

GGF Guidance to code members on dealing with vulnerable consumers

Code members are to attempt to identify consumers who are vulnerable or potentially vulnerable, and deal with them sympathetically and appropriately. Vulnerable consumers are those whose attributes mean they are at risk of making an incorrect or inappropriate decision, or who are at risk of receiving unsuitable or unnecessary goods or services.

Members are to take the necessary time and effort to ensure that vulnerable consumers are provided with the best possible service and extra care and support when required. Because selling in the home is common in our industry, it is important that vulnerable consumers understand all aspects of signing a contract for goods and services, including the financial implications.

Where appropriate, members must suggest the involvement of a trusted friend or relative, to assist the potential consumer before a contract is signed, and check that no undue pressure is being exerted.

Code members must:-

- identify consumers who may be vulnerable
- give extra support in helping them make informed choices
- ensure that vulnerable consumers understand important documents such as the quotation, the contract and the guarantee.

A consumer may be vulnerable for any reason that makes it more difficult for them to fully understand the information they need in order to make an informed decision about your company's products and service. Vulnerable consumers include, but are not limited to, those:

- With a physical disability or health problems
- Who are elderly
- With poor literacy or numeracy skills
- Who are purchasing something at a time of particular stress or distress
- Whose first language is not English, and English is the only language in which sales material is available

Code members are tasked to try to identify whether a potential consumer is vulnerable or potentially vulnerable using the above list as a rough guide. Enquiries will need to be made with the consumer in a sensitive manner. Reasonable adjustments are to be made to accommodate them so they can fully understand the information they need in order to make an informed decision about your company's products and service.

Sales visits will need to be re-scheduled if the sales agent finds on visiting that the consumer is vulnerable (which was not identified before the visit) and would like a trusted friend or relative to attend the sales presentation and assist.

Training

All code members must ensure that their employees and agents who have dealings with potential consumers have been trained in how to identify and deal with consumers who are vulnerable or potentially vulnerable.

They must be trained to carefully consider that a consumer's vulnerability may not always be obvious immediately, as will tend to be the case when there is sight impairment, physical or mental disability, or age-related vulnerability.

Sometimes a consumer can be vulnerable due to a recent tragic event, such as a bereavement.

The Mental Capacity Act 2005 Code of Practice is a useful reference document for code members.

Responsibilities to vulnerable or potentially vulnerable consumers

For any vulnerability which relates to physical or mental disabilities, the code member must consider the effect of the disability on the consumer's capacity to make an informed decision on whether the products on offer are affordable and suitable for them.

Each such consumer is to be provided with details of each stage of the transaction so that an informed decision can be made. This can involve reading the contract terms and conditions to the consumer, explain clearly their right to cancel, and explaining deposit and payment terms.

Code members' employees and agents are to be trained to take their obligations with regard to vulnerable consumers seriously, and ensure that suitable arrangements are made in order that the consumer is provided with the best guidance and advice suitable for their needs.

Suitable products fit for purpose

Code members must ensure, via their salespersons and surveyors, that vulnerable consumers receive products that are fit for purpose in respect of their disability.

Examples would be:-

- An elderly person with poor reach should have window styles recommended where the window openers are within reach wherever possible, especially where a window is over a kitchen sink

- The threshold height of an external door should not pose a trip hazard to a person affected by poor mobility

Sales activity

Members are prohibited from generating sales enquiries or new orders from the creation, obtaining, distribution, maintenance or use of lists of specific consumers that are susceptible to responding to cold calling approaches.

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