

Know your New Rights

Helping you to understand your new consumer rights

National Consumer Week campaign

Consumer Education resource



This workbook has been produced as part of the Citizens Advice Consumer Strategy team for National Consumer Week 2015, in partnership with
Chartered Trading Standards Institute (CTSI)
Department for Business Innovation and Skills (BIS)
National Trading Standards (NTS)

This pack contains brief information about the Consumer Rights Act but you will also need to refer to the Campaigns briefing and BIS documents provided on the National Consumer Week education page
<https://www.citizensadvice.org.uk/about-us/how-we-provide-advice/our-prevention-work/education/education-resources/education-resources/>

Find out more about the National Consumer Week campaign via our webpage:

www.citizensadvice.org.uk/the-consumer-rights-act-2015

Twitter: @citizensadvice

Facebook: facebook.com/citizensadvice

#consumerrights

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Guidelines

The Aim of this session is to introduce participants to the Consumer Rights Act and to familiarise themselves with key phrases or terminologies which relate to their consumer rights. The pack also aims to highlight the important changes it will bring to their consumer rights and consumer responsibilities.

Objectives :

- To raise awareness of the Consumer Rights Act 2015
- To provide participants with key terminologies in consumer language.
- To engage participants in understanding the importance of knowing their consumer rights
- Raise awareness of key changes the Consumer Rights Act will bring
- Get participants involved in the National Consumer Week campaign

Evaluation Guidance - The campaigns team will be running an evaluation of the National Consumer Week campaign. We welcome feedback from trainers during this time and would ask you to refer to the campaigns page https://www.citizensadvice.org.uk/about-us/campaigns/current_campaigns/

General Guidance Notes – this training resource should not be used as an advice tool and participants' should be advised on the risks of advising friends or family on legal consumer issues. Any discussion about current personal consumer related issues should be directed to the Citizens Advice consumer service.

This pack contains brief information about the Consumer Rights Act but you will also need to refer to the Campaigns briefing and BIS documents provided on the National Consumer Week education page <https://www.citizensadvice.org.uk/about-us/how-we-provide-advice/our-prevention-work/education/education-resources/education-resources/>

This workbook is for the trainers use. Activities should be printed out for participants, as well as providing any useful information in the guidance or appendix.

Consumer Rights Act

Session Plan

p5

Specific Guidance

p6

Activity one

p9

What do you know about your new rights?

Activity two

p11

Essential terms for a consumer!

Activity three – Services....

p13

What constitutes goods or services under the Consumer Rights Act?

Activity four – True or False?

p15

Changes to consumer rights, including digital and contracts.

Activity Five – Citizens Advice tools

p17

How to use new consumer tools to identify your rights

Activity Six – How to access advice

p18

How to access the Citizens Advice consumer service, .

Closing Session

p20

Appendix

p22

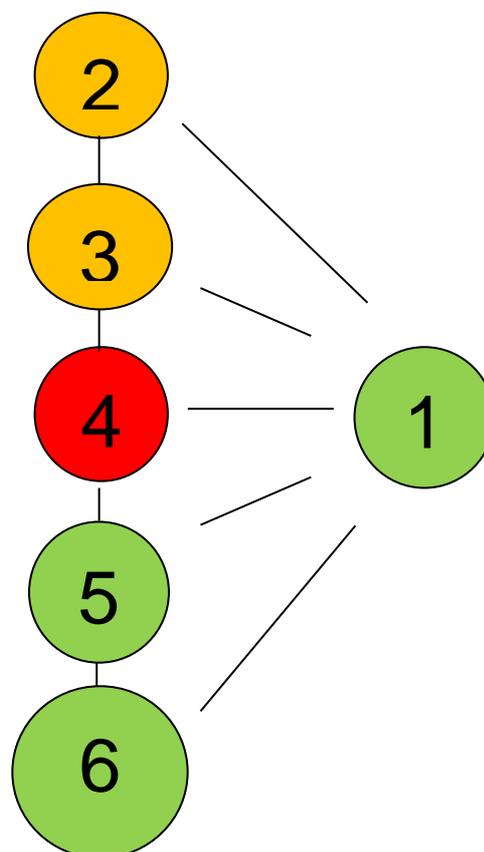
Session Plan

This lesson plan has been designed to show educators how they can use and manage the resources within the pack. It will allow the tutor/ trainer/ educator to plan around time constraints and indicates how to prioritise activities, allowing a more flexible teaching model.

Activity 1 should be delivered at the beginning of each session, or if time only allows for one activity focus on this one.

The trainer can link any of the activities together depending on their own time limits, resources and interests of participants.

The trainer should allow time to deliver the closing session summary. Follow on in-depth sessions can be delivered from new topic materials on the education page.



Green activities – Are *essential* to any session on this topic

Amber activities – Are *highly recommended* but not essential

Red activities – Are *optional* activities, if time allows

The size of the bubble indicates roughly how much time – relative to the session - to spend on an activity. More guidance is in the trainer's notes.

Basic guidance for Trainer

This training pack provides some basic information on the Consumer Rights Act, but some of the activities may require further investigation by participants, time and resources will need to be determined by the trainer. Further information on consumer rights can be researched on the Citizens Advice website with relevant weblinks in the Appendix .

The trainer may also wish to contact their local Trading Standards or local Citizens Advice to see if they can support the session.

The Consumer Rights Act Guidance

National Consumer Week will launch a month long campaign raising awareness of the changes to consumer rights and responsibilities and remedies under **The Consumer Rights Act 2015**.

Consumer Rights Act came into force on 1st October 2015. The law is clearer and easier to understand, meaning that consumers can buy and businesses can sell to them with confidence. When problems arise, consumers and businesses will be able to sort out disputes more quickly and cheaply. The changes are relevant to all consumers and every business which sells directly to consumers.

UK consumers spend £90 billion a month. Transparent rights will help consumers make better choices when they buy and save them time and money.

Consumers have enhanced, easy to understand consumer rights. The Consumer Rights Act has changed core consumer rules around what to do if, for example, goods or services you bought are faulty.

The updated rights help consumers and businesses to avoid disagreements and also make it easier to settle disputes if they arise. Alternative Dispute Resolution, for example through an Ombudsman, can offer a quicker and cheaper way of resolving disputes than going through the Courts; Alternative Dispute Resolution came into force on 9th July 2015.

What do I need to know?

The Consumer Rights Act covers:

- what should happen when goods are faulty;
- what should happen when digital content is faulty;
- how services should match up to what has been agreed, and what should happen when they do not, or when they are not provided with reasonable care and skill;
- unfair terms in a contract;
- what happens when a business is acting in a way which isn't competitive;
- written notice for routine inspections by public enforcers, such as Trading Standards; and
- greater flexibility for public enforcers, such as Trading Standards, to respond to breaches of consumer law, such as seeking redress for consumers who have suffered harm.

Most of these changes are important updates to existing laws.

Key points of interest for consumers are

- **A 30-day time period to return faulty goods and get a full refund.**
- **The right to demand that substandard services are redone or failing that receive a price reduction.** For the first time, there are clear rules for what should happen if a service is not provided with

reasonable care and skill or as agreed. For example, the business that provided the service must bring it into line with what was agreed with the customer or, if this is not practical, must give some money back.

- **New digital content rights, meaning consumers will be able to get a repair or a replacement of faulty digital content such as online film, games, music downloads and e-books. This is the first time that rights on digital content are set out in legislation.** The Act gives consumers a clear right to repair or replacement of faulty digital content such as online film and games, music downloads and e-books. The law here has been unclear up until now and this change has brought legislation up to date with how digital products have evolved.
- **Making it easier for consumers to challenge terms and conditions which are not fair or are hidden in the small print**
- **Alternative Dispute Resolution providers will be available to all businesses to help when a dispute cannot be settled directly with the consumer.**

The Consumer Rights Act 2015 stands alongside regulations to create a greatly simplified body of consumer law. Taken together, they set out the basic rules which govern how consumers buy and businesses sell to them in the UK.

The Consumer Rights Act provide remedies however **information requirements** are provided for in the regulations known as the **Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013**. From June 13th 2014 businesses had to amend their processes and procedures to ensure compliance with the Regulations which brought some changes to make sure that the UK complies with the Consumer Rights Directive.

Businesses which sell online and off premises would have previously adhered to the Distance Selling Regulations and the Doorstep Selling Regulations; however the Consumer Contract Regulations (CCRs) consolidated these two pieces of legislation and also brought in some new provisions too. These requirements only apply where businesses are dealing with customers who are consumers, not other traders.

The CCRs give better protection to consumers when buying goods or services in UK and Europe. Businesses must provide the consumer with information before they buy goods or services. Some contracts allow the chance to hand back the goods or not have the service within a short time after the consumer has bought the goods or agreed to have the service.

How much businesses will have to follow these rules will depend on where or how the contract was made.

- In a shop, garage or business – this is called an ‘on-premises’ contract.
- In your home, on the street or away from the business address – this is called an ‘off-premises’ contract.
- Over the telephone, on-line or by mail order – this is called ‘at a distance’ contract.

It is important to remember this information when buying goods or services so the consumer knows their legal rights.

Before the consumer buys goods or services they should be given clear and easy to understand information especially about their rights to cancel the contract and not have the goods or services if they change their mind.(2)

The regulations also put more responsibility on the consumer’s part to return items in good condition. There is an onus on the consumer to check the contract, ensure that goods are returned within the time frame, returned in suitable packaging and good condition.

The regulations clearly layout what is the consumers’ responsibilities and what are the traders’ responsibilities, so consumers should be encouraged to check what is involved before entering into contracts. Information can be found via the Citizens Advice website, local Citizens Advice and the Citizens Advice consumer service.

Further information on additional consumer law can be found on Citizens Advice website. www.citizensadvice.org.uk

Top Tips

- Highlight the importance of rights and responsibilities
- Encourage all participants to engage in the discussions and where appropriate talk about their own experiences
- Stress that the Consumer Rights Act only applies from the 1st October 2015.
- Remind the group not to advise each other on legal issues; remind the group that this is not an advise tool. Participants should be directed to the Citizens Advice consumer service contact details 03454 040506, Welsh language 03454 040505

Activity 1 – What do you know about your new rights?

Trainer's worksheet – Discussion tool

The Consumer Rights Act 2015 came into effect on October 1 and should make life a little easier for consumers who encounter problems with consumer goods and services. The Consumer Rights Act offers consumers more remedies to resolve consumer problems.

All but one of the statements below are part of the new Consumer Rights Act. Provide participants with resources or allow discussion from information they may have heard on the news, to help decide which one of the statements is NOT part of the Consumer Rights Act.

30 days to return faulty goods and get a full refund

The right to demand that poor services are redone or failing that receive a price reduction

Easier to challenge terms and conditions which are not fair or are hidden in the small print

This is the first time that rights on digital content are set out in legislation

A tiered system that provides different remedies depending on the length of time the consumer has owned the product

Consumers will have to pay a fee to use the Citizens Advice consumer service

This is the incorrect statement. Calls to the helpline cost up to 9p per minute from a landline. If you're calling from a mobile, it'll cost between 3p and 40p per minute - if you have inclusive minutes, it's the same as calling a landline. BUT there is no charge to use the service.

Activity 1 – What do you know about your new rights?

Participant's worksheet

The Consumer Rights Act 2015 came into effect on October 1 and should make life a little easier for consumers who encounter problems with consumer goods and services. The Consumer Rights Act offers consumers more remedies to resolve consumer problems.

All but one of the statements below are part of the new Consumer Rights Act. Using resources provided by the trainer or information you may have heard on the news, decide which one of the statements is NOT part of the Consumer Rights Act. Place a cross on the one you think is incorrect.

30 days to return faulty goods and get a full refund

The right to demand that poor services are redone or failing that receive a price reduction

Easier to challenge terms and conditions which are not fair or are hidden in the small print

This is the first time that rights on digital content are set out in legislation

A tiered system that provides different remedies depending on the length of time the consumer has owned the product

Consumers will have to pay a fee to use the Citizens Advice consumer service

Activity 2: Essential terms for a consumer! Trainer's worksheet

For this activity participants need to match the phrase and the correct meaning together.

Introduction - For many of us we deal with consumer issues every single day, from food shopping to dealing with mobile phone contracts – these are daily consumer tasks that we deal with and often think little of, until there is a problem.

Below are some key terms that consumer should be familiar with. This activity can either be delivered

- as a worksheet (next page) - participants will be able to keep this!
- or the boxes can be cut out and laminated to be used as pairing cards.

Consumer	an individual acting for purposes that are wholly or mainly outside that individual's trade, business, craft or profession
Trader	a person acting for purposes relating to that person's trade, business, craft or profession, whether acting personally or through another person acting in the trader's name or on the trader's behalf
Business	A provider of goods and services and includes the activities of any government department or local or public authority
Auction	A public sale of goods or property which are sold to highest bidder. Consumers do not have the same redress as with other goods.
Goods	any tangible moveable items, but that includes water, gas and electricity if and only if they are put up for supply in a limited volume or set quantity
Services	Items that may require specialist provision, by contract with a trader
Digital content	Data produced and supplied in a digital form, streamed or downloaded on to a digital device, or a website design service.
On premises	Agreements/ contracts in a shop, business or garage.
Off premises	Agreements/ contracts in your home, on the street or away from the business address

Activity 2: Essential terms for a consumer! Participant's worksheet

Listed below are some key phrases or terms you may hear as a consumer. It is important to know what these mean as a consumer as they will relate to your consumer rights and responsibilities.

Match the word to the correct definition, remember you will have different rights depending on what the item is, how you buy it and where you buy it! Contact the Citizens Advice consumer service for pre-shopping advice – 03454 040506, Welsh language 03454 040505.

Consumer	any tangible moveable items, but that includes water, gas and electricity if and only if they are put up for supply in a limited volume or set quantity
Trader	Items that may require specialist provision, by contract with a trader
Business	Agreements/ contracts in a shop, business or garage.
Auction	Agreements/ contracts in your home, on the street or away from the business address
Goods	a person acting for purposes relating to that person's trade, business, craft or profession, whether acting personally or through another person acting in the trader's name or on the trader's behalf
Services	A provider of goods and services and includes the activities of any government department or local or public authority
Digital content	A public sale of goods or property which are sold to highest bidder. Consumers do not have the same redress as with other goods.
On premises	an individual acting for purposes that are wholly or mainly outside that individual's trade, business, craft or profession
Off premises	Data produced and supplied in a digital form, streamed or downloaded on to a digital device, or a website design service.

Activity 3: What constitutes goods or services? Trainer's worksheet

As a consumer you have rights for goods and services or a mixed contract (both goods and services) but these will vary depending on what types of goods or services the item may be. Ask participants to look through the items listed and ask them to identify what they are and their reasons for their answer.

Consumer items	Goods	Services	Mixed	Reasons
Weekly shopping of groceries	X			Groceries are classed as goods but is a mixed contract if you order your groceries through an online delivery service.
Mobile phone contract			x	If you are provided with goods i.e. the phone this will be a mixed contract.
PAYG mobile phone			X	Generally you will have to purchase a phone but will then pay for your mobile usage as and when required.
Trip to the hairdressers		x		This will be classed as a service, as materials such as dyes, shampoos will be factored into the cost.
Broadband at home		X	x	This will be classed as a service, items such as remote control are part of the usage. If it is provided by a router this will be a mixed contract.
Booking a wedding venue with catering			X	It is likely that the food and drinks will count as goods
Hiring a car on holiday		X		You are not buying the car but entering into an agreement.
Childcare		x		Usually time, food, insurance etc.. will be included in the price
Personalised cushion covers			X	Whilst the item would be classed as goods, asking for a personalised or bespoke element will add a service to it

**Activity 3: What constitutes goods or services?
Participant's Worksheet**

Think about whether you think these items are goods or services or a mixed contract (both goods and services) and provide your reasons for this. It is important to remember that your consumer rights vary depending on whether you are buying goods or services. Contact the Citizens Advice consumer service for pre-shopping advice – 03454 040506, Welsh language 03454 040505.

Consumer items	Goods	Services	Mixed	Reasons
Weekly shopping of groceries				
Mobile phone contract				
PAYG mobile phone				
Trip to the hairdressers				
Broadband at home				
Booking a wedding venue with catering				
Hiring a car on holiday				
Childcare				
Personalised child's cushion covers				

Activity 4: Consumer Rights Act - True or False?

Trainer's worksheet

The Consumer Rights Act, which came into effect from 1st October 2015, brings some changes to consumer rights. Discuss the statements below and if participants think the statement is True or False. Provide copies of the BIS resources provided on education page and weblinks for participants to read through. Contact the Citizens Advice consumer service for pre-shopping advice – 03454 040506, Welsh language 03454 040505.

	True	False	Consumer Rights Act will allow
Before 1 st October it was not clear as to whether digital goods were services or goods, so lacked clarity or rights and remedies for the consumer.	X		Digital content now forms part of the Consumer Rights Act and whereby providing consumers with a means of redress.
Faulty goods must be returned within 14 days for a full refund.		x	The Consumer Rights Act states consumers have 30 days to return faulty goods and receive a full refund.
A consumer asks a decorator to wallpaper a room; the paper starts to peel from the wall shortly afterwards. The customer can ask the decorator to redo the work.		X	The Consumer Rights Act will allow consumers to ask for work done poorly to be redone or ask for a request a reduction on the price.
A customer orders an interactive e-book from an online publisher on 3 rd October 2015 but when it arrives the content is not interactive, the Consumer Rights Act will provide the right to a repair or replacement.	X		The consumer to ask for a repair or replacement of the e-book. If this does not solve the problem they can keep the e-book but should receive a price reduction which reflects the difference between the description and reality.
Letting agents will be exempt from displaying their fees to consumers under the new act.		X	Consumers to be aware of letting agent fees. The letting agent must publicise their fees, face to face and on any websites they use.

Activity 4: Consumer Rights Act - True or False?
Participant's worksheet

The Consumer Rights Act, which came into effect on 1st October 2015, brings some changes to your consumer rights. Have a look at the statements below and decide if you think the statement is True or False. Identify what the Consumer Rights Act will allow in each case. Look at the resources provided by your trainer to help with your decisions. Contact the Citizens Advice consumer service for pre-shopping advice – 03454 040506, Welsh language 03454 040505.

	True	False	Consumer Rights Act will allow
Before 1 st October it was not clear as to whether digital goods were services or goods, so lacked clarity or rights and remedies for the consumer.			
Faulty goods must be returned within 14 days for a full refund.			
A consumer asks a decorator to wallpaper a room; the paper starts to peel from the wall shortly afterwards. The customer can ask the decorator to redo the work.			
A customer orders an interactive e-book from an online publisher on 3 rd October 2015 but when it arrives the content is not interactive, the consumer rights act will provide the right to a repair or replacement.			
Letting agents will be exempt from displaying their fees to consumers under the new act.			

Activity 5 – Citizens Advice consumer tools

Trainer's worksheet – Discussion tool

This activity is designed to be a discussion tool; ideally the trainer will have access to a flip chart or interactive whiteboard to record participants findings.

The Consumer Rights Act changes to consumer rights and remedies only applies to purchases from 1st October 2015. Purchases before this date will be covered by previous legislation.

It is essential that in order to get the right consumer advice you are able to provide detailed information about the purchase.

Discuss with the group the importance of being clear on a number of key points you will have to provide an adviser with, such as

- What is the item?
- Do you think it is classed as goods, services or a mixed contract? (Mixed contract meaning goods and services i.e mobile phone contract with handset, online food shopping.)
- Where did you buy it?
- When did you buy it?
- How did you pay for it? Is credit involved? i.e. Hire purchase, monthly payments..
- Do you have any paperwork for the purchase?

Citizens Advice provides the Citizens Advice consumer service, face to face advice in local Citizens Advice and self-help on the Citizens Advice website. Participants should think about what they will need to provide to an adviser in order to determine what their rights and remedies may be if they have a consumer problem.

You will need access to the internet for this activity; ideally computer facilities will be available but if not possible participants may be able to conduct this research on smartphones – but only if this is permitted by the tutor and the guidance of the organisation within which they are delivering the session.

Using the internet and specifically Citizens Advice website <https://www.citizensadvice.org.uk/> ask participants to find

- a) The details for the Citizens Advice consumer service
- b) The details of their own local Citizens Advice
- c) The consumer advice tools online including
 1. Faulty goods tool
 2. Used car tool

Allow participants time to work their way around these web pages in order to ensure they can find the information in a format they prefer. Ensure they have recorded this information of know how to access it again.

Activity 6 – What you might need to ask and who to ask.... Trainer's and Participant's worksheet

The Consumer Rights Act revokes or amends some pieces of legislation consumers have been familiar with. So it is worth considering how you will find out about information on your consumer rights with any goods or services you are purchasing.

Use the Citizens Advice website consumer section to research the answers for these questions

What information should I look for before making a purchase?

Total cost, cancellation rights, accurate description, summary of consumer rights at point of sale

Where can I get advice before I make a purchase?

Citizens Advice consumer service
Citizens Advice Trading Standards

When does the Consumer Rights Act come into force?
Will it apply to my purchase?
From the 1st October 2015

How can I contact the Citizens Advice consumer service?

via the internet
<https://www.citizensadvice.org.uk/consumer/get-more-help/if-you-need-more-help-about-a-consumer-issue/>
Telephone **03454 04 05 06**, Welsh-speaking adviser: **03454 04 05 05**

What evidence do I need to make a complaint?

Proof of purchase
Proof of payment
Any contract paperwork.
Evidence of correspondence with the company

What is consumer rights summary? If so what information should I be provided with?

This is also known as point of sale information; it is a voluntary scheme where traders offer information on your consumer rights at the point where a consumer buys

Recommended websites are

<https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/citizens-advice-consumer-work/the-consumer-rights-act-2015/>

<https://www.citizensadvice.org.uk/consumer/>

Activity 6 – What you might need to ask and who to ask...

Participant's worksheet

The Consumer Rights Act revokes or amends some pieces of legislation consumers have been familiar with. So it is worth considering how you will find out about information on your consumer rights with any goods or services you are purchasing.

Use the Citizens Advice website consumer section to research the answers for these questions

What information should I look for before making a purchase?

Where can I get advice before I make a purchase?

When does the Consumer Rights Act come into force? Will it apply to my purchase?

How can I contact the Citizens Advice consumer service?

What evidence do I need to make a complaint?

What is consumer rights summary? If so what information should I be provided with?

Recommended websites are

<https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/citizens-advice-consumer-work/the-consumer-rights-act-2015/>

<https://www.citizensadvice.org.uk/consumer/>

Closing a session - STAGE ONE

Summarise what the Consumer Rights Act aims to do and stress the importance of consumer's knowing what their responsibilities are, as well as their rights.

Ask participants to create a short list of learning outcomes from both sessions.

Ensure that the participant can:

- state the difference between goods and services.
- know how to make an informed consumer choice.
- know how to access online help.
- contact the Citizens Advice consumer service; provide participants with the Citizens Advice consumer service contact details Telephone 03454 04 05 06, Welsh-speaking adviser on 03454 04 05 05.

Closing Session - Stage Two

A list of topics that the participant is interested in should have evolved naturally out of the themes covered in the activities. The participant can choose from the list to decide what they would like to discuss next time. A suite of new resources have been created for the Consumer Rights Act, which can all be found in the education resource section.

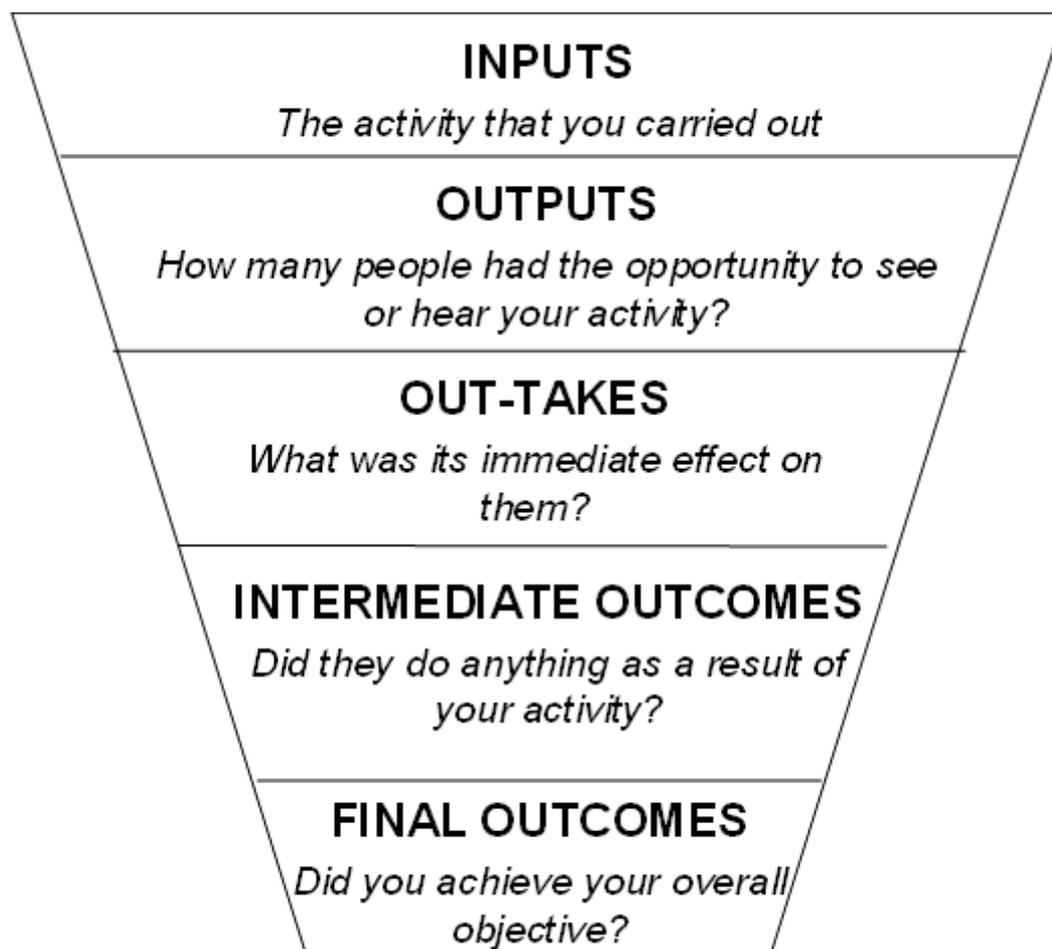
<https://www.citizensadvice.org.uk/about-us/how-we-provide-advice/our-prevention-work/education/education-resources/education-resources/>

If you have concerns about a participant entering into a purchase, strongly encourage them to visit their local Citizens Advice service or contact the Citizens Advice consumer service.

New consumer education resources on cars, digital, contracts, secondary ticketing, holidays and letting agents. In addition there are also useful resources on scams and doorstep selling. Financial Capability resources will also compliment buying and selling topics.

Closing Session - Evaluation Framework

A Citizens Advice evaluation will be available on the Citizens Advice consumer campaigns page, however, the framework offers the trainer questions that will enable a more in-depth analysis of the session. This can be done as a post-session analysis by the trainer or can be discussed with the participants. This will be dependent on the timescale available and also the engagement of the participants.



The trainer should feedback their experience of the resources to Citizens Advice, with specific comments about:

- the ease of use of the materials
- the effectiveness of the activities
- any recommended top tips
- any other recommendations for the resource
- any interest from participants for other resource topics
- other requests or overall comments

Appendix

Citizens Advice home page

<https://www.citizensadvice.org.uk/>

Citizens Advice consumer education page

<https://www.citizensadvice.org.uk/about-us/how-we-provide-advice/our-prevention-work/education/education-resources/education-resources/>

Citizens Advice Consumer Campaigns

https://www.citizensadvice.org.uk/about-us/campaigns/current_campaigns/

Citizens Advice Consumer Rights Act 2015 page

<https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/citizens-advice-consumer-work/the-consumer-rights-act-2015/>

Consumer Rights Act 2015

<http://www.legislation.gov.uk/ukpga/2015/15/contents>