

Make Sure Part 3 Your Contract Protects You



Can I see your contract? Will be Don Waterworth, The Installer's Technical & Legal expert's first question should a dispute arise. Are your terms and conditions up to scratch will be the second. In Part 3 of this series, Don says that if you contract is not up to scratch or your work is poor, you are likely to be prosecuted under the Consumer Rights Act 2015.

Don Waterworth acts as an Expert Witness and is an Accredited Mediator.

hanleyamosstewart.co.uk
Tel: 0800 1954922

Tues-Thurs 10:00am-3:00pm.

10 years ago, the Consumer Rights Act 2015 came in to being, writes Don Waterworth.

Unfortunately, due to a lack of manpower at many trading standards offices, the Consumer Rights Act has not been widely enforced by those offices. However, this does not mean it is not law – and if a consumer pursues a case, the local trading standards office is likely to call in someone like me...

...You want to avoid that at all costs!

In court costing money

I carry out lots of expert reports for trading standards offices in the north-west of England against rogue traders. It is the Consumer

Rights Act that puts most rogue traders in the Magistrates Court.

This is something you should be aware of – if you are pursued by your local trading standards because you have contravened the Consumer Rights Act 2015, this is a criminal matter – it will cost you money in fines and fees and damage your reputation (presuming you have a reputation that actually means anything to you).

Know the law

I can only advise good, honest installers to familiarise themselves with the basic requirements of the Consumer Rights Act. It basically requires you to describe the products you intend

to install with some detail; set out the price the customer is to pay absolutely clearly; and provide a set of terms and conditions including a provision for ADR (Alternative Dispute Resolution).

One chance to fix a mistake

You should also be aware that you only have one opportunity to rectify a defect upon completion of an installation. You do not have the right to return to the property time and time again unless the customer allows.

Some customers are reading up on the Consumer Rights Act and know their rights. You should know your rights as well. **■ Don.**

