



# VBRA Code of Practice

## 2008 report on the operation of the VBRA Code of Practice recognised under the OFT Consumer Codes Approval Scheme

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



## Introduction

Under the terms of its code approval VBRA prepares an annual report reviewing and commenting on the operation of the Code in the previous 12 months. The report is available on request and is available for 3 months from publication date on 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 roughly equivalent to the period 1<sup>st</sup> September 2007 to 31<sup>st</sup> August 2008.

The Code was approved by the OFT on the 28<sup>th</sup> September 2004. VBRA records specific thanks to its staff, its members, representatives of the OFT, various outside bodies and individuals involved in the ongoing processes of administering the code as it affects VBRA Members and benefits the consumer.

The operation of the approved Code continues to be viewed positively as a good business discipline and from a marketing perspective.

## Disciplinary Panel

A disciplinary panel, independent of the secretariat, exists to handle breaches of the code. Members of the panel are recorded 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

VBRA conducts periodic formal reviews of the Code ensuring it remains relevant to real consumer needs. This exercise has been undertaken for 2008 in consultation with the National Repairers Council; no changes are considered necessary as the code remains relevant and practical in its present form. The next full review is planned for 2010.

Policing of the Code and its practical application is undertaken by the Association.



## Complaints and Conciliation

VBRA operates free Conciliation and provides access to an Arbitration service. Sanctions in place in the event a breach of the Code occurs are detailed in section 19 of the Code booklet. Arrangements exist such that 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 is slightly increased from last year at 32 (2006/7 = 28), one of these being carried over from the previous reporting period. Of the 31 new referrals 5 relate to non member companies and 4 relate to mechanical repairs, not bodywork thus leaving 23 'substantive' complaints. One was dealt with by the consumer's Insurer and 4 cases were withdrawn by the complainants. Of the remaining 18 falling to be dealt with under conciliation 10 complaints were "simple" being resolved without reference to independent inspection; 4 required independent inspection leading to resolution as follows: one wholly in favour of the complainant, 2 wholly in favour of the repairer and 1 on a compromise basis.

The case carried over from the previous period was resolved in the present period in favour of the complainant following arbitration.

3 cases remain active and to date unresolved; for reporting purposes these will be carried over into next year's figures.

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.

## Monitoring of Customer Satisfaction

VBRA monitors the level of satisfaction (or otherwise) of customers through use by members of a Customer Satisfaction Survey (CSS) – see Appendix B. [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 the use of the generic model.
- VBRA cannot monitor 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 1.3m. We are not able to estimate the proportion of repairs subject to either the VBRA or any alternative CSS system.



- In the same way we do not monitor the number of repairs carried out we do not monitor the number of CSS cards (ours or third party cards) issued by members. Methods of distributing cards vary from their being attached to every invoice or receipt, being left in vehicles, handed over at collection or simply available 'if required' at reception. In our experience complaints that reach VBRA and kick-start the conciliation procedure are raised directly with us not, in the main, via CSS cards. It seems most unlikely customers are failing to make complaints due to the absence of a CSS card.

VBRA CSS cards are postage paid to the VBRA, not to the member, thereby allowing third party monitoring of performance. After review, cards are passed back to the member. If customer comments need, in VBRA's opinion, to be followed up with the repairer concerned there are mechanisms in place for doing this as in the 18 instances mentioned above. These protocols allow problems to be addressed immediately where appropriate.

Whilst members are encouraged to distribute CSS cards they cannot force a response. The implication can be drawn that dissatisfied customers are more likely to respond than satisfied customers as the format of the cards, agreed with the OFT, other than incidentally in small print as part of question 9, do not seek positive comments. Cards solicit only adverse comments. Responses are 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 7289 cards received showed customers had answered "no" to the majority of questions. These were forwarded to the relevant members offering the assistance of the conciliation service. Of these, 5 cases were eventually taken up under conciliation (these are 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.

The cards are of necessity in "yes/no" format with "no" recorded as a poor achievement. Where "no" has been recorded, customers frequently go on in the "comments" box to negate their answer (e.g. it is sometimes noted that a vehicle was not ready for collection at the agreed time – but the "comment" advises the garage had 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 therefore be misleading.

There are presently (22/9/08) 6 relevant members where we have no recorded Customer Satisfaction Survey protocols in place. On investigation these are new members and CSS systems are currently in process of being instigated as part of Membership set up protocols. VBRA has supplied 37000 cards to Members this year.



## 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 discussions emphasise the obligations to be accepted and complied with regarding code approval.

Code compliance checks comprise on site inspections related solely to compliance with the Code and the obligations arising from OFT Codes Approval. Separate and 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 some signage items, such as the VBRA and/or the OFT Codes Approval Logo under commercial agreements with their principal work providers. VBRA acknowledges each member enterprise to be an individual business which may therefore 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 normally remedied on the spot, by the VBRA Area Manager.

VBRA endeavours to carry out formal Code inspections on one-third of its eligible members annually. In the period covered by this report there were 604 members to whom the code applies and 206 have been formally inspected for compliance. As our culture is to successfully rectify with Members 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 advises OFT of withdrawals from membership as well as of the recruitment of new eligible members. Protocols also exist to warn those withdrawn from membership that OFT and VBRA signage must cease to be used and 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 taken up via 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:

- 97.0% of respondents were satisfied with their vehicle when it was returned to them
- 96.7% of respondents reported their vehicle was ready for collection at the agreed time
- 98.0% of respondents were happy with repairer advice on claims/repair procedures
- 99.0% of respondents reported that repairer's staff were efficient and courteous
- 97.3% of respondents reported work had been fully carried out

These figures are essentially consistent with the 2006/7 period.

As was the case with the 2006/7 reporting period 28% of respondents in 2007/8 made complimentary remarks about their repairers even though positive comments are specifically not solicited through CSS cards.



## Appendix A

### VBRA CONCILIATION SERVICE - REPORT ON COMPLAINTS COVERING THE PERIOD SEPTEMBER 2007 – SEPTEMBER 2008

<b>Complaints were received from the following sources:</b>		
Direct from the complainant		31
From the member garage		-
Carried forward from the last period		1
<b>TOTAL</b>		<b>32</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		17
Paintwork problems		3
Dissatisfaction with service provided by the repairer		3
<b><u>(ii) Complaints not covered by the code (see below):</u></b>		9
<b>TOTAL</b>		<b>32</b>

<b>Outcome:</b>		
<b><u>Cases not covered by the Code:</u></b>		
non-member companies		5
mechanical repairs		4
Complaint taken up by the customer's insurance company		1
Cases withdrawn by the complainant		4
<b><u>Cases conciliated:</u></b>		
(1) without the need for an independent inspection		10
(2) an independent inspection carried out and the outcome as follows:		
(i) wholly in favour of the complainant		1
(ii) wholly in favour of the member		2
(iii) compromise		1
Resolved through Arbitration		1
Cases still ongoing		3
<b>TOTAL</b>		<b>32</b>



**Appendix B**

**CSS CARD RETURNS FOR THE PERIOD SEPT 2007 – SEPT 2008**

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 2007	1650	172	1822	61	92	50	27	33	62	325	494	85
Jan - Mar 2008	1936	123	2059	74	63	42	21	24	56	280	553	77
April - June 2008	1727	95	1822	49	39	26	30	18	39	201	547	51
July - Sept 2008	1464	97	1561	41	40	29	19	8	41	178	434	51
Unallocated cards that did not identify the repairer	19	6	25	3	4	1	1	1	2	12	4	1
<b>GRAND TOTALS</b>	<b>6796</b>	<b>493</b>	<b>7289</b>	<b>228</b>	<b>238</b>	<b>148</b>	<b>98</b>	<b>84</b>	<b>200</b>	<b>996</b>	<b>2032</b>	<b>265</b>

- Q1. Were you satisfied with the vehicle when it was returned?
- Q2. Was the vehicle ready as and when agreed?
- Q3. Were you kept 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?

## 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 <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>

**14a** **Customer Liaison Manager:**

We agree to remedy the above non-compliances by the dates shown;

**Contact Name:** \_\_\_\_\_ **Position:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

The above Co. has **PASSED** **FAILED (Code Compliance)**

**VBRA Inspector:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



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