



Norfolk Fact sheet

Number 9

Consumer Rights & Trading Standards

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Introduction:

This fact sheet is designed to inform you of your legal rights when buying goods or services, information if you require further advice and help on how to make a complaint if you wish to do so.

If you shop for goods or services by telephone, mail order, fax, digital television, or on the internet, you have consumer rights to:

- Clear information
- A cooling-off period
- Protection for your credit card against fraud

Section A: Rights and Responsibilities:***Buying goods or services***

The law states that every time a trader sells you goods they must be of a 'satisfactory quality', they must match the description the trader has given you and they must be 'fit for purpose'. The same conditions apply to goods being supplied as part of a service. In addition, anyone providing a service, must carry out the work with reasonable care and skill and that it must be done within a reasonable time and for a reasonable price.

Q1: What happens if I buy something and it is not safe?

A1: It is illegal for somebody to sell you something that is not safe - this applies to new and second-hand goods. If you have bought something that is unsafe, contact Consumer Direct for advice.

Q2: What happens if I buy something which is of a poor standard or not fit for the purpose for which it was sold?

A2: Goods must be of a reasonable standard and must also fit the purpose for which they were sold, taking into account the way they have been described to you. Contact Consumer Direct for advice.

Q3: What happens if I pay for a service and it is not carried out with care, within a reasonable time limit or a reasonable price?

A3: When you pay for a service you are entitled to certain standards. A service should be carried out with reasonable care and skill, within a reasonable time and at a reasonable price. If you think that a trader has misled you with false descriptions about a service, misleading price claims or a term is unfair and you do not wish to be bound by it, contact Consumer Direct for advice.

Q4: What rights do I have if I buy something by mail order?

A4: You have the same rights as if you were buying something at a shop. However, you must remember certain things:

- Be careful when giving your credit/debit card details
- Goods should be delivered to you within a reasonable time
- You can return faulty goods within a reasonable time
- Try not to send cash through the post - use cheques or postal orders

Q5: What rights do I have when I buy something from a doorstep seller?

A5: You do not have to sign for anything until you have had time to think it over and compare prices. Do not sign an agreement until you have studied it carefully, had it checked and fully understand what commitment you are making. Keep a copy of anything you sign.

The **Cancellation of Contracts Regulations (2008)** give you protection when you buy goods or services from a trader on the doorstep or in the home. If you change your mind about a purchase above the value of £35, you have at least seven calendar days to cancel the contract (the 'cooling-off' period). It does not matter whether you invited a trader into your home or not – the Regulations cover both solicited (invited) and unsolicited (uninvited visits or 'cold calling'). A trader must advise you in writing that you can cancel the contract.

It is against the law for someone to offer you a cash loan on your doorstep if you have not asked them to call - if this happens, don't be tempted. It is okay to buy Shopping Vouchers on the doorstep but remember what you pay back could be nearly double the cost of the voucher. If you get more than £50 worth, then the law says you **MUST** be given written information. If you encounter any problems call Consumer Direct or the Citizens Advice Bureau.

Q6: What is a 'loan shark'?

A6: Anyone who is lending money without having a licence from the Office of Fair Trading. These unlicensed money-lenders are working illegally. You can check if someone has a licence by using the online Consumer Credit Register search on OFT's website www.of.gov.uk or call 020 72118608.

If anyone thinks they have been the victim of a loan shark or that there is one operating in the community, they should contact the Trading Standards illegal Money Lending team on the 24/7 confidential hotline 0300 5552222, or text 'loan shark' and your message to 60003 or email reportaloanshark@stoploansharks.gov.uk.

N.B.

If you need to borrow money to cover unplanned bills for essential items, consider approaching a Credit Union – their interest charges are lower than many other sources of credit.

Local Credit Unions:

Norwich Community Co-op Credit Union	Tel: 01603 764904
West Norwich Credit Union	Tel: 01603 501301
Ketts Credit Union (North East Norwich).	Tel: 07866 024647
Lichfield & Southtown Credit Union (Great Yarmouth).	Tel: 01493 651307
Cobham Island Credit Union (Great Yarmouth).	Tel: 01493 651330
Norfolk Credit Union (all Norfolk).	Tel: 01508 533842

Q7: What rights do I have if I buy second-hand goods?

A7: You have the same rights as when buying new ones, but you must take into account that second-hand will not be of the same quality as brand new. You can, however, still claim your money back or the cost of repairs if the goods are faulty, unless the faults are a matter of the wear and tear to be expected with second-hand goods, or were pointed out to you, or were obvious when you agreed to buy the goods. Examine goods carefully before you buy.

Q8: What rights do I have if I buy privately?

A8: If you buy privately – perhaps through a classified ad in the local paper – you have fewer rights than when you buy from a trader. The general rule is ‘buyer beware’. Privately-bought goods do not have to be free of faults, but they must be ‘as described’. If the seller says anything misleading about the condition of the goods, and you buy on the basis of what is said, then you will be able to seek a legal remedy if the goods turn out differently. However, this could be difficult to prove.

Q9: What rights do I have if I buy online?

A9: You are entitled to the same rights covering any other home purchase. A website must display:

- Clear information about goods or services before you buy
- Written confirmation of any order
- A ‘cooling-off’ period allowing the buyer to cancel the order for any reason

One exception to these rules is products purchased through online auction. Auctioneers are not required to accept responsibility for the quality of goods on sale, so extra care should be taken when buying them.

Section B: Making a Complaint

Q9: How do I make a complaint about goods I have bought?

A9: Return the goods with proof of purchase (if you've got it) and explain your complaint. If a retailer is part of a chain, you can write a letter to their head office if your complaint has not been satisfied.

Q10: How do I make a complaint about a service I have paid for?

A10: If you are not satisfied with work you have had carried out, you should first give the supplier a chance to sort out the problem. If you are still not satisfied, write to the company with details of your complaint, saying what you want done - remember to set a deadline for the problem to be resolved.

Try not to pay any money in advance (any deposits may be lost if the company goes out of business or you change your mind). Remember to get a receipt for any payments you make. You could withhold money until the problem has been sorted out but remember to check the small print of your contract first.

Refer to Norfolk Fact Sheet No.5 'Making a Complaint' for information on Complaints Procedures.

Other points to remember:

Trade Associations: Traders often belong to Trade Associations and many of these have 'codes of practice' which may assist you if you are making a complaint. Refer to the 'Trade Associations and Professional bodies' section in the Yellow Pages directory for a listing of organisations.

Utilities (e.g. your gas or electric company): If you have a complaint about a utility first contact the company (number on the back of the bill) and then you may wish to contact the regulator - each utility has a regulator to help with customer's complaints.

Deposits & Receipts: If you do pay anything in advance make sure you get a receipt showing the company's name and address. Check whether deposits are returnable and, if so in precisely what circumstances. Always remember to keep receipts when you have paid for goods or services. They may be useful if you need to make a complaint at a later date.

Guarantees: It is a good idea to enquire about guarantees when purchasing goods or services. Guarantees should be in writing and give you additional rights which could be a useful back-up if you have to complain. Guarantees should be clear, unambiguous and available for you to see before you make a purchase. Also, when paying for a service do not choose a company just because it offers a good guarantee - if the company goes out of business the guarantee will be worth nothing.

Always keep details of any guarantee or warranty with your original receipt and any service or repair documents. Be careful when offered extended guarantees on electrical items, check the terms carefully to see what is covered as they are often expensive and may cost more than the price of repairing the item

Local Sources of Consumer Advice:

Norfolk Consumer Support Network (CSN):

CSN is a partnership of local advice agencies (hosted by Norfolk County Council Trading Standards) which provides free consumer advice, working together to help consumers:

- To know what to look for when buying goods and services
- To understand their rights and obligations when buying goods and services
- To know how to obtain redress when things go wrong.

Age UK Norwich and Age UK Norfolk:

Each offers a number of services for older people and their carers. Advice and information staff at either office can help with consumer queries.

For further information, go to www.acnorwich.org.uk or www.acnorfolk.org.uk.

For contact details, see the last page of this fact sheet.

Citizens Advice Bureaux – provide free information, advice and assistance on your rights, responsibilities and entitlements, and on other services available. Online information and advice is available at www.adviceguide.org.uk or contact your local bureau:

Norwich & West Norfolk Citizens Advice Bureau

St. Vedast House
5-7 St. Vedast Street
Off Prince of Wales Road
NORWICH. NR1 1BT
Tel: 01603 765783 (advice line Norwich)
Tel: 0844 4994104 (advice line West Norfolk)
Web: www.ncab.org.uk

Other Citizen Advice Bureaux in Norfolk:

Attleborough	01953 456680
Dereham	01362 697776
Diss	01379 651333
Downham Market	0844 4994104
Fakenham & District	01328 856040
Great Yarmouth	01493 856665
Holt	01263 713849
King's Lynn	0844 4991404
Marham (RAF)	01760 446121
North Walsham & District	01692 402570
Thetford	01842 752777
Watton	01953 882746
Wymondham	01953 603977

Norfolk Trading Standards Service:

Has a specialist team of advisers who will assist Norfolk consumers with advice and information about any of the following:

- Your rights when buying any goods, including cars, clothes, electrical goods, food and furniture.
- Your rights when you buy a service, including guarantees, holidays or a loan.
- Your rights when you feel you have been 'ripped off' or deceived by any advertisement or trade practice.
- The safety of any goods or service intended for normal consumer use.

Norfolk Trading Standards Service

County Hall

Martineau Lane

NORWICH NR1 2UD

Tel: 08457 444466

Fax: 01603 222999

Website: www.norfolk.gov.uk

Consumer Direct:

This is a telephone and online service, supported by local authorities and by the Office of Fair Trading, which provides advice and support for consumers in Norfolk. Consumer Direct provides clear, practical first-level advice to help consumers sort out problems and disagreements with suppliers of goods and services. More complex problems or complaints requiring further investigation or assistance are referred to Trading Standards or other advice services. For information contact their helpline on 08454 040506 or go to their website at www.consumerdirect.gov.uk

Consumer Focus:

This organisation, created through the merger of Energywatch, the National Consumer Council and Postwatch, champions consumer interests. Consumers cannot contact Consumer Focus directly but they can access information on their website at www.consumerfocus.org.uk. *Advice for individuals on energy and post is given by Consumer Direct on 0845 4040506 (see above).*

Council Information Centres:

CIC's can help you with information and advice about a wide range of local council services including Trading Standards. Council Information Centres provide a face-to-face facility and can be found at the following locations in Norfolk:

Aylsham Library	7 Hungate Street, Aylsham
Diss Town Council	11-12 Market Hill, Diss
The Priory Centre	Downham Market
Fakenham Connect	Oak Street, Fakenham
Gorleston Library	Lowestoft Road, Gorleston
Millennium Library	The Forum, Norwich
Wroxham Library	Norwich Road, Wroxham

Norfolk Trusted Trader:

This scheme is operated by Norfolk Trading Standards in partnership with Referenceline and is aimed at helping older and vulnerable people remain safe and independent in their own homes. Norfolk Trusted Trader offers information on reliable, reputable accredited providers across Norfolk (checked by Trading Standards and supported by customer references).

A wide range of services is offered, including home maintenance and improvement, car servicing and repairs and personal care services. This information is provided in a paper directory of businesses. There is also an audio version of the directory available for people with visual impairment. For information, go to www.norfolk.gov.uk/trustedtrader or call Consumer Direct on 08454 040506.

For further information and advice:***Advertising Standards Authority (ASA):***

The ASA is the UK's independent regulator of advertising across all media, including TV, internet, sales promotions and direct marketing. Their role is to ensure that advertisements are legal, decent, honest and truthful by applying the Advertising Codes.

You can complain to the ASA if you think there is something wrong with an advertisement you have seen or heard; have difficulty getting goods or a refund for items bought by mail order or through TV shopping channels; want to stop direct mail from companies sent either by post, fax, text message or email; data capture and protection of privacy.

For information, go to their website www.asa.org.uk (where you can complete the online complaints form) or contact:

Advertising Standards Authority
Mid City Place
71 High Holborn
LONDON. WC1V 6QT
Tel: 020 72922222 Email: enquiries@asa.org.uk

Financial Ombudsman Service (FOS):

The FOS provides consumers with a free, independent service helping to settle individual disputes between consumers and businesses providing financial services. For information, go to their website www.financial-ombudsman.org.uk or contact:

Financial Ombudsman Service
South Quay Plaza,
183 Marsh Wall,
LONDON. E14 9SR
Consumer Help lines - Tel: 08000 234567 (free from a 'fixed landline')
Tel: 0300 1239123 (free for mobile phone users)
Tel: 020 79641000 (switchboard) Fax: 020 79641001
Email: complaint.info@financial-ombudsman.org.uk

Financial Services Authority (FSA):

The FSA is an independent body set up by government to regulate financial services industry in the UK and protect consumers' rights. For useful information and advice if something goes wrong, call their Moneymadeclear Help line on 0300 5005000 or go to their website www.moneymadeclear.org.uk.

Her Majesty's Revenue & Customs (HMRC):

HMRC provide information for those considering purchasing goods from other countries via the Internet. Their website has a section on Internet shopping and duty. For further information go to www.hmrc.gov.uk or call their National Advice Service on 0845 0109000

Office of Fair Trading (OFT):

The OFT is a government department which oversees trading practices to make sure that they are fair and that customers are protected. OFT cannot help individual customers but does produce useful leaflets giving advice and information (for copies call 0800 3893158). These can also be downloaded or ordered from their publications page. For information on your rights, covering areas such as shopping and credit, call their enquiry line on 08457 224499 or go to their website www.of.gov.uk

Enquiries & Reporting Centre
Office of Fair Trading
Fleetbank House
2-6 Salisbury Square
LONDON. EC4Y 8JX
Tel: 020 72118000

WHICH?:

WHICH (formerly the Consumers' Association) campaigns on issues that really matter to consumers, including shopping rights. For information, go to their website www.which.co.uk or call on 01992 822800 or fax 020 77707485. Email: which@which.co.uk.

Consumer Protection:

You can contact these consumer watchdogs if you are unable to resolve issues directly with the companies or authorities concerned in your complaints:

Consumer Direct (see page 9)	www.consumerdirect.gov.uk	0845 4040506
Ofcom (communications)	www.ofcom.org.uk	0300 1233333
Ofwat (water & sewerage)	www.ofwat.gov.uk	0121 6447500
Otelo (telecommunicationsombudsman)	www.otelo.org.uk	0330 4401614
Passenger Focus (rail, bus, coach and tram)	www.passengerfocus.org.uk	0300 1232350

- Age Concern Norfolk is an independent county-wide charity with over 60 years experience of working for the well-being of older people and their carers in Norfolk.
- In Norfolk there are a number of independent Age Concern organisations and groups working to promote the well-being of older people.
- Age Concern Norwich with Age Concern Norfolk is an 'organisation' member of the Age Concern Federation.

Contact Age Concern Norwich, at: Boardman House, Redwell St, NORWICH. Tel: (01603) 496333.

- Other Age Concern groups working in the county are supported by Age Concern Norfolk. For information on your nearest Age Concern group, and for details about our work contact: Age Concern Norfolk.

Age Concern Norfolk
Age Concern County Office
300 St Faith's Road
Old Catton
Norwich
NR6 7BJ
Telephone: 01603 787111



Community
Legal Service



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