

CustomerFirst

Devon County Council



MEMBER'S NEWSLETTER *Winter 2006*

CustomerFirst Gets National Endorsement

July 24th 2006 saw the national launch at London Stock Exchange of the new Local Authority Assured Trader Scheme Network (LAATSN). As part of this launch, your scheme - CustomerFirst - was recognised as the first local authority scheme to be supported nationally by the Trading Standards Service and the Office of Fair Trading (OFT).



Paul Thomas, Fair Trading Manager (DCC); Christine Wade, Director of OFT Consumer Enforcement Division; Roger Rivett, Head of Trading Standards Service (DCC) and Emma Chapman, Fair Trading Officer (DCC)

The aim of LAATSN is to bring greater consistency to assured trader schemes administered by trading standards services, and to assist in promoting the value of such schemes to local consumers and businesses.

The Network has set minimum standards for local schemes to meet in order to become members and will assist the development of such schemes by the use of best practice and by sharing expertise and resources. As part of this package, marketing support and advice is available from the OFT although, unfortunately, at this stage no direct funding is provided.

We believe that as a flagship authority, our membership of LAATSN will allow CustomerFirst to grow rapidly and will allow us - and therefore you - to have a direct input into the way local authority assured trader schemes are likely to develop in the future.

If you wish to know more about this new Network then further information can be found on the LAATSN webpages at www.oft.gov.uk/consumer/trader

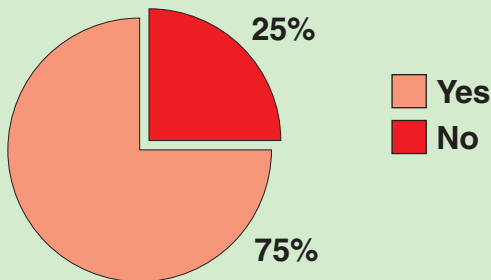
Your Views!

In our last issue we sent out a questionnaire to members asking for feedback about proposed changes to the CustomerFirst Scheme.

Thank you for taking the time to let us know what you think and for your comments. So what did you tell us?

1. Of those who responded, 75% thought the proposed merger with Buy With Confidence would benefit their business.

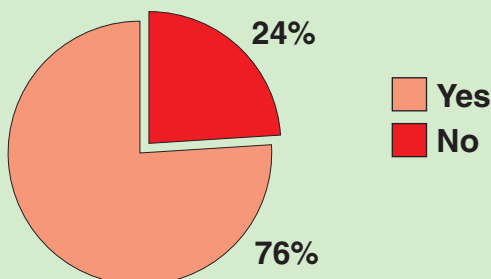
Would a merged Scheme benefit your business?



The first stage of the merger is likely to take place in the autumn of 2006.

2. We thought that paying a membership fee could be an issue for some members. But 76% of the members who responded were willing to pay a fee to cover administration and promotion.

Are you willing to pay a membership fee?

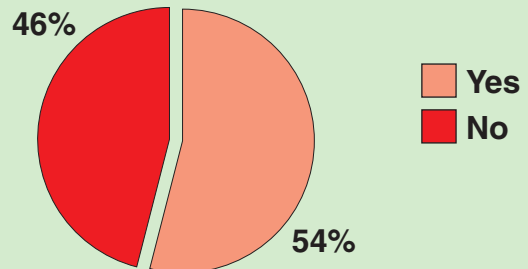


We also asked whether a sliding scale or flat fee would be preferred. Of those who were willing to pay a fee, 75% opted for a sliding scale charge.

The merged scheme will be charging membership fees on a sliding scale based on the number of employees of the business.

3. We asked members if they would expect more from a unified scheme, the responses were more evenly divided on this question with 54% saying they would expect more whilst 46% would not.

Would you expect more from a unified scheme?



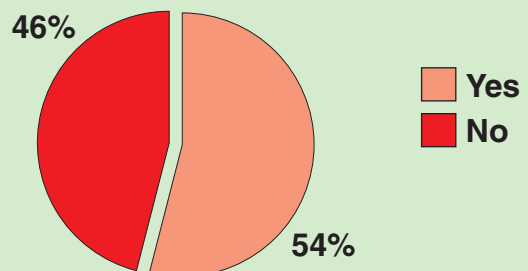
We also asked what improvements you would like to see as a result of this merger.

Almost overwhelmingly members wanted better promotion and publicity for the Scheme.

We hope that the introduction of fees and the economies of scale derived from the larger scheme will mean that we are able to significantly increase the amount of publicity undertaken.

4. We asked if members thought that accreditation under the OFT's Consumer Codes Approval scheme would benefit their business. 54% responded that they thought it would with 46% responding "No" or "Don't know".

Will OFT accreditation benefit your business?



As you will read elsewhere in this newsletter, CustomerFirst was the first local authority scheme to be recognised nationally by the Trading Standards Service and the Office of Fair Trading.

5. Finally our questionnaire asked members to comment on proposals for guide protection for using pre-payment made by consumers. Many respondents had concerns about this and its relevance to their business. There are no plans to implement pre-payment protection in the immediate future.

We really appreciate your comments. If there is anything more you would like to tell us about the changes ahead please contact us via the CustomerFirst site link for member feedback., email tsadvice@devon.gov.uk or phone us on 01392 381381. See devon.gov.uk "Popular Pages" link for CustomerFirst feedback from members.

Publicity and Promotion – but at a price

Members have been telling us, in response to our recent questionnaire, at re-audits and during seminars, that they would like more publicity for *CustomerFirst*. You have suggested that the profile of the scheme needs to be raised with consumers and businesses.

When launching the scheme in 2000 we managed to obtain a substantial grant to off-set the initial printing and promotional costs and we have in the past few years received a lot of free press as well as paying for some direct advertising.

However we now believe that the time has come to take *CustomerFirst* up to a new level. Taking everything into consideration - our recent national recognition, the forthcoming merger of our scheme with “Buy With Confidence” and the roll-out of *CustomerFirst* to other local authorities in the South West. We have made the decision to start charging a fee for membership.

We hope, based on the comments we have received, that you will not be adverse to this step if you can see the benefits in terms of greater promotion and a higher public profile.

We guarantee that all fees received will be used solely for promotion and administrative costs. New members will be charged from April 2007 but the good news is that existing members will not be charged until April 2008 – so you will have the opportunity to test the new system before you decide if you want to pay for it!

Fees charged will be in line with those of the other authorities that are part of the merged scheme.

Number of employees (Full time equivalents)	Annual Fee (£) (Exclusive VAT)
1 - 5	100
6 - 20	150
21 +	200

CHANGE AT THE TOP

Roger Rivett Head of Devon Trading Standards for 7 years has recently retired. Roger's career spanned 4 decades with stints in Westminster and Hampshire before heading to Devon. Fair Trading Manager Paul Thomas who previously managed the *CustomerFirst* project has been appointed as the new Head of Devon Service and started officially in October 2006.

As a result of these changes a new *CustomerFirst* Project Managers post has been created. Quin Marshman has been appointed to the post and took up his new position in November 2006. Quin previously worked as a Fair Trading Officer in our Exeter office and is looking forward to working with you all to build on the success of *CustomerFirst* and to take it to the next level. He will be responsible for the overall development of the scheme and will also work on improved publicity and promotion as well as liaison with members at all levels. Quin can be contacted on 01392 382747.



Roger Rivett on his last day as Head of Trading Standards

TSSE Merger - *Update*



As featured in the last Member's Newsletter, the CustomerFirst Scheme is merging with the South East's 'Buy with Confidence' Scheme, and since the last edition there have been a number of developments.

A new joint set of Terms and Conditions have been agreed between the two schemes. This means that shortly around 1200 businesses across the South of England will be adhering to the same standard conditions. It is hoped that these will now remain without significant change for the foreseeable future and a copy is enclosed with this newsletter.

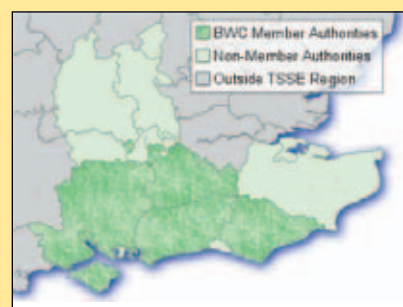
We are also working towards joint Application and Audit forms for both schemes and these should be introduced in the autumn.

But what does the merger mean to you?

- The introduction of a membership fee will mean more money for promotion of the scheme to both consumers and potential members
- A wider target audience – through planned regional advertising campaigns
- A stronger, more robust scheme will mean that consumers start to actively seek member businesses
- Economies of scale for the scheme operators will mean less duplication of effort, more promotion and other membership benefits
- A new enhanced regional website will be more attractive to consumers and more informative to members. One of the new features will be a feedback score for members (see back page)

We intend to increase our promotional efforts as much as we can prior to the introduction of fees for existing members so, hopefully, you will start to see the potential of the new structure before having to pay for membership. Of course this will be only a fore-runner to what may be possible long-term.

The "Buy with Confidence" website is currently being updated, but further information can be found at buywithconfidence.gov.uk



Current local authority members of the "Buy with Confidence" scheme



STOP PRESS ... STOP PRESS ... STOP PRESS

Bath and Northeast Somerset region has joined CustomerFirst. BANES launched the scheme in December this year.

New Customer *First* Terms and Conditions

New Customer*First* Terms and Conditions are enclosed with this newsletter, these replace the Code of Practice. Please take the time to read through these documents carefully, there are some significant changes.

For some time now we have been looking to make these changes and have consulted with you in the past on many aspects. We have tried to simplify the rules and requirements of Customer*First* by breaking them down into smaller more easily managed sections. These new documents define the minimum standards expected from members but also identify more clearly our commitment to you.

The new documents include provisions relating to the introduction of fees and Criminal Record Bureau checks for those members who carry out work on domestic premises (see below).

We believe that the new Terms and Conditions, in conjunction with the other developments will make Customer*First* stronger and more robust and allow us to promote the scheme more effectively. We can assure you however, that the spirit in which Customer*First* is operated will not change and that we will continue to work with members for an effective scheme which will help you attract and retain customers.

Enhanced Membership Requirements

As a direct result of our proposed merger with "Buy with Confidence" and our recognition under the new Local Authority Assured Trader Scheme Network, we are introducing some new enhanced assessment procedures for membership to the Customer*First* Scheme.

These improvements will help us to raise the profile of Customer*First*, improve consistency with similar schemes nationally and, ultimately, increase its effectiveness in attracting and retaining customers for you.

Members will recognise that these Terms and Conditions are a development of the old Code of Practice, much information is repeated but some requirements and benefits are new.

We will now be carrying out basic County Court Judgement checks on all members. We will also require Criminal Records Bureau (CRB) checks on members whose staff carry out work at domestic premises.

The changes are compulsory, but all existing members will be visited by appointment before any of the new conditions are imposed on them. The new requirements will be explained and full consent obtained before any checks are carried out. However, failure to agree to any checks relevant to your business will result in termination of membership from that point onwards.

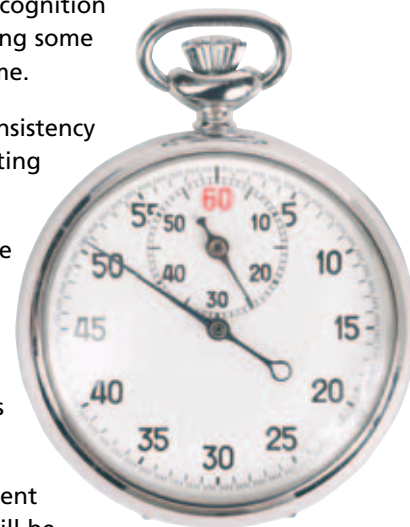
It is anticipated that new members to the Customer*First* Scheme will be complying with all new requirements by April 2007. For existing members, however, there will be a more gradual phasing in of the new Terms and Conditions.

We have tried to keep you informed of, and consulted upon these developments and hope that the great majority of you remain in favour of them, as a way of strengthening and enhancing the Customer*First* scheme.

We believe these changes are essential to the development of Customer*First* and will allow us to promote the scheme more effectively in the future. In turn enhancing member profile to consumers.

All our new Terms and Conditions are included with this Newsletter and are available from the Customer*First* website – visit www.devon.gov.uk and click on the Customer*First* button.

We will of course continue to keep everyone informed about developments as and when they occur but, in the meantime, if you have any queries concerning the above then please do not hesitate to contact us.

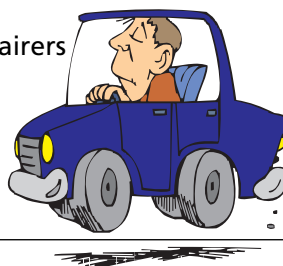
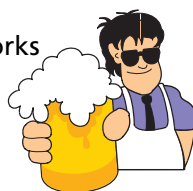


CustomerFirst - Training Seminars

January - March 2007

Throughout the year we will be holding Seminars relating to the laws which affect your business. The seminars will consist of updates and information on civil and criminal laws.

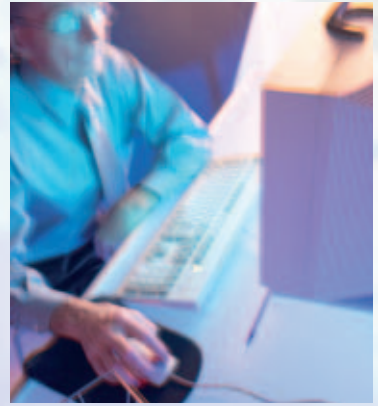
Date	Location	Relevant Business Type	Subject Material
January	Civic Centre Barnstaple	Car Sellers & Repairers	Trade Descriptions Act, relevant safety legislation and due diligence. Workshop and advice on civil law issues.
January	County Hall Exeter	Pubs / Off Licences / Retailers selling Fireworks	Underage sales and the licensee. Due diligence and relevant legislation.
February	County Hall Exeter	General Retailers / Service Providers / Distance Selling	Civil law - Sale of Goods Act, Distance Selling and E Commerce. Key elements of consumer protection criminal law.
March	County Hall Exeter	Car Sellers & Repairers	Trade Descriptions Act, relevant safety legislation and due diligence. Workshop and advice on civil law issues.



If you or members of your staff would like to attend any of the **above** please contact us at tsadvice@devon.gov.uk or ring 01392 381381 to book places.

Distance Selling Regulations 2000

Last year members and other invited businesses attended a seminar on the Regulations. Many businesses have not heard of them and may not be aware that they must comply. Here is some guidance in brief.



Do the Regulations apply to me?

If you sell goods or services to consumers

- On the internet
- By telephone and fax
- Advertising on TV, Radio, Newspapers and Magazines
- Mail order catalogue, interactive digital TV

Applicable transactions would normally be regular rather than a "one-off"

Are there any exceptions?

Yes, sale of land or buildings, financial services and auctions including online auctions are not covered. Some services have partial exemptions such as accommodation, transport and package travel.

What is required?

Certain information must be given PRIOR to the conclusion of the contract: or at the latest at time of goods delivered or at the time a service is commenced. This should be in a clear, comprehensive manner and include:

- **Notice of cancellation rights in durable medium – most important**
- **Identity of supplier (& address where payment required in advance)**
- Full description of goods or services given
- Price and delivery costs where applicable
- Arrangements for payment, delivery and performance

Also to be given at the same time:

- **Notice of HOW to cancel**
- If consumer must return the goods and who bears cost of returns/delivery
- Geographic address for this purpose
- Information re after sales service and guarantees

Cancellation periods. Goods

From day on which contract concluded until a period that ends:

- 7 working days beginning with the day after the day on which the consumer receives the goods
- **If supplier has not given this info – right to cancel ENDS on expiry of 3 months and 7 working days beginning as above**

Are there any exceptions from cancellation rights?

Yes, but guidance should be sought to check an exemption applies.

Goods made to consumers specifications are exempt along with newspapers, periodicals, magazines. Products that may deteriorate or expire rapidly e.g. food, flowers are exempt as well as video recordings or computer software if the purchaser breaks the seal.

Where a service has commenced a cancellations rights are not applicable. Gaming, betting and lottery services are also not included.

Cancellation periods. Services

7 working days beginning with the day after the day on which the contract was concluded

- If supplier has not given this info but later does so within 3 months – ends on expiry of 7 days (as above)
- If supplier has not given this info – right to cancel ends on expiry of 3 months and 7 days (as above)

Then what?

If the consumer gives notice to cancel contract it WILL BE TREATED AS IF IT HAD NOT BEEN MADE

- On cancellation the supplier must refund any sum paid by or on behalf of the consumer **IN FULL**
- This would include monies paid by credit grantor under personal credit agreement with consumer
- Refunds must be made as soon as possible – not exceeding 30 days beginning on the **DAY ON WHICH NOTICE OF THE CANCELLATION WAS GIVEN**

Further guidance:

The Regulations cover many more issues including certain obligations on consumers who have ordered goods as well as how a business should inform a consumer of their rights.

The OFT have published detailed guidance on the Regs which can be found at: www.of.gov.uk under Business Information.

We are also happy to give further information on compliance for member's on our business advice line 01392 381381.

Feedback Forms – What Your Customers Think about You

CustomerFirst Feedback Forms are issued to every new member in their introductory pack, along with the membership certificate and window sticker. Feedback forms are also issued when a re-audit takes place and most of our members remember to request more as and when they run out.

CustomerFirst feedback forms are an important way for your customers to comment on their experience of using your business. These forms also help to promote the scheme and show your customers the level of service that you are committed to.

At the end of every financial year trading standards sends all members who have received feedback a letter containing the comments their customers have made about them, unless of course the feedback is negative, in which case the member will be contacted by us straight away.

The majority of our members receive a great deal of positive feedback. One particular member, a department store in Newton Abbot, always has a large amount of feedback and, from the comments made, their customers have been loyal to them for many, many years. We also recently received a form from a Canadian couple who had visited a bed & breakfast member in North Devon. So the name of CustomerFirst is spreading way beyond the County's boundaries!

When we first thought about the feedback forms we thought we might not receive very many. How wrong we were!

If you do not have a supply of feedback forms or you are about to run out then call us on 01392-381381 or e-mail us at tsadvice@devon.gov.uk and we will pop some in the post to you.



Feedback and Promotion

Our ongoing member consultation on the administration of CustomerFirst has highlighted that members would like to see greater promotion and awareness of the scheme to consumers. 54% of members who responded to the recent questionnaire said they would expect more from a unified scheme including better publicity.

We are currently looking at a way of putting details of member feedback on the website and new feedback forms will soon be introduced to facilitate this process. We are devising a system to show the number feedback forms received and their content i.e. positive or negative.

We are also developing promotion ideas from members including till stickers, car parking ticket advertisements and newspaper advertorials. Local Parish magazines have been featuring articles about the scheme. We have also just concluded an arrangement with Yellow Pages which will provide members with the opportunity to subscribe to 'block' adverts for CustomerFirst in the local Yellow Pages directory. Members will be contacted with further information shortly.

We are also looking at the possibility of local radio advertisements in conjunction with our "Buy with Confidence" partners.

If you have any comments or suggestions about the type of promotion you would most like to see please get in touch.

Contact Us

Telephone: 01392 381381 Fax: 01392 382732
Email: tsadvice@devon.gov.uk
Website: www.devon.gov.uk

