



# A time to rectify

Dispute services are in the news again but what is the longest serving?

**WE ALL** want our work to be appreciated when it is completed and it is nice to receive positive feedback. However, things don't always go this way and when a customer complains, you can often be caught between a rock and a hard place.

Consider this: You've spent hours on a vehicle, diagnosing a fault, replacing the parts required, testing, ensuring everything is as the customer expects. You've kept them informed throughout the service, updated them on any price changes. However, when they arrive, they find a blemish on the paintwork that they claim wasn't there before, and want compensation. Or, they pull away and claim there is no difference in the issue, something else has failed and so on.

What do you do in this situation? Do you back down when you know you are in the right? You've put a lot of time and effort into this car for this customer to work with them and hopefully score repeat business, only to have them complain over something that is either not your fault or not related to what you have done. Is the customer always right?

## Disputing fact

For the customer as well, they need peace of mind. I don't like to say that the perception of the servicing industry – especially the independent market – is still poor but the fact remains that there are some bad apples in the otherwise prize-winning cart. These garages bring down the good ones to a level that, while improving, still has that tainted view in some people's eyes.

A customer wants to know they are not going to be ripped off, that they will get their car back in good condition, won't be charged an extortionate amount and will have the fault fixed. However, they also want to know that if there is a problem, the complaint will be dealt with in a professional manner.

If the garage doesn't deal with the complaint, the next step may be a small claims court and down the legal route. A customer doesn't

want to do this, so a better place to go is through a dispute resolution service.

This is a service that listens to both parties independently and tries to come up with a solution, or to advise on the facts of the case. They could judge in favour of the garage or the customer and help to decide a realistic outcome. They offer that peace of mind that both consumer and business require.

## Body solutions

So where can you go if this situation ever arises? The recently launched Motor Ombudsman (formally Motor Codes) has a standard of practice and provides its services as, according to its name, an Ombudsman. This translates to be a person who is appointed to deal with complaints relating to an organisation, and they must be impartial and independent – willing to look at both sides of the argument before making up their minds as to the outcome of the process.

An Ombudsman is simply another area of what is known as an 'Alternative Dispute Resolution' service, something which the Independent Garage Association (IGA) has offered since 1963 with its National Conciliation Service (NCS). This was originally known as the Fidelity Scheme and was the first of its kind for the motor industry. Its objectives are to encourage and assist its members to resolve differences, help combat continued criticism of the motor trade and demonstrate that there is total commitment to code by members of the RMI. It therefore is perhaps the oldest and first recognised dispute resolution service in the industry and is still going strong today.

## Independent arbitration

IGA Director Stuart James told me: "We all operate in the same scheme, the same accreditation. What it does, it's a conduit for the consumers to find a resolution to their perception of a dispute. For the motor industry, the complexity of motor cars today, you cannot

expect or anticipate that a consumer will understand a repair that has been carried out on their car. For a garage to explain a technical repair in a non-technical way is a difficult thing to do, so that is one thing where our dispute resolution service absolutely excels. We are able to understand the complexity of a repair that has taken place and we are able to explain it in a non-technical way to a consumer. This is why 96% of concerns from consumers are dealt with immediately.

“It is that ability to be able to help the garages explain that repair to the consumer and help the consumer to understand what has been done to their car so they have no reason to feel that they have been overcharged or the at the repair has not been carried out satisfactorily. It offers and incredibly valuable service.”

### Customer understanding

The IGA has seen 141 cases referred to its ADR in 12 months, with only four being upheld against the garage. This comes from its 2,000 plus Independent only Trust My Garage scheme members, which is Trading Standards backed with its code. While this may be a small number, it highlights that there are consumers that want to challenge what they see as unfair practice. The small number of cases upheld, 3% of those brought up, shows just how many consumers bring unfair or unwarranted complaints, or the number that may be initially unsatisfied with work, only to then understand the situation further after having an independent body explain it to them.

This shows that members of its trade association who have complied to a code scheme are not the areas of the industry that are causing consumer concern.

Patience may have run out before the NCS is approached, and exasperation has taken over, which means the end of reasonable conversation. The NCS is a busy department and receives referrals from the consumer directly, as well as Trading Standards, Citizens Advice and others.

### Experience tells

Stuart continues: “The NCS operates completely independently of the associations within the RMI, it is a separate entity as part of the body but has no affiliation with any other area. Members don’t experience the conciliation side of ADR because they deal very well with their customers. When it gets beyond that stage we help them deal with it

in a helpful way, but it isn’t used very much by good quality independent garage which our members are, and this is borne by the fact that only 141 disputes have been raised and only four have been upheld.

“With experience, consumers’ perceptions are often misaligned with the reality of what has happened around the repair of their vehicle and it is often the explanation of what has been carried out that they don’t understand. We don’t charge garages for this service, this is part of membership, as is Trust My Garage code, there is no charge for that either, and this is run by our UCAS business, which is also totally impartial as well, so there is no fear of influence over becoming a member.”

### One for all

The Motor Ombudsman has a code to which member adhere to, in the same way as members of the IGA has. This is designed to ensure garages are operating properly and maintaining high standards – after all, would any scheme in any industry want un-reputable businesses involved?

Yet is it the be-all and end-all for those looking to sign up to something? Stuart concludes: “We are acting as an Ombudsman on behalf of our members, and we have done so since 1963, when it was called the Fidelity Scheme. We call it the National Conciliation Service, and the next stage is arbitration. Of our member base, when we talk to new members coming into the association, we make them aware of it, yet the numbers who sign up based on that alone are incredibly low. It is all about the benefits offered, some come in for code, but many come in to be part of a trade association that stands up for their rights, and to be seen. They are part of a greater body that represents their rights and those of this sector of the motor industry as a whole.”

Dispute schemes are a good thing to take advantage of and in the case of the RMI, it is one that has had a long time to develop, just like the motor car. Expertise is a good thing, adding consumer confidence is another and this is where keeping customers happy can move to. You don’t need to sacrifice yourself to satisfaction, just ensure that you what you do best and if it comes to it, work with customers and external forces to show just that.

