

## **Walsall TraderRegister**

### **Code of Conduct for Members**

#### **1 Introduction**

Walsall TraderRegister has been introduced as part of an initiative to improve standards of trade and to assist consumers in finding traders to carry out work. It is aimed at those businesses that are committed to dealing fairly and honestly with consumers and to providing a high quality of work.

The scheme does not replace the existing legislation. The TraderRegister sets minimum standards which members agree to operate to.

#### **2 Applications for Membership**

##### **2.1 Eligibility for membership**

Any trader who is based within the geographic boundaries of the borough of Walsall are eligible to apply for membership of Walsall TraderRegister. If a trader has their main office outside the Borough but also has a base within the Borough, they may also apply to join the Walsall TraderRegister.

Businesses must have public liability insurance in place. The amount must be appropriate to the nature of the business but must be for a minimum of £2 million.

If appropriate, businesses must have employer's liability insurance in place. The amount must be appropriate to the nature of the business but must be for a minimum of £5 million.

##### **2.2 Application process**

Applications for membership must be made on the application form. This may be either on the hard copy form or by using the on-line application form on the Walsall TraderRegister website: [www.traderregister.org.uk/walsall](http://www.traderregister.org.uk/walsall).

Upon receipt of an application, Walsall Trading Standards will consult with the members of the steering group of Walsall TraderRegister about your suitability for membership. If there are no reasons to object, you will be admitted onto the scheme and you will be notified in writing. This process should normally take no more than 10 working days.

In some circumstances, it may be necessary to come back to you for further information or enquiries may be needed with other enforcement agencies. If it is anticipated that this will delay the processing of your application, we will let you know within 10 working days.



**Walsall Council**



In deciding whether to accept an application to join the Walsall TraderRegister, the following will be taken into consideration:

- The trading record of the business and other businesses which you may have been involved in over the preceding 3 years
- Knowledge of the business by any of the partners of the Walsall TraderRegister. Eg complaints, prosecutions, civil court judgements, Further information may be sought from other enforcement agencies, consumers and traders
- The length of time which the business has been trading
- Any other relevant information

Any certificates of membership provided by Walsall TraderRegister remain the property of Walsall Trading Standards and shall be returned to them upon request or when membership of the TraderRegister ceases.

### **2.3 Refusal of Membership**

Should the Steering Group decide that an applicant is not suitable for admission onto the scheme, they will notify the applicant of their decision in writing.

As an alternative to refusing admission to the Walsall TraderRegister, the Steering Group may impose particular conditions on membership or defer membership for a period of time. This will be discussed with the applicant and confirmed in writing.

An applicant may withdraw their application for membership at any time.

Membership of Walsall TraderRegister will only be refused or special conditions imposed if there is good reason.

### **2.4 Termination of Membership**

A member may resign from the scheme at any time by giving the Walsall TraderRegister 14 days notice in writing.

The Walsall TraderRegister may investigate the fitness of a business to remain a member of the scheme in the following circumstances:

1. information comes to light that was not available at the time you originally joined Walsall TraderRegister which would have affected the decision to admit you to the scheme
2. there are complaints from customers, partners or other enforcement agencies which indicates that you are not suitable to be a member of the scheme
3. you fail to abide by the Code of Conduct or rules of the scheme or do anything which brings the integrity of the scheme into disrepute
4. Any other relevant information

In such circumstances, the Walsall TraderRegister will follow the procedure in section 3.2.

The Walsall TraderRegister may terminate membership if a business fails to abide by this Code of Conduct and any other rules of the scheme. As an alternative to terminating your membership, the Walsall TraderRegister may impose special conditions which it considers appropriate.

Membership of Walsall TraderRegister will only be terminated or special conditions imposed if there is good reason.

If your membership ceases for any reason, you agree to abide by the rules of the Walsall TraderRegister and this Code of Conduct in relation to any contracts entered into whilst you were a member. You must immediately remove any reference to membership of the Walsall TraderRegister from all advertising material and business stationery.

## **2.5 Appeals**

Any applicant or member may appeal against a decision of the steering group to refuse or revoke membership or to impose special conditions.

In the first instance such appeals will be in writing to the Steering Group. If the applicant or member is still not satisfied, an appeals panel will be convened. This will be chaired by a Manager from another Trading Standards Department and will include at least 1 other member of a Trader registration Scheme management team or steering group.

## **3 Complaints**

### **3.1 Complaints received by members about their work**

If a member receives a complaint from a customer about any work they have carried out, they will investigate the complaint promptly, thoroughly and courteously. Staff must be trained in the member's complaints procedure. The customer must be given the name of a contact person who will be dealing with the complaint.

A record must be kept of all complaints and the outcome.

If a complaint cannot be resolved to the satisfaction of either party, Walsall Trading Standards will endeavour to mediate. The outcome of mediation is not legally binding.

### **3.2 Complaints about a member of Walsall TraderRegister**

Where any member of the steering group receives a complaint about a member of Walsall TraderRegister, this should be referred to Walsall Trading Standards who will investigate the complaint.

As a result of these investigations, there may be a number of actions which are appropriate:

- No further action is taken
- provide advice to the member
- recommend to the steering group that the membership is suspended or terminated. As an alternative to suspending or revoking membership, the steering group may decide that special conditions should be imposed on their membership.

Membership of Walsall TraderRegister may be suspended whilst investigations about complaints are carried out.

## **4 Fees**

There is currently no charge for membership of Walsall TraderRegister.

## **5 Commitment of Members**

Members of Walsall TraderRegister agree to abide with the rules of the scheme and this code of conduct. In particular, they agree to:

1. to comply with all legal requirements relating to your business
2. to deal with customers fairly and honestly
3. not to engage in high pressure sales techniques
4. to provide full details of the key terms of the contract to all customers and, if the customer requests it, this must be in writing. Where unexpected additional work becomes necessary, to inform the customer immediately and obtain permission before continuing
5. if appropriate, to give extra assistance to vulnerable consumers to ensure that they fully understand the nature of the work to be carried out, the price and any other terms of the contract
6. to deal with complaints from customers courteously and promptly and in accordance with the complaints procedure of the Walsall TraderRegister
7. to keep records of all complaints and make these available to Walsall Trading Standards or other enforcement agencies on request
8. to ensure that all staff who have contact with customers are aware of the scheme and the Code of Conduct
9. to make details of the scheme and the Code of Conduct available to any party on request
10. to ensure that all staff have adequate training to enable them to carry out their roles competently
11. to notify Walsall TraderRegister of any changes to the ownership of the business or of a change of address within 14 days
12. to notify the Walsall TraderRegister of any convictions, pending legal proceedings, actions under the Enterprise Act or county court judgements relating to trading matters or dishonesty within 14 days
13. to maintain public liability insurance covering a minimum of £2 million and, where appropriate, employer's liability insurance covering a minimum of £5 million
14. to ensure that any subcontractors you use adhere to the Code of Conduct of the Walsall TraderRegister
15. abide by the rules covering advertising of the scheme as detailed in section 6 of this Code of Conduct

## **6 Advertising Membership of the Walsall TraderRegister**

Businesses are permitted and encouraged to advertise that they are a member of Walsall TraderRegister. This may be on advertisements, business stationery or on business premises or vehicles. This includes use of the logo of the scheme. The logo must not be altered or amended in any way.

However, they may not advertise membership of the scheme or use the logo in any advertisement or publication with an expected life of more than 1 year.

Members may not state or imply in any way that they are “approved” or “recommended” in any way by Walsall Council, Trading Standards, partner agencies or any members of the Steering Group of Walsall TraderRegister.

Any advertising of membership of the Walsall TraderRegister or use of the logo must comply with any other rules or codes that are in place.

If a member ceases to be a member of the scheme for any reason, reference to the scheme must immediately be removed from advertising and paperwork. If there is any advertising in media which the member cannot remove (eg a magazine which is still in circulation) then all prospective customers must be advised that they are no longer a member of the scheme before any contract commences.

## **7 Changes**

The steering group of the Walsall TraderRegister may amend this Code of Conduct and the rules of the scheme at any time. If any changes are made members will be given at least 14 days notice in writing.

Businesses may decide to resign from the scheme as a result of any changes and if they do so, the rules in section 4 will apply. If a business does not resign from the scheme, they are deemed to have accepted the changes.

## **8 Promotion of the Walsall TraderRegister**

The steering group will promote the scheme and its logo amongst consumers.

## **9 Management of the Walsall TraderRegister**

The Walsall TraderRegister will be managed and administered by Walsall Trading Standards. However, to ensure that the scheme works to its most effective, it is important that other agencies are actively involved in the policy making processes.

To this end a steering group has been formed. This group may be made up of representatives from organisations with an interest in promoting fair trading practices, protecting consumers and representing businesses. Examples of organisations who may be members include the following:

- Walsall Council Trading Standards
- Walsall Council Social Services
- Walsall Citizen’s Advice Bureau
- Walsall Over 50’s Forum
- Walsall Branch Help The Aged
- Representative from the Chamber of Commerce
- Representative from the Police

However, this list is not definitive and the membership can change with the agreement of the steering group.

The steering group will operate within its terms of reference, a copy of which is available to members of the Walsall TraderRegister on request.