

## **NCC INFORMAL DISPUTE RESOLUTION SERVICE (NCCIDRS) COMPLAINTS GUIDANCE FOR CONSUMERS**

The NCC (National Caravan Council) is the trade body for the UK tourer, motorhome, holiday home and park home industries. Founded in 1939, membership encompasses all sectors of the industry: manufacturers, dealers and distributors, park owners and specialist suppliers of products and services.

The NCC has created the NCCIDRS and guidance to benefit consumers/purchasers, and our members, by establishing clear guidelines about who can make a complaint, what about, at what stage and what might be done to help resolve it. In summary, a complaint made against an NCC member may pass through one, two or three stages:

1. your dialogue with the member, leading to a mutually acceptable conclusion;
2. involvement of the NCCIDRS to help conclude a dispute satisfactorily where 1 has been unsuccessful;
3. referral to the external Independent Case Examiner (ICE), where 1 and 2 did not resolve the complaint.

**Our contact details are: NCCIDRS**, Catherine House, Victoria Road, Aldershot, Hampshire, GU11 1SS; telephone number 01252 318251 and email address – [nccidrs@thencc.org.uk](mailto:nccidrs@thencc.org.uk), or visit our website at [www.thencc.org.uk/Con\\_Advice/Nccidrs.aspx](http://www.thencc.org.uk/Con_Advice/Nccidrs.aspx).

### **Who can make a complaint?**

In general, anybody who has bought, considered buying, or tried to buy, a product or service from a park owner, dealer, supplier or directly from a manufacturer who is a member of the NCC (see below) – online, face to face or at a show. This includes anybody to whom the purchaser (or prospective purchaser) has given written authorisation to complain on their behalf. We do not accept anonymous complaints.

Notes: Our experience shows us that complaints are best dealt with in writing – by email, where possible. This provides documentary evidence of what was said/agreed and avoids confusion later on.

### **What will it cost me?**

NCCIDRS is a FREE service for consumers who wish to escalate a complaint about an NCC member company.

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### Who can I complain about?

In general, the complaint can only be against a current member of the NCC - please see the NCC website Find a Member page at [www.thencc.org.uk/Our\\_Members/find\\_Member.aspx](http://www.thencc.org.uk/Our_Members/find_Member.aspx). The NCC will check this if you send a complaint to us.

### What can I complain about?

Your complaint can be about any product or service that you have bought, considered buying or tried to buy from an NCC member, the customer service you received when doing so or whether an NCC member may have breached NCC membership standards/Code of Practice requirements.

### What can't I complain about?

There are many instances where we can assist you, but we **cannot** help you (i.e. offer NCCIDRS or the ICE service) if the dispute concerns:

- A Residential Park Home or any issue on a residential park – now dealt with by the First-tier Tribunal (FTT) Property Chamber see [www.justice.gov.uk/tribunals/residential-property](http://www.justice.gov.uk/tribunals/residential-property).
- A business that is not a member of the NCC
- Pitch fees when operating within the agreed criteria laid out in the Licence Agreement clause 8.4
- Park Rules and/or Site Licence issues, other than how they were handled
- A holiday rental/let on a member park
- An issue or repair still being dealt with under the terms of a Manufacturer's Warranty.
- An issue already being dealt with by another trade association or another independent redress or dispute resolution scheme (e.g. Financial Conduct Authority or an Ombudsman service)
- An issue already being dealt with under criminal law, or in progress under civil law including the Consumer Rights Act 2015 (e.g. small claims court)
- An issue covered by the terms of the Consumer Rights Act 2015
- An issue where you have formally instructed, been represented, or are represented, by a solicitor or other legal representative
- A business to business transaction
- A complaint where more than three months has elapsed since the date of the member's written final decision.
- Non member companies

### When can I complain to the NCCIDRS?

Many complaints arise due to misunderstandings or a breakdown in communications that can often be resolved by direct discussion or correspondence. You must first give the NCC member the opportunity to deal with your complaint and to fulfil their responsibilities under the Consumer Rights Act 2015 before bringing it to us.

## When can I complain to the NCCIDRS? (continued)

If you have not already done so, then:

- please write to the company setting out the problem, what you expect as an outcome and/or ask for an opportunity to discuss it, advising them a reasonable period of time, say, three weeks, when you would expect a response
- if you do arrange to meet, make sure it is with a senior member of staff who has responsibility for customer service or complaint handling
- keep a note of what you want to say and take copies of any documentation with you
- keep a note of what was said and by whom and send a copy to the company, as confirmation.

If you have reached the position where either:

(a) direct contact with the company has not produced a satisfactory solution within 28 calendar days (i.e. your complaint remains unresolved or you are not satisfied with their written final decision and you have written and told them so), or

(b) if the company has not responded within the required time period (where appropriate and specified in any relevant NCC Approved scheme Code of Practice),

you may take the matter further with the NCCIDRS.

You must do so within a further 3 calendar months from when you received a final decision letter/email from the NCC member. Please note that if you raise other issues with the company during the course of their consideration of your complaint, or if your complaint is complex, this may extend the time it takes to investigate and seek resolution.

### The NCCIDRS

The NCCIDRS aims to restore communications to enable both parties to resolve their differences. To help expedite a response and/or resolution from our member, we may choose to share details of your query/complaint with the member concerned. It does not attempt to formally mediate, arbitrate or make a judgement on the issues presented. Use of the service does not affect your statutory rights but before you take this step it is important for you to understand what this service can and cannot offer you.

You must have told the NCC member about your complaint within 28 calendar days of your becoming aware of it and given them the opportunity to consider it first. The time limits for consideration of a complaint before the involvement of the NCCIDRS can be extended where either you or the company has requested this (and, if required, this request has been agreed by the NCCIDRS and/or ICE) - such requests will not be unreasonably denied.

You can submit your complaint to the NCCIDRS before 28 calendar days have expired only if the member has already issued a written final decision letter.

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## How do I refer a complaint to NCCIDRS?

If you are eligible and choose to proceed, the NCCIDRS complaint form '***I wish to make a complaint***' must be completed and all the relevant details provided, together with any copies of evidence and correspondence relating to the dispute.

In all instances you are advised to:

- write or type clearly and complete all sections of the form
- sign the form (for paper submissions only), as we need your permission to liaise with the member

**You must send us (ideally by email) all your evidence at the same time that you submit your complaint.** You may only be able to produce further evidence later in exceptional circumstances, e.g. at the discretion of ICE (e.g. where information comes to light that you could not have known when you made your complaint).

## What happens when the NCCIDRS receives my complaint?

We will:

- acknowledge receipt
- we will aim to check it for completeness and eligibility to ensure that it falls within the remit of the service (if it doesn't, we will reject it and write to you to explain why) within 14 calendar days of receipt. During this time we may need to contact you.
- decide whether the NCCIDRS can positively attempt to resolve the dispute, restore communications or whether it is more appropriate for it to be escalated directly to the ICE
- send to the NCC member the complaint details and copy correspondence, where appropriate, with a formal request for their comment (within 28 calendar days)
- make any further enquiries as necessary.

Upon receipt of the member's response, we may contact you and/or the NCC member to see if a mutually acceptable and satisfactory resolution can be reached within 14 calendar days.

If we require further information to help resolve your complaint you must provide it within 28 calendar days. If not we will deem the matter as having been resolved and the file will therefore be closed.

If we have been unable to restore communications to allow a resolution to be found that both you and the company agree to, or, if you disagree with the outcome, and your complaint is eligible, we will offer you the opportunity to refer your case to the ICE. If you choose to escalate to the ICE there is a fee of £50 + VAT which must be received by the NCC within 28 days of the request to escalate. This fee will be returned to you in full if the decision of the ICE is wholly or partly in your favour.

Full details about the ICE service are contained within our separate guidance:

## **INDEPENDENT CASE EXAMINER COMPLAINTS GUIDANCE FOR CONSUMERS**

At all stages, we will keep you informed as to the status of your complaint.

## Other useful advice

Depending on the nature of your complaint you may wish to seek independent advice from your **local Citizens Advice Bureau** ([www.adviceguide.org.uk](http://www.adviceguide.org.uk)) or your local Trading Standards Office ([www.gov.uk/find-local-trading-standards-office](http://www.gov.uk/find-local-trading-standards-office)). You may also wish to look at the Citizens Advice Bureau website for information on faulty goods at:

**<https://www.citizensadvice.org.uk/consumer/common-problems-with-products/faulty-goods/if-the-goods-you-bought-are-faulty/>**

*This Guidance replaces any/all earlier versions. It will be revised and up-dated periodically.*

*This guidance is available by email or in hard copy/printed format on request. We will accept submissions by post.*

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