty, you can return them (except where the seller pointed out the specific problems before you bought). If you're buying second-hand goods from a private seller, be aware that the only protection is that it's correctly described and the owner has the right to sell it. Take into account that second-hand will not be of the same quality as brand new. Examine goods carefully before you buy.

Q: What rights do I have if I buy privately?

A: If you buy privately you have fewer rights than when you buy from a trader. The general rule is 'buyer beware'. Privately-bought goods do not have to be free of faults, but they must be 'as described'. You still have limited rights if the products are faulty or not as described or the seller is not the owner but it's harder to get a remedy. Private sales include online sales of second hand goods.

Section B: Making a Complaint

Q: How do I make a complaint about goods I have bought?

A: Return the goods with proof of purchase (if you've got it) and explain your complaint. If a retailer is part of a chain, you can write a letter to their head office if your complaint has not been satisfied.

Q: How do I make a complaint about a service I have paid for?

A: If you are not satisfied with work you have had carried out, you should first give the supplier a chance to sort out the problem. If you are still not satisfied, write to the company with details of your complaint, saying what you want done - remember to set a deadline for the problem to be resolved.

For assistance with making complaints, refer to the following:

Resolver:

Age UK has teamed up with Resolver – an easy and effective way to complain. For information, go to www.ageuk.org.uk/money-matters/consumer-advice/resolver/

Resolver is a free online complaints management service and app that offers consumer advice and simplifies the process of complaining and guides you through the complaints process.

For information, go to www.resolver.co.uk/

Citizens Advice:

If you want to complain in writing, Citizens Advice have template complaints letter formats you can use relevant to the type of complaint.

For further advice and information, go to www.citizensadvice.org.uk/consumer/get-more-help/if-you-need-more-help-about-a-consumer-issue/

Contact Citizens Advice: 0345 404 0506

Refer to Norfolk Fact Sheet No.5 'Making a Complaint' for information on Complaints Procedures.

Other points to remember:

Cooling Off Period:

If you want to cancel a service you've arranged online, over the phone or by mail-order, you get an absolute minimum of a 14-day cooling-off period during which you can cancel for any reason and get your money back. You also get this cooling-off period if you were approached by the business somewhere off the business' premises and it costs £42 or more. Your cooling-off period begins the day after you enter a contract with the business – verbal or otherwise.

Credit Unions:

A credit union is a non-profit making money co-operative whose members can borrow from pooled deposits at low interest rates. Besides loans and savings, some also offer other financial services such as current accounts. If you need to borrow money to cover unplanned bills for essential items, consider approaching a Credit Union – their interest charges are lower than many other sources of credit.

Local Credit Unions:

Cobham Island Credit Union (Gt Yarmouth). Tel: 01493 651330

Eastern Savings & Loans (inc Norfolk) Tel: 03336 000690

Lichfield & Southtown Credit Union (Gt Yarmouth). Tel: 01493 651307

Norfolk Credit Union (all Norfolk). Tel: 01508 533842

Norwich Credit Union Ltd Tel: 01603 764904

Rainbow Saver Anglia Credit Union (South Norfolk) Tel: 01502 584854

West Norwich Credit Union Tel: 01603 501301

Wherry Dragon Credit Union (local authority employees) Tel: 01603 212465

Deposits & Receipts:

A deposit is a part-payment which shows that you intend to buy a product or service and enter into a contract with the supplier. When you pay a deposit, you and the supplier agree:

- The exact product or service that you are buying
- The deposit amount you pay
- When the balance has to be paid
- When the product or service will be provided

It is important to make sure that you and the supplier are clear about all the details. Ask for written confirmation that includes all of the information above. It is easier to know what your rights and responsibilities are if you have the contract in writing, but a verbal contract is also enforceable.

Guarantees:

Guarantees are extra protection over and above your legal rights when you buy items or services. It is a good idea to enquire about guarantees when purchasing goods or services. Guarantees should be clear, unambiguous and available for you to see before you make a purchase. Also, when paying for a service, do not choose a company just because it appears to offer a good guarantee - if the company goes out of business the guarantee will be worth nothing.

Always keep details of any guarantee or warranty with your original receipt and any service or repair documents. Be careful when being offered extended guarantees on electrical items. Check the terms carefully to see what is covered as they are often expensive and may cost more than the price of repairing the item.

Home credit:

Home credit, or doorstep loans, is where you borrow money and the lender calls at your home to collect the repayments. The loans are usually for smaller amounts and you will be charged a high rate of interest for borrowing in this way. Doorstep lenders may also offer trading cheques and vouchers,. These can be exchanged for goods (usually clothing and soft furnishings and usually at specific shops). You repay the amount to a company agent who normally calls at your home. Interest rates are often high for this type of credit.

If someone offers to lend you money on the doorstep, ask to see their or their lender's authorisation. If they don't have one, they are operating illegally and you should avoid borrowing from them. All home credit lenders have to be licensed by the Financial Conduct Authority (FCA). For information and to check the FCA register, go to www.fca.org.uk

If you are put under pressure to buy from a doorstep seller, call the Citizens Advice Consumer helpline on 03454 040506.

Trade Associations:

Traders often belong to Trade Associations and many of these have 'codes of practice' which may assist you if you are making a complaint. Refer to the 'Trade Associations and Professional bodies' section in the Yellow Pages directory for a listing of organisations or go to www.yell.com/consumer/associations/home.html

Utilities (e.g. your gas or electric company):

If you have a complaint about a utility, first contact the company (number on the back of the bill) and then you may wish to contact the regulator - each utility has a regulator to help with customer's complaints. For further assistance refer to:

OFGEM:

www.ofgem.gov.uk/consumers/household-gas-and-electricity-guide/complain-about-your-gas-or-electricity-bill-or-supplier

CITIZENS ADVICE:

<https://www.citizensadvice.org.uk/consumer/energy/energy-supply/>

Sources of Consumer Advice:

Local Advice Agencies:

Age UKs:

Offer a variety of services for older people and their Carers. Advice and information staff can help with consumer queries:

Age UK Norwich Tel: 01603 496333

Age UK Norfolk Tel: 0300 500 1217

Citizens Advice in Norfolk:

Citizens Advice provide free information, advice and assistance on your rights, responsibilities and entitlements, and on other services available. Citizen Advice locations in Norfolk are Attleborough, Fakenham, Great Yarmouth, King's Lynn, North Walsham, Norwich and Wymondham. They also have additional outreach locations and drop-in centres throughout Norfolk.

For information about your local service, go to:

www.citizensadvice.org.uk/local/norfolk/contact-us/ or call their Norfolk general advice line on 0344 4111444 or email public@ncab.org.uk

Citizens Advice Consumer Service:

The Citizens Advice Consumer Service is available by telephone, email or on-line and offers free, confidential and impartial information and advice on consumer issues, your energy supply and postal services in UK.

For information, go to www.citizensadvice.org.uk/consumer where you can use their online enquiry forms to ask them about a general consumer query; an energy query to complain about an energy company; a postal query or to complain about a postal service. You can call the Citizens Advice consumer helpline on 03454 040 506. Their advice is free of charge. The Citizens Advice consumer service can also help you to report a problem to Trading Standards in Norfolk.

Trading Standards in Norfolk:

Trading Standards deal with complex consumer problems and potential criminal activities. They have a specialist team of advisers who assist Norfolk consumers with information and support to enable them to avoid problems where possible and to help resolve them should they arise. You can report a problem with a trader or a product to Trading Standards by contacting the Citizens Advice Consumer service as above.

For information, go to:

www.norfolk.gov.uk/business/trading-standards/report-something-to-trading-standards

Norfolk Trusted Trader:

The Norfolk Trusted Service is free to Norfolk residents and is aimed at helping older and vulnerable people remain safe and independent in their own homes. The scheme is run by Norfolk County Council Trading Standards Service in partnership with Referenceline. They provide a directory of reliable providers offering a wide range of services, including home maintenance and improvement, car servicing and repairs, personal care services and IT support.

All traders in the scheme are checked by Norfolk Trading Standards and must have public liability insurance. Members of the Trusted Trader scheme agree to comply with strict standards and to undergo a series of background checks as part of the accreditation process.

They must also agree to abide by the codes of practice of the scheme which include having a clear pricing policy, providing written receipts and making sure employees and contractors are trained appropriately. Member businesses are assessed by their own customer, through a survey system operated by Referenceline. Traders give their customers feedback forms which are then published on the Norfolk Trusted Trader website.

For information, go to:

www.norfolk.gov.uk/business/trading-standards/trusted-trader or, if you need help using the directory, call their Customer Service Centre on 0344 8008020.

The **Consumer Champion** network is an initiative from Trading Standards which engages and involves local community members and organisations to ensure that the residents within their community have the information and knowledge to:

- Recognise a scam and protect themselves from them
- Say NO to Rogue Traders and ensure the vulnerable in the community are safe from them
- Access advice and information on consumer issues.

There are a number of Consumer Champions across the County. To find out whether your neighbourhood has a local champion, go to:

www.norfolk.gov.uk/jobs-training-and-volunteering/volunteering/trading-standards-consumer-champions

or call Norfolk County Council Customer Services Centre on 0344 8008020.

Consumer Protection:

You can contact these consumer watchdogs if you are unable to resolve complaints issues directly with the companies or authorities concerned:

Consumer Ombudsman www.consumer-ombudsman.org or call 0333 3001620
(Goods or services in UK or for online purchases within EU)

Ofcom www.ofcom.org.uk or call 0300 1233333
(Communications: phone, telecoms/internet, TV, radio and postal services)

Ofwat www.ofwat.gov.uk or call 0300 034 2222
(Water & Sewerage)

Ombudsman Services www.ombudsman-services.org

(Communications: Energy, Property, Consumer)

0330 440 1624 Energy

03304401614 Communications

Transport Focus www.transportfocus.org.uk

(Rail, Bus, Coach, Tram or road users)

0300 1232350

For Further information and advice:

Advertising Standards Authority (ASA):

The ASA is the UK's independent regulator of advertising across all media, Their work includes acting on complaints and proactively checking the media to take action against misleading, harmful or offensive adverts. They also now regulate Online Behavioural Advertising (OBA).

They deal with most types of advertisements (but not all) and they will try to help you to contact the correct body if they are unable to help. Their website lists areas within and without their fields of cover for complaints.

For information, go to www.asa.org.uk or contact:

Advertising Standards Authority

Mid City Place

71 High Holborn

LONDON WC1V 6QT

Tel: 020 7492 2222

European Consumer Centre UK (ECC):

The ECC offers free help for consumers having problems with cross-border purchases in the EU, Iceland or Norway if you have not been able to sort out your problem with the trader.

For information, go to www.ukecc.net or call on 01268 886690.

Financial Conduct Authority (FCA):

The FCA's role is to regulate financial services firms in the UK, including banks and building societies, mortgage and insurance brokers and financial advisers. Their Consumer helpline offers impartial information and general guidance. For information, go to www.fca.org.uk (online enquiry form or web chat service) or call on 0800 1116768 (freephone).

Financial Ombudsman Service (FOS):

The FOS provides consumers with a free, independent service, helping to settle individual disputes between consumers and businesses providing financial services. For information go to www.financial-ombudsman.org.uk (online enquiry forms) or call their Consumer helpline on 0800 0234567 or 0300 1239123 or write to them at FOS, Exchange Tower, LONDON E14 9SR.

Her Majesty's Revenue & Customs (HMRC):

If you're buying online from abroad, it is important to check whether you'll have to pay any tax or duty on top of the advertised purchase price when you receive the goods in UK. It's also best to check that the supplier will complete an accurate Customs Declaration. To check import and export information, go to www.gov.uk. 'Tax and customs for goods sent from abroad' section.

HMRC provide information for those considering purchasing goods from other countries via the Internet. For general HMRC enquiries, speak to the VAT, Excise & Customs helpline on 0300 2003700 (advisers are available for a webchat). (For customers who are deaf or hearing/speech impaired, textphone 0300 2003719).

Postal enquiries should be addressed to HMRC, VAT Written Enquiries Team, Alexander House, 21 Victoria Avenue, Southend-on-Sea SS99 1BD.

WHICH?:

Consumer Rights is a division of Which? that provides clear information on your rights, offering simple solutions to solve your everyday consumer problems. For information, go to www.which.co.uk/consumer-rights (online enquiry form), or call on 01992 822800.

Age UK Norfolk has been in existence since 1947

The mission of the charity is

“To support older people in Norfolk to enjoy the opportunities and meet the challenges of later life”.

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We hold the Advice Quality Standard which provides you with assurance that we have met certain criteria that demonstrates a commitment to quality.