

Get wise to making a complaint



If you've just bought a product and for whatever reason, are not happy with it, this leaflet aims to explain how to go about making a complaint

Unfortunately sometimes things do go wrong. Hopefully with commonsense and good will, they can be sorted out to everyone's satisfaction before resorting to the law.

We at the British Healthcare Trades Association (BHTA) represent nearly 400 companies who make and sell many different products and services, known as Assistive Technology products, designed to help vulnerable people in their own homes as well as in the NHS and in the community. These include all sorts of mobility products like scooters and wheelchairs; stairlifts and hoists, stoma and incontinence products.

The BHTA Code of Practice is the first in the healthcare industry to have been approved by the Trading Standards Institute.

The reason we've done this is to reassure you that our members are responsible businesses and not involved in inappropriate selling tactics.

A condition of BHTA membership is that they abide by our Code of Practice.

This means that:

- You can expect a high standard of behaviour and service from them.
- Their behaviour is policed.
- Members, through the BHTA, keep themselves up to date with legislation and best practice.
- Should anything go wrong and can't be resolved with the company then you can call on the BHTA for assistance.
- Independent arbitration is available for resolution of complaints.

You can request a copy of the Code from the company or from the BHTA.

We take complaints very seriously and we will do all we can to sort out your problem, if it can't be resolved between yourself and the company that you bought your product from.

Is my complaint valid?

First of all you need to check that your complaint is valid. For example:

You should have:

- Told the salesman exactly what you wanted the product/service for and what you expected it to do.
- Given the salesman all relevant information about yourself at the time of purchase.
- Read the paperwork.
- Followed the instructions.

Did:

- The salesman say exactly what the product could and could not do?
- You feel pressurised into making a decision?
- The salesman offer any alternative product/service at the time?
- The company meet promised timescales (for delivery etc)?



If you feel you did everything you should and the answer to one or more of these questions is “no” then your complaint may be valid and you should pursue the matter.

What do I do?

First of all, complain to the company.

There is a complaints process to go through and in the first instance we would ask you to:

- Telephone the company from whom you bought the product or service concerned straight away, and see if your problem can be sorted out. Keep a note of when you rang and who you spoke to.
- Ask them what their complaints procedure is and go through that. When writing, keep a copy of your letter(s) and their replies.
- If, after a reasonable period of time (ie. not more than three months at most) your complaint has not been resolved you should consider contacting someone else for help.

You can make a written complaint to the BHTA if the company is a member – they may display the BHTA logo or you can check with the BHTA by telephone (020 7702 2141) or email (bhta@bhta.com).

If the company is a BHTA member

To check if the company is a member (they may display the BHTA logo) visit the website (www.bhta.com), email bhta@bhta.com or telephone (020 7702 2141)

- Write to the BHTA at the address below, explaining simply what has happened. In order to pursue your complaint you must write rather than ring.

Include copies of as much back-up paperwork, letters etc as you can, and a record of any telephone calls.

What happens next?

- We will send you a copy of the BHTA Code of Practice and contact the company concerned for a report.
- When we are satisfied we have obtained all the facts we will advise both parties.
- If you are not happy with our conclusions you have the option of being referred to our independent arbitrator.

Do I have to accept the decision of the arbitrator?

- No, but if you do reject their findings your only other route is probably through the courts.
- However, if the arbitrator finds against the company it is binding on them.

When the BHTA can't help

- If the company is not a member of the BHTA.
- If the company in question was not a BHTA member at the time of the complaint.
- If your complaint is going through the courts, or in the hands of a solicitor.
- If your complaint relates to price.

Who else could help me?

- Citizens Advice: The consumer helpline is 08454 04 05 06, their website is www.adviceguide.org.uk
- For information about the Trading Standards Institute's Consumer Codes Approval Scheme, visit www.tradingstandards.gov.uk/advice.

The BHTA represents nearly 400 companies, all of whom adhere to the BHTA Code of Practice, the only one in this industry to be approved by The Trading Standards Institute. BHTA member companies operate to higher standards of customer protection than the law requires.

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