



# VBRA Code of Practice

## **2011** report on the operation of the VBRA Code of Practice recognised under the OFT Consumer Codes Approval Scheme

### **Prepared by**

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Throughout this report “OFT” refers to the Office of Fair Trading



## Introduction

This report reviews the operation of our Code of Practice which was approved under the OFT Consumer Codes Approval Scheme on 28<sup>th</sup> September 2004. Statistical information relates to the period 1<sup>st</sup> October 2010 to 30<sup>th</sup> September 2011. The report is available on request and via the VBRA website ([www.vbra.co.uk](http://www.vbra.co.uk)); copies are distributed to various consumer organisations and others.

## Disciplinary Panel

An independent disciplinary panel exists to handle code breaches. Panel members (shown below) have no known past or present association with our members individually, their trading sector or their industry.

**David Lodge** West Yorkshire Trading Standards Service

**Martyn Duffield MBE** Duffield Printers, Leeds

**Roger Sharp** Huddersfield

**There have been no incidents requiring the panel to convene** - testament to the quality of work undertaken by VBRA members, the membership inspection regime to which they voluntarily submit which ensures they are monitored in terms of their premises, equipment, technical training, customer care and operation of the VBRA Code of Practice and to their individual ability to quickly remedy any problem, as it arises, to their customers' satisfaction.

## Code of Practice Periodic Review

A full review of the Code of Practice took place in 2010. No changes were considered necessary by the National Repairers Council and no third party comments suggesting alteration were received. The next review is planned for 2013. Policing of the Code and its practical application is undertaken by the secretariat.

## Complaints and Conciliation

VBRA operates free Conciliation and access to an Arbitration service. Sanctions in the event of a breach of the Code are detailed in section 19 of the Code booklet. Consumers are kept informed of the progress of their complaint.

Details of complaints received are tabulated in **Appendix A**.

During the reporting period the number of cases referred to the conciliation service were up compared to the previous year at 21 (2010 = 16) two of which were brought forward from the previous reporting period.

It is important to bear in mind that eight of these complaints related to non member companies (therefore not covered by the scheme), 2 were withdrawn by the complainants and 1 related only to mechanical work falling outside the scheme. This left **10 'substantive' complaints** in 2011 against 11 in the previous period – a reduction! 8 cases were resolved without reference to independent inspection.



2 cases remain unresolved in this reporting period and are therefore carried over into next year's figures. No cases required referral to arbitration.

As noted in previous reports the number of complaints as a proportion of total repairs carried out by VBRA members is miniscule demonstrating, yet again, an over-all high level of satisfaction amongst consumers of the services and workmanship provided by VBRA members.

### Monitoring of Customer Satisfaction

We monitor the level of satisfaction (or otherwise) of customers through use by members of a Customer Satisfaction Survey (CSS) – see Appendix B. [Apparent dissatisfaction does not always equate to a complaint.](#)

VBRA operates a generic CSS. Eligible members are encouraged to use this but it should be noted that:

- Many members have in place, instead, one or more similar and competing schemes which take precedence over use of the generic model.
- VBRA does not monitor CSS performance under alternative schemes many of which are subject to contractual non disclosure agreements.
- VBRA does not monitor the number of repairs carried out by its Members. The number of repairs by Members in the reported period is, though, considerable. We cannot therefore estimate the proportion of those repairs that are subject to either the VBRA or any alternative CSS scheme.
- We do not monitor the number of CSS cards (ours or third party) issued by members. Distribution methods vary from attachment to every invoice or receipt, leaving them in vehicles, handing them over at collection or them being available 'if required' at reception. Complaints reaching us which initiate the conciliation process are raised directly with us by motorists not, in the main, via CSS cards. We remain firmly of the opinion that customers are not failing to make complaints due to the absence of a CSS card.

These generic CSS cards are postage paid to VBRA thereby allowing third party monitoring of performance. After review, cards are returned to the Member with appropriate comments from us if deemed necessary. This protocol allows problems arising from the cards to be addressed immediately if necessary.

Members are encouraged to distribute CSS cards but customer response cannot be mandated. We draw the inference that dissatisfied customers are considerably more likely to respond than are satisfied customers. The format of the card does not, at OFT's behest, seek positive feedback; it solicits only adverse comment. Response is therefore skewed towards notification of poor service. 'Complaint/dissatisfaction' statistics should therefore be viewed in this light.

We are pleased to report CSS responses continue to indicate minimal customer dissatisfaction. The number of returns is fewer this year than in previous years, which continues to reflect, in part at least, the current economic climate in which fewer road miles were travelled creating lower exposure to road risk.



CSS responses show similar outcome result patterns to those exhibited in previous years.

Observations from analysis of CSS returns in the period:

1. Satisfaction rate is 97.4%
2. As a percentage fewer cards received in the reporting period recorded dissatisfaction than in the previous year (2.6% vs 5.7% in 2010)
3. The number of unsolicited compliments about members increased to 35.2% (2010 11% 2009 28%)
4. Customers expressing dissatisfaction with insurers' claim handling remained stable at 2.8%
5. 1.8% of respondents were dissatisfied with their vehicle upon completion; fewer than 1% expressed dissatisfaction at repairer explanation of charges and VAT; 0.5% of respondents were dissatisfied with (interpersonal) customer service; 1.7% of respondents indicated they had outstanding issues when the repair had been 'completed'

CSS cards are in "yes/no" format; "no" is recorded by us as dissatisfaction (not all dissatisfaction requires conciliation). Where "no" has been recorded, customers frequently go on to qualify their answer (e.g. it is sometimes noted that a vehicle was not ready for collection at the agreed time – but the garage telephoned in good time to revise the information - and it was ready by the new deadline!) This is still regarded for our statistical purposes as a "no" answer. The "raw" data the cards solicit can be misleading.

VBRA Members are performing well in customer service and attention to detail. The percentage of cards returned with 'No' answers was 2.6. Compared to the number of cases requiring VBRA attention under the conciliation scheme this demonstrates that complaints are dealt with, in the main, at source and satisfactorily resolved thereby not requiring VBRA intervention; a good result.

### **OFT Code Approval Compliance Checks and Code Inspections**

VBRA operates a system of check prior to acceptance into membership and periodically thereafter via its Area Managers who interact directly with Members face to face. Initial and ongoing compliance discussions emphasise the obligations to be accepted and complied with regarding code approval.

Thorough on site audits are undertaken to police compliance with VBRA's demanding membership standards of which code compliance is a small element only.

Code Inspections address member awareness of the Code and their responsibilities thereunder (appendix D). All members are supplied with posters informing customers of their adherence to the Code backed up by the availability of printed Code booklets and information leaflets. The Code is also available via the VBRA website.

Some members are precluded from displaying VBRA and/or the OFT Codes Approval Logos under commercial agreements with their principal work providers. We acknowledge each member enterprise to be an individual business which consequently may choose what *to* and what *not to* display. In the spirit of approval requirements VBRA strongly encourages the display of relevant, correctly positioned signage.



VBRA's essential interest is that members comply with the Code for consumer protection purposes rather than be pressured such that there is conflict with regard to signage.

Where a compliance inspection highlights areas requiring action or improvement these matters are taken up and remedied on the spot by the VBRA Area Manager.

VBRA should carry out formal Code inspections on a third of qualifying members annually. In the period covered by this report we inspected 38% thereby exceeding this target. As our culture is to successfully rectify any shortcomings at the time of audit there are *no recorded failures* against audit criteria in the period covered by this report.

## Membership Changes

VBRA updates OFT with withdrawals from and additions to membership. Protocols exist to warn withdrawn members that OFT and VBRA signage must be removed from display. Obligations under the code licence and under the Consumer Protection from Unfair Trading Regulations 2007 are emphasised. Any instances of continuing non-compliance with instructions to remove signage are referred to local Trading Standards offices.

## Summary

For many years VBRA members have adhered to, and continue to be keenly aware of the need for, a workable Code of Practice to benefit consumers and to be the starting point for quality of workmanship and pride in serving customers safely, politely and in a timely, cost effective manner. OFT Consumer Codes Approval enhances members' existing dedication to quality and service and is seen as a positive benefit to all concerned.

The Code of Practice underpins governance of the interaction between customer and repairer and seeks to ensure, on the rare occasions something might go wrong, there is a workable customer facing mechanism to quickly put matters right to the satisfaction of all parties.

In any customer/business relationship there is a potential for dissatisfaction or conflict, real or imagined. This is especially so where vehicle repair is concerned due to the financially "emotive" nature of the subject.

The level of complaint in the sector evidenced by the return of CSS cards and more specifically in terms of the conciliation service offered by VBRA remains low and in consequence ***the level of satisfaction remains pleasingly high.***



## Appendix A

### VBRA CONCILIATION SERVICE - REPORT ON COMPLAINTS COVERING THE PERIOD October 2010 – September 2011

<b>Complaints were received from the following sources:</b>		
Direct from the complainant		19
From the member garage		-
Carried forward from the last period		2
<b>TOTAL</b>		<b>21</b>

<b>The above complaints were dealt with as follows:</b>		
<b><u>(i) Complaints about VBRA member companies dealt with under the following categories:</u></b>		
Problems with repairs		6
Paintwork problems		2
Dissatisfaction with service provided by the repairer		2
<b><u>(ii) Complaints not covered by the code (see below):</u></b>		11
<b>TOTAL</b>		<b>21</b>

<b>Outcome:</b>		
<b><u>Cases not covered by the Code:</u></b>		
non-member companies		8
mechanical repairs		1
Complaint taken up by the customer's insurance company		-
Cases withdrawn by the complainant		2
<b><u>Cases conciliated:</u></b>		
(1) without the need for an independent inspection		8
(2) an independent inspection carried out and the outcome as follows:		
(i) wholly in favour of the complainant		-
(ii) wholly in favour of the member		-
(iii) compromise		-
Resolved through Arbitration		-
Cases still ongoing		2
<b>TOTAL</b>		<b>21</b>



### CSS CARD RETURNS FOR THE PERIOD OCT 2010 – SEPT 2011

Cards Received				Dissatisfaction with quality and of service received from repairer Questions on CSS card (see below) - answered as 'No'							Complimentary comments in respect of VBRA members	Dissatisfied with service from insurance companies
Qtr ending	Returns with no complaints	Returns with complaints	Total Returns	Q1	Q2	Q3	Q4	Q5	Q6	Qrtly Totals		
Oct - Dec 2010	1238	40	1278	29	16	14	9	7	26	101	444	27
Jan - Mar 2011	993	32	1025	19	17	15	8	6	17	82	374	33
April - June 2011	1105	25	1130	17	14	10	10	4	17	72	387	39
July - Sept 2011	915	18	933	14	9	6	2	5	14	50	330	28
Unallocated cards that did not identify the repairer	33	-	33	-	-	-	-	-	-	-	15	-
<b>GRAND TOTALS</b>	<b>4284</b>	<b>115</b>	<b>4399</b>	<b>79</b>	<b>56</b>	<b>45</b>	<b>29</b>	<b>22</b>	<b>74</b>	<b>305</b>	<b>1550</b>	<b>127</b>

- Q1. Were you satisfied with the vehicle when it was returned?
- Q2. Was the vehicle ready as and when agreed?
- Q3. Were you sufficiently advised as to your claim/repair procedures and other relevant information?
- Q4. Were you informed as to any charges that you may have to pay? (e.g. costs – excess – betterment – VAT)
- Q5. Were our management and staff efficient & courteous?
- Q6. Was all the work completed without any outstanding issues?
- Q7. Would you recommend our service to others? (Following discussions with the OFT - the answer to this question is no longer taken into account.)

## Appendix C

### Consumer Associations

Copies of this report have been sent, for information (amongst others), to the following bodies and organisations.

#### Which?

2 Marylebone Road  
London  
NW1 4DF

#### Consumer Focus

Fleetbank House  
Salisbury Square  
London EC4Y 8JX

#### Consumer Focus Scotland

Royal Exchange House  
100 Queen Street  
Glasgow, G1 3DW

#### Consumer Focus Post (Northern Ireland)

Elizabeth House  
116 Holywood Road  
Belfast, BT4 1NY

#### West Yorkshire Joint Services

PO Box 5, Nephshaw Lane South  
Leeds  
LS27 0QP

#### Consumer Focus Wales

Portcullis House  
21 Crowbridge Road East  
Cardiff CF11 9SR

#### Citizens Advice

Myddelton House  
115-123 Pentonville Road  
London N1 9LZ

#### OFT

Fleetbank House  
2-6 Salisbury Square  
London EC4Y 8JX

## Appendix D

### MEMBERSHIP INSPECTION REPORT

Company Name..... M/ship No. ....

Code Ref.	Topic (For full compliance details refer to The VBRA Consumer Code) VBRA / OFT COP Inspection (applicable Yes / No)	Non Compliant on Inspection Enter X	Corrected on Inspection Tick	Action Req. & Date
1 2	<b>Code &amp; Code Awareness.</b> Are management and staff aware of the Code and of their authority and responsibilities in delivering the content of the Code to the consumer? And is a copy of the code available to both customers and staff?			
3	<b>Estimates and quotations.</b> Are estimates / quotations made available on request and are the differences known by staff?			
4	<b>Payment.</b> Are terms of payment displayed? Are customers informed of how and when payment should be made?			
5 6	<b>Parts.</b> Are customers provided with details of parts that may be required, And what parts are to be used? (i.e. original or non-original) <b>Displaced Parts.</b> Is the "Paying "customer made aware they can inspect and/or collect displaced parts?			
7 11	<b>Contractual Terms and Conditions.</b> Are the companies Standard Contract Terms and Conditions up to date and available to the customer? <b>The Final Invoice.</b> Does the final invoice contain details of VAT, work carried out, warranty and details of the vehicle or units on which the work was undertaken?			
8	<b>Warranty.</b> Are the terms of warranty displayed in customer facing areas and is there information on how they should proceed if any warranty work is required?			
9	<b>Completion delivery times / dates.</b> Do management and staff keep customers advised of any changes with the agreed completion dates / times?			
10	<b>Vehicle accident damage / insurance claim.</b> Are customers advised as to the procedures and options available in the event of an accident / insurance claim?			
12	<b>Cancellation of repair agreement.</b> Are management and staff aware of the procedure if a customer cancels a contract and how any incurred costs are to be allocated?			
13	<b>Care of customer's vehicles and possessions.</b> Do management and staff secure customers possessions / valuables that may have been left with them?			
14 15	<b>Customer confidence and satisfaction</b> <ul style="list-style-type: none"> <li>• <b>A.</b> Is the name of the Customer Liaison Manager displayed?</li> <li>• <b>B.</b> Has a formal customer complaints procedure been established?</li> <li>• <b>C.</b> Are Customer satisfaction cards (CSS) in use, and is a summery kept of trends and results?</li> <li>• <b>D.</b> What type of <b>Customer Satisfaction Survey Card</b> is used?</li> <li>• <b>VBRA, Insurance Company etc. Confirm please; .....</b></li> </ul>			
19	<b>The Conciliation and Arbitration Process.</b> Is management aware of the procedure to follow if a customer wishes to apply for Conciliation and Arbitration?			
16	<b>Advertising.</b> Does the management review advertising to ensure it complies with the spirit of the Code?			
17 18	<b>The VBRA member.</b> Does the member company operate this code willingly? And do they recognise their responsibilities, to the VBRA terms of membership and code of practice. And the <b>Enforcement</b> on failure to abide by this code.			
<b>Ref No</b>	<b>Action and date (s) required for compliance:</b>			
<b>14a</b>	<b>Customer Liaison Manager:</b>			
We agree to remedy the above non-compliances by the dates shown;				
<b>Contact Name:</b>		<b>Position:</b>		<b>Signature:</b>
The above Co. has <b>PASSED</b> <b>FAILED</b> (Code Compliance)				
<b>VBRA Inspector:</b>		<b>Signature:</b>		<b>Date:</b>



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