

Code of Conduct for Energy Companies Obligation (ECO) Scheme Businesses

Introduction

The Isle of Wight Council is keen to support high quality ECO schemes that can demonstrate tangible benefits to local residents and the Island's economy. It is willing to offer endorsement to schemes and, if possible, marketing support (at no cost to the Council) to Scheme providers that can comply in full with the Code of Conduct for Eco Scheme Businesses outlined below.

The Council envisages supporting a limited number of Schemes so as to avoid confusion for residents. Other Schemes can operate without Council endorsement, but any business operating on the Island is encouraged to register with the Buy With Confidence Scheme, which is operated by the Council.

The accompanying checklist should be completed, providing evidence where necessary, to demonstrate compliance with the Code of Conduct.

Before completing the checklist, you should discuss your scheme with Jim Fawcett, Principal Officer (Low Carbon Projects) who can be contacted on 01983 821000 x6302 or jim.fawcett@iow.gov.uk

For further information on the Council's Buy With Confidence Scheme you should contact the Isle of Wight Council Trading Standards Service on 01983 823370 or trading.standards@iow.gov.uk

General Terms

Providers should:

1. Carry out only those activities, for which they are qualified, experienced and have appropriate equipment. They should have membership of professional bodies where appropriate and accreditations for assessors and installers required for ECO Scheme activity.
2. Comply with the legislation applicable to their business and activity undertaken.
3. Comply in full with ECO regulations.
4. Trade fairly, openly and honestly recognising the rights of consumers.

Safety and Well-being of Customers

Safety

It is the responsibility of Providers to ensure that when working in your customer's home, garden or other premises you follow appropriate safe working practices so as to avoid placing yourself, your customer or other persons at risk of injury.

In particular any power tools, cables, ladders, scaffolding, chemicals, paints and other hazardous materials must be used and stored in accordance with manufacturers' instructions. You should also follow any relevant safe working procedures published by manufacturers of equipment, the Health and Safety Executive or as part of industry standard guidelines.

You should ensure that you leave your customer's home secure and that any equipment or materials stored on site are in a safe and secure condition.

Well-being

You should recognise that some customers will be vulnerable due to their age, mental and/or physical condition or will need your expertise to determine what goods or services are suitable for their needs. Such customers may take longer to reach appropriate decisions, require more information and guidance and you should ensure that they are

given sufficient time for this. All customers must have documentation which is clear and understandable which includes any guarantee for the work carried out. (See Sale and Supply of Goods to Consumers Regulations 2002 Section 15 Consumer guarantees <http://www.legislation.gov.uk/ukxi/2002/3045/regulation/15/made>)

Pressure selling

'Pressure selling' can have an adverse effect on well-being; this will include undue emphasis of the benefits of warranties, insurances and ancillary products. You should not undertake excessively long sales pitches, offer falsely described discounts or other benefits for immediate sales or adopt any similar practice with the aim of applying undue pressure on the consumer to reach a decision to purchase.

Staff Identification

All employees calling at or working in residents homes should carry a photo identity card. This should identify the person and also give a landline telephone number where the identity can be verified. The Council's phone number (01983 821000) should also be provided for independent verification.

The Provider will ensure that it has in place an effective whistle blowing procedure whereby its staff may raise in confidence concerns about possible malpractice without fear of victimisation, subsequent discrimination or disadvantage.

Pricing

Providers must ensure that customers have been given a full, complete and clear indication of the price, or how the price will be calculated, before they agree to purchase goods/services.

Criminal Record Checks

Please outline your company policy with regards to CRB checks for staff and sub-contractors.

Compliance with Legislation and Codes of Practice applicable to your business

You are expected to be registered with relevant professional bodies for services you provide e.g. National Insulation Association.

Selling Goods and Services in customers' homes

Cold calling at any home is not permitted. Using leaflets and mail shots etc where the customer has to contact you are permitted.

Where doorstep selling is used, letters must be delivered to households at least 24 hours before the visit. The letter must give the householder the option to cancel the visit and a freephone number provided for this purpose. Any doorstep activity in a designated No Cold Calling Zone (NCCZ) requires the explicit approval of the Town or Parish Council or whichever organisation was responsible for establishment of the NCCZ. An up to date list of NCCZs can be obtained from the Council's Trading Standards Department.

There are specific requirements when making contracts to supply goods and provide services while you are at the customer's home. These apply whether you are invited or not and include the Cancellation of Contracts made at the Consumers Home or Place of Work Regulations 2008. A full copy of these Regulations is available at <http://www.legislation.gov.uk/ukdsi/2008/9780110818757/contents>

Guidance for businesses on these Regulations is available on the Business Link website <https://www.gov.uk/doorstep-selling-regulations>

The format of the cancellation notice is set out in the Regulations and must be reproduced exactly as shown.

Failure to comply with this requirement is a criminal offence plus if you do not comply it may prevent you from pursuing payment.

You must comply with all legislation and Codes of Practice applicable to the goods and services you are supplying. There are a number of websites which allow you to identify the legislation applicable to your business; these are searchable by the goods and services you provide.

www.everythingregulation.org.uk

This allows you to search by your business type and lists the applicable legislation and provides fact sheets.

<http://www.citizensadvice.org.uk/index/getadvice.htm>

Gives information on your customers' rights.

Ultimately it is your responsibility to ensure that your business complies with applicable legislation.

Information for Customers

Wherever they have been carried out, copies of Green Deal Assessor Reports, EPCs and Building Surveyors' Reports should be passed to the customer. If the reports have been lodged online, the customer should be told how to access them. They should also be provided with copies of certificates which demonstrate compliance of installations with PAS2030 and/or Building Regulations. Guarantees for materials and workmanship should also be given to the householder.

Customer Complaints

The Isle of Wight Council will expect you to respond to customer complaints in an appropriate manner and to maintain a suitable record of complaints received and actions taken. The manner in which you respond, how you respond, the records kept and so on will depend on the size and type of your business.

If you are a member of a trade or professional body, you must state that you comply with a relevant Code of Practice or are regulated by a statutory body such as the Financial Services Authority and should at all times comply with the relevant customer complaints procedures.

It will be expected that complaints are resolved promptly but it is also recognised that finding an outcome acceptable to all parties can sometimes take some time. However, if you are unable to reach a solution you should inform your customer, preferably in writing, stating what you are prepared to do and giving a date by which the customer can accept this offer.

In general it would be anticipated that most complaints would be resolved within 28 days. If this proves to be insufficient time then it would be good practice to update your customer on progress, identify what you are prepared to offer and if possible give a date by which you expect to be able to reach a solution.

If a complaint is made to the Isle of Wight Council concerning your work you will be contacted and will be asked to detail what actions you have taken to resolve matters. For all other complaints, the Council requires a quarterly report summarising all complaints and action taken.

Insurance

It is your responsibility to have appropriate insurance cover in place to cover the activities you undertake and, where appropriate, your liability in respect of customers. If you are a member of a trade or professional body or subscribe to a code of practice you should check if this requires you to have specific types of insurance, or minimum insured amounts, in place. Alternatively you should seek the advice of an insurance broker.

The Isle of Wight Council will ask you to provide evidence of appropriate cover in the form of a Certificate of Insurance; please ensure this is current, includes all the activities you undertake and is written in the true identity of the business.

NOTE

Whilst we require adequate and appropriate insurance to be in place we are unable to advise you on the specific policies, contents, amounts insured or related matters.

Providers will also be required to sign an Indemnity Form to indemnify the Council against all losses resulting from the Provider's negligence.

Freedom of Information Act 2000 and the Data Protection Act 1998

These Acts give people the right to see or receive information. The Freedom of Information Act gives the public the right to see information held by public authorities. The Data Protection Act allows a member of the public to see the personal information that is held about them by organisations of all types, including Companies House.

The Council respects the privacy of your business and will handle any private information in accordance with the principles of the Data Protection Act 1998. We will not sell your data. For the ECO Scheme to work properly it may be necessary to disclose some information concerning you and/or your business which is not normally available to the general public, for example, this may include details of compliments or complaints made about your business. The Council will contact the Provider before this information is released.

Scheme Delivery

You must discuss your approach to delivery with the Council, identifying any target areas or groups of customers that you wish to target. The Council reserves the right not to endorse a scheme if it feels that the approach will lead to confusion or annoyance to customers.

Advertising and Marketing

Marketing materials, any circular type correspondence or any materials which use the Council logo, or refer to the Council, must be approved by the Council before use. For approval, you should contact Anna Price, Media Team Leader, Isle of Wight Council anna.price@iow.gov.uk 01983 821000.

Branding guidelines are available from the Council for those Schemes which secure the Council's endorsement.

Only the main Scheme Provider is entitled to use the Council logo on materials which it has produced. It is not to be used by sub-contractors.

Feedback from Customers

Any business participating in this Scheme will be expected to provide feedback forms to their customers. The Isle of Wight Council would expect to receive a results summary on a quarterly basis.

Sub Contractors

All sub-contractors will be expected to adhere to this Code of Conduct and you must confirm that suitable checks have been carried out on all sub-contractors. Locally based sub-contractors should be registered with the Isle of Wight Council's Buy With Confidence Scheme. A full list of sub-contractors must be provided to the Council.

References

You should provide at least 2 references from organisations for whom you have delivered energy efficiency services. Preferably, these should be references from other local authorities.

Data Provision

In order to monitor the impact of ECO Scheme delivery on the Island, the Council requires you to submit data returns on a quarterly basis which should include:

- Number of homes signed up to ECO Scheme
- Number and type of measures installed
- Estimated carbon savings
- Estimated fuel cost savings for householders

The data should be aggregated for all properties and should show the results for the previous quarter and for the Scheme to date.

Independent Inspections

The results of independent technical inspections and / or audits must be provided to the Council, along with any corrective measures where these are required.

Sales of Energy

You must ensure that there is no connection between the provision of ECO measures and sales of domestic energy supplies. Staff must not discuss energy supply options or prices with customers.

Failure to Comply

Failure by you to comply with any part of this Code of Conduct will result in the removal of the Council's endorsement for the Scheme. In this event, all materials containing the Council's logo must be destroyed immediately.