



The NCC is the UK trade body for the tourer, motorhome, holiday home and park home industries.

COMPLAINTS GUIDANCE FOR CONSUMERS

Who is the NCC?

The NCC (National Caravan Council) is the UK trade body for the 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. Our contact details are: The NCC, Catherine House, Victoria Road, Aldershot, Hampshire, GU11 1SS; telephone number 01252 318251 (fax 01252 322596) and email address - nccidrs@thencc.org.uk. Or visit our website at www.thencc.org.uk.

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, manufacturer, dealer or supplier who is a member of the NCC (see below). 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.

What will it cost me?

Making a complaint to a member or having an unresolved complaint reviewed under the NCC Informal Dispute Resolution Service is free.

Who can I complain about?

In general, the complaint can only be against a current member of the NCC (please see the NCC website) or a business that was in membership at the time of the purchase/prospective purchase. The NCC will check this if you escalate a complaint to us.

What can I complain about?

The complaint can be about any product or service that you have bought from them, considered buying or tried to buy. Complaints may also be about a potential breach of the relevant Code of Practice (i.e. not related to a purchase).

What can't I complain about?

There are many instances where we can assist you, but we cannot help you if the dispute concerns:

- A business that was not a member at the time of the purchase/prospective purchase
- Pitch fees
- Park Rules and/or Site Licence issues other than how they were handled
- An issue or repair still being dealt with under the terms of a Manufacturer's Warranty
- An issue already being dealt with by any other trade association or another independent redress or dispute resolution scheme (e.g. Ombudsman service)
- An issue already being dealt with under criminal law, or in progress under civil law including the Sale of Goods Act (e.g. small claims court)
- An issue where you have formally instructed, been represented, or are represented, by a solicitor or other legal representative
- A business to business transaction
- Any issue on a residential park that now comes under the Residential Property Tribunal (RPT)
- A complaint where more than three months has elapsed since the date of the member's final decision letter.

When can I complain to the NCC?

Many complaints arise due to misunderstandings or a breakdown in communications that can often be resolved by direct discussion or correspondence. You must give the NCC member the opportunity to deal with your complaint before bringing it to us and to fulfil their responsibilities under the Sale of Goods Act. If you have not already done so, then:

- please write to the member setting out the problem and/or ask for an opportunity to discuss it
- 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, take copies of any documentation with you and a note of what is said and by whom.

If you have reached the position where either (a) direct contact with the member has not produced a satisfactory solution within 28 calendar days (i.e. your complaint remains unresolved or you are not satisfied with their final decision) or (b) if the member has not responded within the required time period (as specified in the relevant Code of Practice), you may take the matter further via the NCC Informal Dispute Resolution Service.

You must do so within a further 28 calendar days from when you lodged your complaint with the member (i.e. 56 days in total). Please note that if you raise other issues with the member 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 NCC Informal Dispute Resolution Service

This service aims to restore communications to enable both parties to resolve their differences. 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 member about the complaint within 28 calendar days of you becoming aware of it and given them the opportunity to consider it first. The time limits for consideration of a complaint before escalation to the NCC can be extended where either party has requested this and it has been agreed by the NCC such requests will not be unreasonably denied.

You can submit your complaint to the NCC before 28 calendar days have expired only if the member has issued a 'final decision' letter. Please contact the NCC if you are not sure whether your complaint is eligible.

How do I make a complaint to NCC?

If you choose to proceed, the NCC 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 (by post or email) all your evidence at the same time that you submit your complaint. You will only be able to produce further evidence later in exceptional circumstances at the discretion of Independent Case Examiner (ICE) (e.g. where information comes to light that you could not have known when you made your complaint) if it is escalated to this service.

What happens when the NCC receives my complaint?

The NCC will:

- acknowledge receipt
- check it for completeness and eligibility to ensure that it falls within the remit of our scheme (if it doesn't, we will reject it and write to you to explain why)
- decide whether The NCC can restore communications and resolve the complaint (informal dispute resolution) or whether it is more appropriate for it to go direct to ICE
- send to the 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, the NCC Informal Dispute Resolution Service may contact you and/or the member to see if a mutually acceptable and satisfactory resolution can be reached.

If the NCC has been unable to restore communications to allow a resolution to be found that both parties agree to, or if you disagree with the outcome, the NCC will normally refer your case to ICE. Provided you wish your complaint to be referred, your unresolved complaint is still eligible; and upon payment of the case fee, the NCC will refer your complaint and all the evidence provided by both parties to ICE within 28 calendar days of receiving the member's response to your complaint. In some cases, the complaint may be eligible to be escalated directly to ICE (e.g. if the NCC is unable, or does not consider it appropriate, to try to resolve the complaint).

At this point ICE will decide how best to deal with your complaint. In most cases a formal decision (adjudication) will be made based on the documents submitted. In exceptional cases ICE may:

- decide to investigate, in which case ICE may talk to both parties and to anyone else who can help reach a conclusion. ICE may also ask you or the member for other information which ICE feels you may have and which will help. This will take longer than an adjudication
- offer to mediate between you and the member. This will involve bringing you and the member together for a special meeting where ICE will try to help you reach agreement. Mediation will be explained in full if it is offered to you and you will be responsible for all your own expenses. This may result in a settlement and / or a confidentiality agreement. If you reject the offer of mediation, ICE may adjudicate – or may decide to proceed no further and to reject your complaint.
- order a hearing in which you and the member are invited to present your case. This will be explained in full if it is offered to you and you will be responsible for all your own expenses. You will be able to ask each other questions, as will ICE. A decision will be reached on the basis of the hearing and the written evidence which previously submitted. The full details of the process will be explained to you if ICE decides a hearing is necessary.
- reject the complaint (e.g. if it is a case better dealt with by other means such as the courts).

Upon conclusion for all the scenarios above, ICE will produce a report:

- for adjudications, investigations and hearings, ICE's report will set out the findings, decision and recommendations. ICE will expect the parties to comply with any of the recommendations that may accompany the decision, but it will be for the scheme's Independent Policy Board to decide how they will enforce any recommendations against the member. Neither ICE, nor the Independent Policy Board nor The NCC has the power to require the complainant to comply with any recommendation(s).
- for mediations the report will just set out what the parties have agreed.

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

Do I have to accept ICE's decision?

Yes and you cannot appeal against the decision or re-use the complaint scheme for reconsideration of the same complaint. In submitting your complaint, you must accept that ICE's decision is final and binding. The member will do so as a condition of their NCC membership. Please note that if you feel that your complaint has been mishandled you should complain to ICE. There is a separate document explaining the process for this which is available as a download on the scheme website or in writing on request.

Other useful advice

Depending on the nature of your complaint you may wish to seek independent advice from the Citizens Advice Bureau (www.adviceguide.org.uk) or your local Trading Standards Office.

If your complaint is about a Residential Park Home or Residential Park you can contact the Residential Property Tribunal (RPT) on 0845 600 3178, which is responsible for resolving disputes in this area. Full information is on their website (www.justice.gov.uk/tribunals/residential-property).

Please ensure you confirm any conversations in writing. Keep a copy of any letters sent and take and keep notes of any meetings you have (including the names of the people present and what was discussed and agreed). If you do not have computer access (e.g. for copies of the Codes), please notify the NCC at the address shown on page 1.

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