#

BWF Code of Conduct

 Complaints Procedures



The BWF Code of Conduct aims to provide specifiers, end-users and their suppliers with greater confidence that the Member is working to a set of principles of good practice, set out in this document.

Introduction

The BWF Code of Conduct requires all Members to act fairly and equitably in dealing with their customers, so as to meet proper standards of workmanship, integrity and courtesy. As part of this, the BWF recommends that a company should devise and adopt a complaints procedure.

Remember, no matter how good you are, mistakes can happen and having an established complaints procedure will enable you to deal with any issues efficiently. By keeping a record of complaints, you will also be able to identify any reoccurring issues.

What does the Law Say?

# If you are engaged in business-to-consumer (B2C) contracts you have obligations under the Consumer Rights Act 2015. In all cases, even if no terms have been laid down you are expected to provide a product and service that is “fit for purpose” and “satisfactory”. Further information regarding consumer rights and dispute resolution can be found in the BWF Toolkit+ website section.

# It is always easier to deal with a dispute when there is a contract or clear terms of conditions in place and both “fit for purpose” and “satisfactory” defined with suitable caveats.

# BWF Offers a range of template contracts, letters and supporting documents to assist members in managing supply and fit and supply only in a B2B and B2C environment can be found in the BWF General Business Support website section.

# The Consumer ADR Directive 2015 sets up a framework for ADR (Alternative Dispute Resolution), for all traders dealing with consumers. Alternative Dispute Resolution is an umbrella term for methods of dispute resolution, such as independent ombudsman services, which aim to resolve disputes without recourse to the Courts. It is generally quicker and less expensive than taking a dispute to Court, even in the Small Claims Court. Another advantage is that the process is generally much more amicable, and may therefore be better for retaining the goodwill of your customers.

A customer may complain about your business to the BWF, we have a clear process and this can help to diffuse anger and start to focus on solutions.

# **So why do we need a complaints procedure?**

Things don’t always go perfectly and when there is a problem, the customer’s concern is as much with how things are going to be put right as with the problem itself. The way in which a company manages customer care and responds to a complaint can be an opportunity to demonstrate the importance of customer satisfaction.

Failing to deal with a complaint or dispute professionally can result in lost future business or reputational damage, either by word of mouth, bad reviews or through social media, where a balanced description of the facts are not necessarily represented. Alternatively, a professionally managed complaint can enhance your reputation with your client and have the opposite effect.

# **Tips for dealing with a dispute**

Know your rights and responsibilities, BWF offers concise guidance for members and access to a legal consultation helpline.

Give responsibility for managing to one person who will liaise with others as needed, avoid passing the client from pillar to post. Have clear paths and points at which to escalate, to ensure that the customer is aware that their complaint is being taken seriously and is progressing.

Try to re-establish trust by sticking to agreed timeframes and commitments – if getting information or progressing an element of rectification is taking time, advise the client of any delays. Your complaints procedure should define reasonable timeframes for response (see also BWF Consumer Rights Guidance for advice on “satisfactory”).

Keep a record of all conversations and ensure that anything agreed is formally confirmed or communicated in writing (email will do).

Always stay professional and deal with the facts – this doesn’t mean be a pushover, but acknowledge the other party’s distress without admitting to blame that is not yours. Disputes can get weighed down by emotions and this can result in a loss in reason and increase costs.

Do not vent any frustration in writing to colleagues or others, as any internal emails may be called upon in full disclosure if the dispute ends up in court (they can also inadvertently get forwarded, by accident or appended to email chains).

If a product performance is based on calculated/simulated performance or prescriptive standards it is useful to ensure information is readily available.

Keep the focus on isolating the problem and finding a resolution “how would you like to see this resolved” opens the negotiation and sets down for you worst case scenario.

If you are going round in circles and cannot resolve between the two parties, consider escalating to some form of Alternative Dispute Resolution. Through such a process you can get external support that can wrap things up quicker. If the dispute ends up in court, refusing ADR may well be taken into account when assessing the case and awarding costs.

If you are formally threatened with legal action, you should contact your insurers and seek legal advice.

You can access legal advice through the BWF Legal Helpline and there are Alternative Dispute Options available.

# **Tips for dealing with a dispute**

It is important that any complaints procedure is written down and understood by all employees. A documented procedure in itself demonstrates that a company has thought about and decided how it will deal with complaints and problems.

A complaints procedure should include:

• A statement of commitment to satisfying customers;

• A statement of willingness to resolve problems wherever possible;

• The individual(s) or department responsible for dealing with complaints and queries (Make sure that absences are covered);

• A summary of the process which will be followed in examining a complaint and an indication of the timescale in which it will be undertaken, if possible.

The BWF model Complaints Procedure and record of complaint format is provided as a guide and example. BWF Member companies are welcome to adopt it as it stands, or to adapt it. Your company complaints procedure should reflect what you do, or what you plan to do, so feel free to change the specific wording as you think necessary. If you adopt this as your complaints procedure, it will be accepted as evidence that you have complied with this requirement of the BWF Code of Conduct.

For further information, or if you have any queries, contact the BWF on 0207 637 2646.

[INSERT COMPANY LOGO]

COMPLAINTS PROCEDURE

[Insert company name/logo here] is committed to providing high-quality joinery products which meet the standards our customers expect of us and we expect of ourselves.

We make every effort to ensure that everything we manufacture is produced fit for purpose, to the satisfaction of our customer or their representative, on time, and to the price agreed.

If a customer believes that they have reason to be dissatisfied with the product or the service we have supplied, we will try to the best of our ability to find a mutually acceptable solution.

If a query or complaint is received, it will be referred to [named individual or department], who will contact the customer directly to clarify the details. If appropriate or necessary, they will arrange for an inspection visit. If we conclude that we are in some way responsible for the problem that has arisen, we undertake to rectify it in a mutually agreeable manner as soon as possible.

If further advice or assistance is required, or if it is agreed that an independent view is required, we may seek the opinion of the Technical Department of the British Woodworking Federation.

We aim to respond initially to any query or complaint within 10 working days. We hope to agree any remedial action which may be required within 10 working days of the inspection.

We keep a written record of all complaints and queries received, and review them from time to time in order to ensure that problems do not recur.

SIGNED:

POSITION:

DATE:

See complaints log in Appendix A.

Note: Whilst every effort has been made to ensure the accuracy of advice given, the BWF cannot accept liability for loss or damage arising from information supplied in this publication.

**Insert company name/logo]** **- Appendix A**

**Record of Complaints**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Date Received** | **Contract reference** | **Customer/contract** | **Handler** | **Summary of complaint** | **Date visited** | **Action taken** | **Completed closed** |
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