



# VBRA Code of Practice

## **2009** 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

VBRA issues an annual report reviewing the operation of its Code of Practice (which was approved under the OFT Consumer Codes Approval Scheme on 28<sup>th</sup> September 2004). 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.

Statistical information in this report covers the reporting period under various headings equivalent to the period 1<sup>st</sup> September 2008 to 31<sup>st</sup> August 2009.

## Disciplinary Panel

A disciplinary panel, independent of the secretariat, exists to handle breaches of the code. Members of the panel are noted below. All members confirm their willingness to continue this task should the need arise. Panel members have no known past or present association, directly or otherwise with our members individually, their trading sector or their industry.

**David Lodge** West Yorkshire Trading Standards Service, Morley, Leeds

**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 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

The next full review of the Code of Practice is planned for 2010. Policing of the Code and its practical application is undertaken by the Association.

## Complaints and Conciliation

VBRA operates free Conciliation providing 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 VBRA conciliation service were down on last year at 19 (2007/8 = 32); three of these were carried over from the previous reporting period. Six relate to non member companies (therefore not covered by the scheme) thus leaving 13 'substantive' complaints. One was handled by the consumer's Insurer and 5 cases were withdrawn by the complainants. Of the remaining 7 falling to be dealt with under conciliation 4 complaints were resolved without reference to independent inspection; 1 required independent inspection (being found



wholly in favour of the member) and 2 cases remain unresolved in this reporting period therefore being carried over into next year's figures. There were no cases requiring referral to arbitration.

As noted in previous reports the number of complaints, if they could be accurately expressed as a percentage of the number of repairs carried out across the whole membership, would be miniscule demonstrating, yet again, an over-all high level of satisfaction amongst consumers of the services and workmanship provided by VBRA members. VBRA does not record the number of repairs carried out by its' 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 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. Conservatively the number of repairs by Members in the reported period exceeds 1m. 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 cards) 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 kick-start the conciliation process are raised directly with us not, in the main, via CSS cards. We remain of the opinion that customers are not failing to make complaints due to the absence of a CSS card.

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

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 feedback. Response is therefore skewed towards notification of poor service. 'Complaint' statistics should therefore be viewed in this light.

We are pleased to report CSS responses continue to indicate minimal customer dissatisfaction. In the period reported 18 of the 7124 cards received showed customers had answered "no" to the majority of questions. These were immediately referred to the relevant members offering the assistance of the conciliation service. Of these, 1 case was eventually taken up under conciliation (it is included in Appendix A). In all other instances no responses were received and whilst it is not possible to draw a



final conclusion from this it is probable that all issues identified had been resolved to the customers' satisfaction by the members concerned.

CSS cards are in "yes/no" format; "no" is recorded as a complaint. Where "no" has been recorded, customers frequently go on to negate 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 statistical purposes as a "no" answer. The "raw" data the cards solicit can be misleading.

There are a very small number of new members where no CSS system is recorded as being in place. Such protocols are in process of being installed as part of our Membership induction process.

### **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 during the year. 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. VBRA acknowledges each member enterprise to be an individual business which consequently may choose what 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 carries out formal Code inspections annually. In the period covered by this report there were 548 members to whom the code applies and 182 have been formally inspected for compliance. 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. By inference, information from the CSS card returns shows:

- 98.0% of respondents would recommend their VBRA repairer to others
- 97.5% of respondents were satisfied with their vehicle when it was returned to them
- 97.0% of respondents reported their vehicle was ready for collection at the agreed time
- 98.0% of respondents were happy with their VBRA repairers advice on claims/repair procedures
- 99.0% of respondents reported that repairer's staff were efficient and courteous
- 98.0% of respondents reported work had been fully carried out

These figures are consistent with previous periods.

As happened last year 28% of respondents made unsolicited complimentary remarks about their repairers on their completed cards.



## Appendix A

### VBRA CONCILIATION SERVICE - REPORT ON COMPLAINTS COVERING THE PERIOD SEPTEMBER 2008 – SEPTEMBER 2009

<b>Complaints were received from the following sources:</b>		
Direct from the complainant		16
From the member garage		-
Carried forward from the last period		3
<b>TOTAL</b>		<b>19</b>

<b>The above complaints were dealt with as follows:</b>		
<b>(i) <u>Complaints about VBRA member companies dealt with under the following categories:</u></b>		
Problems with repairs		12
Paintwork problems		-
Dissatisfaction with service provided by the repairer		-
<b>(ii) <u>Complaints not covered by the code (see below):</u></b>		<b>7</b>
<b>TOTAL</b>		<b>19</b>

<b>Outcome:</b>		
<b><u>Cases not covered by the Code:</u></b>		
non-member companies		6
mechanical repairs		-
Complaint taken up by the customer's insurance company		1
Cases withdrawn by the complainant		5
<b><u>Cases conciliated:</u></b>		
(1) without the need for an independent inspection		4
(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		1
(iii) compromise		-
Resolved through Arbitration		-
Cases still ongoing		2
<b>TOTAL</b>		<b>19</b>



**Appendix B**  
**CSS CARD RETURNS FOR THE PERIOD SEPT 2008 – SEPT 2009**

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 2008	1828	140	1968	47	71	36	41	26	38	259	563	79
Jan - Mar 2009	1900	139	2039	50	68	45	38	26	56	283	572	71
April - June 2009	1629	109	1738	47	52	45	28	19	39	230	518	66
July - Sept 2009	1282	76	1358	30	34	24	20	8	19	135	395	35
Unallocated cards that did not identify the repairer	21	-	21	-	-	-	-	-	-	-	3	-
<b>GRAND TOTALS</b>	<b>6660</b>	<b>464</b>	<b>7124</b>	<b>174</b>	<b>225</b>	<b>150</b>	<b>127</b>	<b>79</b>	<b>152</b>	<b>907</b>	<b>2051</b>	<b>251</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, to the following bodies and organisations.

#### [Which?](#)

2 Marylebone Rd  
London NW1 4DF

#### [West Yorkshire Trading Standards](#)

PO Box 5, Nepshaw Lane South  
Leeds  
LS27 0QP

#### [National Consumer Council](#)

20 Grosvenor Gdns  
London  
SW1 0DH

#### [Welsh Consumer Council](#)

5<sup>th</sup> Floor  
Longcross Street  
Cardiff, CF24 0WL

#### [Scottish Consumer Council](#)

Royal Exchange Ho  
100 Queen Street  
Glasgow, G1 3DW

#### [Citizens Advice](#)

Myddelton Rd  
London  
N1 9LZ

#### [General Consumer Council for NI](#)

Elizabeth House  
116 Holywood Rd  
Belfast, BT4 1NY

#### [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 summary kept of trends and results?</li> <li>• <b>D.</b> What type of Customer Satisfaction Survey Card 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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