

Help and advice  
for consumers  
in Europe



UK European Consumer Centre



Co-funded by  
the European Union



# Annual Report 2019

UK European Consumer Centre



2019 was a particularly challenging year for the UK European Consumer Centre (UK ECC) – probably the most challenging in our 12-year history.



**A backdrop of Brexit meant that UK consumers continued to want the reassurance of the support and mediation provided by a specialist service such as ours. It meant that the intervention and case handling we provided was perhaps more important than ever for them as they saw the UK move into a future outside the EU. And it meant that our relationships with other consumer protection stakeholders played crucial roles in helping UK consumers in their disputes with EU traders.**

Against this backdrop and with the aim of ensuring that as many cases as possible were resolved before the end of 2019, we changed our work patterns to accommodate the risk of potentially losing access to the EU's case-handling system (and therefore cases where we intervene in a dispute with our colleagues at ECC counterparts across the EU). There were also significant staff changes largely because of Brexit uncertainty.

We also concentrated on bringing any cases we had shared with other ECC offices across the EU as up to date as possible before the anticipated Brexit date.

To put us in the best position possible at the end of 2019 to be able to continue to provide our cross-border complaint service to UK consumers, we also devoted a lot of time to stakeholder awareness – making sure that the right people in the UK Government were aware of the valuable service we deliver in order to have the best chance of securing finance for the future.

As it stands, the UK ECC is assured of funding until the end of the EU-exit transition period, scheduled to be the end of December 2020. However, the service could face closure and thousands of UK consumers could be left unprotected if an agreement is not reached between the UK Government and the EU, and funding not arranged, before 31 December 2020.

The centre was founded in 2007 and is part of a network throughout EU Member States plus Iceland and Norway, offering UK consumers support with queries about companies and products purchased in those countries. The network relies on cross-border cooperation with fellow ECC offices which liaise with overseas businesses on our/their behalf.

### OUR ROLE IS CRITICAL

Hosted at the Chartered Trading Standards Institute (CTSI), the UK ECC employs 11 staff in Basildon, Essex, and is currently joint-funded by the UK Government and the European Union. It is the only service of its type available to UK consumers.

CTSI is currently asking that the UK Government understands the critical role UK ECC performs in the UK consumer protection landscape and works out a solution which retains this valuable service during the EU-Exit negotiations.

Throughout all of this upheaval, consumers remained at the heart of everything we did in 2019. We helped almost 10,000 UK consumers throughout the year- they joined the almost 100,000 other UK consumers we had already helped since 2007.

We recovered an average amount per consumer of £364 each, meaning that the UK ECC could potentially have recovered almost £3.6 million for UK consumers alone (or £4.1 million if we include all of the UK consumers

and EU consumers we helped in 2019). Not bad for a service which costs just £500,000 to run!

Most UK consumers who used our service last year either found us via the internet (42%) or they were directed to us from the Citizens Advice Consumer Helpline (32%).

Other ways of finding us included mentions in newspaper articles, signposting from the local authority, recommendation from previous UK ECC customers or via social media.

## HELP ACROSS THE UK

As a whole, in 2019 the UK consumers we helped were spread right across the whole of the UK, including Scotland, Wales and Northern Ireland, with a higher proportion coming from Scotland than any of the other devolved nations.

Enquiries ranged from requesting general information, to info on consumer rights and their legal position, to needing assistance and mediation with the relevant trader.

Our advisors gather information and documentation from the consumer, carry out an in-depth legal assessment, decide next steps with the consumer and then share with our counterparts in other countries, to contact the trader on the UK consumer's behalf and secure a resolution to their case.

No two cases are the same in their detail, but our aim in all of our interventions and mediation is always the same: to act in the best interests of the consumer, work towards the best result we can for them, and put them in a better position than before they'd contacted us. This could be either a refund, replacement, repair or cancellation of their contract.

## AND IT'S ALL FREE

Often consumers come to us for help when they think they've reached the end of the road in trying to resolve a dispute directly with the trader. They may not be able to afford a solicitor or they may even have tried but found it difficult to find legal advice for an often complex cross-border issue.

That's why the UK ECC offers such a valuable service for these UK consumers. The UK ECC's service is FREE, and even if we don't manage to get a consumer's money back, we are sometimes able to get an invoice cancelled or help in other ways. Whatever we do, we save them hassle and

stress in dealing with a difficult problem with a trader in a different country. Our specialist advisors draw on their knowledge of consumer law across the EU, their years of experience of intervention in cross-border cases and their robust and ongoing relationships with legal advisors in a network of similar centres across the EU.

Of course, that doesn't mean that we are perfect. Our core purpose is to help consumers and our customer satisfaction survey showed that 83% of consumers were satisfied with our service in 2019. Our abandoned call rate continued to improve: in 2019 it was just under 2%, slightly better than the 2018 rate of 2%.

Essentially, we are an advisory and assistance service and, although we do not have enforcement powers to force a trader into a particular course of action, there is a lot that we can do. Intervention and mediation are powerful tools, coupled with the specialist legal advice our advisors have and the network of counterpart centres we have at our disposal. We use them to always work towards the best result we can for consumers.

In keeping with our commitment to do the best we can for consumers, we retained our Customer Service Excellence Standard throughout 2019, which means we've had it for five years in a row. This is the UK Government's standard on customer service. Our customer handling processes, our online customer satisfaction surveys, website access and complaint recording process are all scrutinised as part of the CSE assessment. The standard requires UK ECC's customers to be at the centre of our decision-making and process design.

We remain committed to helping UK consumers in the best way we can for as long as we can. We're looking to the future: a future with you, the UK consumer, in the centre of it.



**Susan Tolman**  
Information and Communications Officer

**Customer satisfaction is very important to us here at the UK European Consumer Centre. We're pleased that we achieved 83% of consumers being satisfied with our service, although we realise that there is still further to go.**

**Here is just a selection of the many positive comments from our online survey in 2019:**

“  
*I was one person alone against a mountain guide who has the backing of the guiding community. The evidence against the guide was overwhelming and yet my complaint was disregarded. It was so good to hear someone look at it from my perspective.*  
”

## HELP TO CONSUMERS

**9,830**UK consumer cases  
(EU traders)**1,373**EU consumer cases  
(UK traders)**42%**UK of consumers found  
us via the internet

## UK CONSUMER PROBLEMS ENCOUNTERED

**26%**of all cases related to  
transport**15%**of all cases related to  
defective products**46%**of all cases involved  
credit/debit card  
transactions

## OTHER STATISTICS

**84%**felt we were easy to  
contact**7,618**

phone calls received

**418,000**

website visits

## UK CONSUMER CASES

**UK consumer problems come in all shapes and sizes and cover all manner of topics, from personal effects to jewellery, clocks and watches, from timeshare to accommodation services and from games, toys and hobbies to audio-visual equipment.**

A myriad of different issues are frequently contained within each consumer's paperwork – and it is the job of our advisor to tease those individual characteristics out and use their legal expertise and experience to decide which action is the most appropriate route for the consumer.

Our advisor also uses their skill and judgement to assess whether the UK consumer is vulnerable. If so, we contact the consumer's local trading standards service so that their local council can provide support to the individual. Consumer protection stakeholders joining together in this way to protect victims of economic crime is an excellent example of how the UK ECC works with other organisations.

After a full legal assessment of all of the consumer's documents, we provide tailored advice and targeted support specific to the consumer's needs. Our most time-consuming cases are those which require a lot of mediation and intervention: some cases may be resolved in a matter of weeks, some take months of persistence.

We've drawn attention in the bar chart below to the top four categories of cases we handle for UK consumers.

Transport topped the charts in the breakdown of UK consumer cases dealt with by the UK ECC, accounting for 26% of the total number of complaints and questions handled. The concentration of cases in this category is explained by UK residents' continued love affair with travelling abroad; in fact, people living in the UK made 93.1 million overseas visits in 2019, an increase of 3% compared with the previous year.

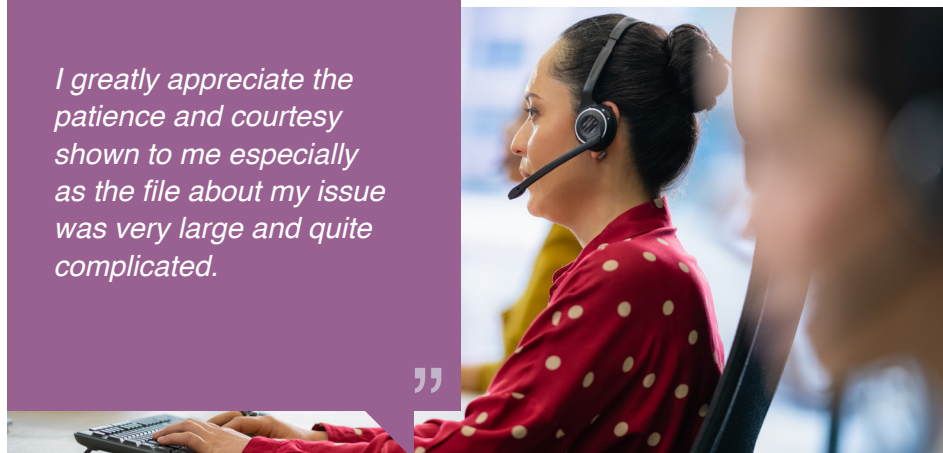
Looking more closely at the transport cases, just over 41% of these related to air travel (including passenger transport and luggage transport) and just over 35% were concerned with car hire.

Another big cause of grievance is products and traders within the miscellaneous goods and services category, including subjects such as personal effects, electronic games consoles, and jewellery, clocks and watches. This accounts for 17.1% of overall case numbers.

“

*I greatly appreciate the patience and courtesy shown to me especially as the file about my issue was very large and quite complicated.*

”



The next big cause for complaint is restaurants, hotels and timeshares, accounting for 9.1% of all questions and complaints. Analysing this category further, we discovered that accommodation services account for just over 67% of these cases, timeshares for just over 10%, 'timeshare-like' for just over 11% and resale problems for almost 9%. Long-term holiday products (or discount holiday clubs as they are sometimes known) come under this category.

Another of the most grumbled about categories is recreation and culture. Included here are package holidays; audio-visual, photographic and information processing equipment; and 'sold-out ticket' events.

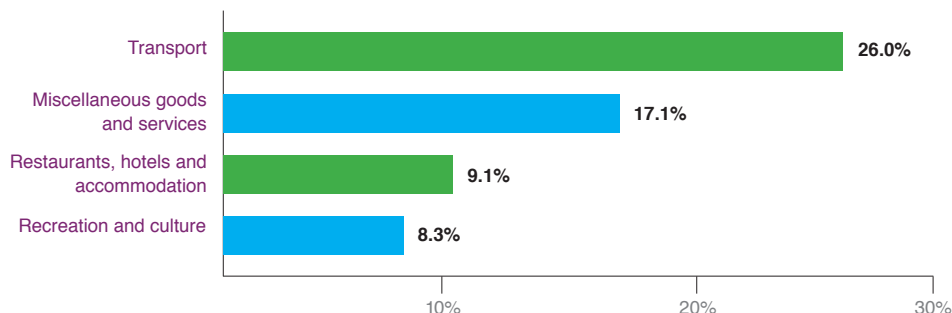
Part of the strength of the UK ECC is in numbers: we are part of the European Consumer Centre Network – 30 centres covering the EU, plus Iceland, Norway and the UK. All 30 centres in the ECC-Net work together, but we work with some countries more often than others.

Spain is the most visited country by UK residents, according to the Office for National Statistics International Passenger Survey, followed by France, Italy, the US and the Republic of Ireland. Overall, 72% of visits by people who live in the UK were to EU countries.

Our figures show that UK consumers were most in dispute with EU traders in Spain, Germany, the Republic of Ireland, France, The Netherlands and Italy in 2019 (in that order). The UK ECC actually handled complaints about traders in all EU countries, but at the bottom of the table was Slovakia - we only registered complaints about eight traders there.

The UK ECC also has relationships with consumer organisations outside the EU, Norway or Iceland, for example in the USA, China, North Korea and Japan. If we receive complaints about traders in those countries, we can signpost consumers to relevant bodies.

**Breakdown of UK consumer 2019 cases**







## LEFT STRANDED AT THE AIRPORT

**A UK consumer and his wife went on a bespoke holiday to Portugal. Their onward flight from Lisbon was cancelled late in the evening and the couple were left stranded in the city for about 30 hours without any help or support. The reason given was ‘crew problems’.**

Unable to find their own hotel very late in the evening, they contacted their travel agent on the 24-hour emergency service. The company stepped in and arranged accommodation at the only hotel available at such short notice.

The consumer and his wife tried to complain at Lisbon airport at the start of their holiday and again on the way back two weeks later, but the airline refused to accept any complaints at the airport. The couple submitted their complaint online back home in Bristol, but the airline completely ignored their complaint for 18 months.

They tried to contact the airline eight times between October 2017 and March 2019 but just got an automated email response in Portuguese from a no-reply email address. There was no further response or status update.

Eventually, in desperation, The consumer contacted the UK ECC, who shared the case with ECC Portugal. The consumer had asked for reimbursement for his extra expenses of hotel, airport meals and taxis to and from their hotel.

The couple told the UK ECC that the airline “completely abandoned us in Lisbon late one evening for a whole day without any help or support”.

In order to resolve the case, an ECC Portugal consumer advisor made contact with the trader and the consumer subsequently received compensation of €1,104.70 from the airline.

## RESOLUTION

“ Our advisor used EC Regulation 261/2004 – known as the Air Passenger Rights Regulations – to secure the consumer’s money.

*This regulation protects passengers when their flight is cancelled or delayed and in the event that they are denied boarding. This is just one example of an EU Regulation working to protect the rights of a UK consumer.* ”

“ It wasn’t until we contacted the UK ECC that we received the appropriate compensation. Without their help, we believe we’d still be waiting. ”

## UK TRADER CASES

Although most UK traders respect consumers' basic rights, where this isn't the case, ECCs are here to help all EU consumers, with the consumers taking their complaints about UK traders to the European Consumer Centre in the country where they live.

This is one of the benefits of the collaborative nature of European Consumer Centre Network (ECC-Net comprises 30 centres covering the EU, plus the UK, Iceland and Norway); it means that we also receive cases from European consumers who have problems with UK traders. We work with our European counterparts on these cases and every effort is made to contact the trader in order to resolve the complaint.

In 2019, UK ECC consumer advisors handled almost 1,400 cases on behalf of EU consumers, liaising with our ECC-counterparts and also direct with the UK traders that the consumers were in dispute with. This brings the total number of cases handled by the UK ECC for EU traders to almost 19,000 over the past 12 years, just over 17% of the amount we've handled for UK consumers.

These are all cases where EU consumers complain about UK traders.

Each case we handle on behalf of an EU consumer means that we liaise with our counterparts in the ECC network. Each case means that we gather information essential to the smooth-running of UK businesses. And each case means that we work with other consumer protection stakeholders to ensure that UK businesses behave fairly with UK and EU consumers alike.

Every single case about a UK trader goes forward to the trading standards service where the UK trader is based. Our role in keeping trading standards informed of the practises of businesses in their area is critical.

But what kind of problems are faced by EU consumers who complain about UK traders? As with UK consumers, most of their problems were related to transport. Almost 33% (32.8%) of cases against UK traders concerned transport, representing a bigger proportion of complaints than those by UK consumers about EU traders (at 26%).

The next largest category of cases was clothing and footwear, which accounted for 17.3%. This was followed by recreation and culture at 14.1% and miscellaneous goods and services at 11.1%.

“

*The advisors who helped me were amazing. The first one was brilliant, and the second one I spoke to was so patient, understanding and helpful – five stars to all!*

”



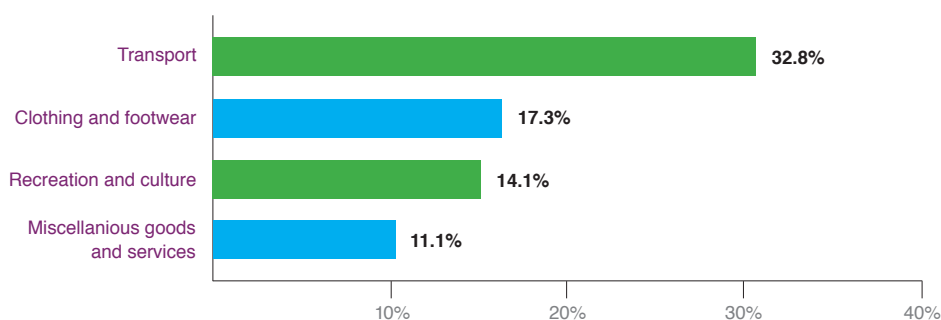
at 11.1%. Complaints about restaurants, hotels and timeshares came in at sixth place, making up just 7.2% of all EU consumer complaints about UK traders.

The bar chart shows cases sorted by category. We have only drawn attention to the top four categories.

Whilst some purchases are made in person by EU consumers when visiting the UK, it is also the case that many are made online. Arguably the biggest change to shopping in the 21st century so far has been the increased popularity of online shopping; it's become the norm for many people.

An interesting picture emerges when we look closely at the cases we handled on behalf of UK consumers (about EU traders) compared to those consumers living elsewhere in Europe (about UK traders). In the cases handled by the UK ECC, UK consumers appear to be increasingly embracing e-commerce, with 69.4% of purchases being made using this method. But European consumers are still way ahead of those in the UK when it comes to choosing e-commerce as the means to buy goods and services in the EU, with 81.7% of cases we handled on behalf of EU consumers being made in this way.

**Breakdown of EU consumer (UK trader) 2019 cases**





### WHEN TIME STOPPED...

**An Irish consumer bought a watch online from a UK trader for £201. Within the first six months, he found that there was a problem when trying to change the time.**

Soon after, the winder fell off completely and went missing. The consumer sent the watch back to the seller in the UK to get it repaired or replaced but was told that the manufacturer's warranty didn't cover his particular problem and that the repair could only be offered at an extra charge.

The seller also refused to provide the purchaser with his right to a remedy under

his statutory rights, so the consumer got in touch with the European Consumer Centre in his home country - Ireland - who sought assistance from UK ECC on his behalf.

The UK ECC contacted the trader to remind him of his obligations under consumer legislation to provide remedies such as a repair or replacement free of charge when goods are faulty. Our consumer advisors also reminded him that a manufacturer's warranty is in addition to a consumer's statutory rights not a replacement or limitation of those rights.

The consumer was subsequently provided with a replacement watch.

### RESOLUTION

“ Our advisor used Directive 1999/44/EC - sale of consumer goods and associated guarantees – to get the consumer a replacement watch. The law across the EU says that if you receive goods that are not as described you are entitled to a replacement or a refund. ”

“ I was very happy with the watch until the clocks changed and I had to adjust the time. A day or so later I noticed the winder was missing. Thank you very much. ”



**All European consumers should feel as confident when buying in another EU country as they do at home. The UK ECC plays a vital role in empowering consumers, helping them to gain a better awareness of their rights and take full advantage of the internal EU market.**

We are part of the European Consumer Centre network: a practical manifestation of the single market for consumers. We empower consumers by providing – free of charge – information, advice and practical, hands-on help when dealing with problems about goods and services bought from another Member State. Our strength is in numbers: the UK ECC is part of the European Consumer Centre Network – 30 centres covering the EU, plus the UK, Iceland and Norway.

We can help when consumers need general information on consumer rights in Europe or if there is a specific cross-border complaint. If a consumer is in dispute with an EU trader, we provide them with the tools to help them get what is rightfully theirs. We have a team of consumer advisors on hand to inform them of their rights under European and national consumer legislation and give them advice on possible ways of dealing with their complaint.

Often we find that providing this advice is enough, but sometimes we need to provide more direct help by working together with the European Consumer Centre of the country where the problem originated. Sometimes network centres can help by contacting the trader on the consumer's behalf. This service means that UK consumers can be confident in the knowledge that if they have a problem, there is professional, FREE advice and support just a phone call or a mouse click away.

## A POSITIVE RESULT

What about results? We are often able to get a more positive response from the trader than the consumer will have done alone. Most of our cases have a positive outcome, either a refund, replacement, repair, or cancellation of a contract, but where this is not possible, our intervention always puts the consumer in a better position than beforehand.

If, after our advice and assistance (along with that of our European counterparts), the consumer and the trader can not arrive at an amicable solution, then the UK ECC

will help consumers work out the best way to take the dispute further. In some cases, if appropriate, this might mean that the dispute may be referred to another body. This may be an Alternative Dispute Resolution (ADR) organisation, a National Enforcement Body (NEB) or the courts (such as going through the European Small Claims Procedure).

ADR is a range of processes that offer parties easier, quicker and more cost-effective methods to resolve complaints compared to the court process. One of the UK ECC's roles is to create and maintain a relationship with UK ADR bodies for the benefit of the consumer protection environment. This means that we sometimes refer cases to an ADR body.

The UK ECC's host body, CTSI, is also appointed by the UK government to audit and approve bodies which meet requirements of the consumer Alternative Dispute Resolution (ADR) Regulations (The Alternative Dispute Resolution for Consumer Disputes – Competent Authorities and Information – Regulations) 2015.

Since 2015, legislation has required UK traders to inform consumers of an approved Alternative Dispute Resolution (ADR) body to help consumers resolve their complaints, if they've already been through the trader's customer service procedure. The ADR body must be relevant to the sector in question.

There are currently 50 approved ADR schemes in the UK, everything from retail to parking, to higher education, furniture, the motor industry and will writing. More information is [available here](#).

## UP CLOSE AND PERSONAL

The UK ECC also maintains a close relationship with policymakers and enforcement authorities. For example, we provide trading standards services with information, allowing officers to complete intelligence-led enforcement for the benefit of consumers.

We also work with the Consumer Protection Cooperation (CPC) Network organisation in the UK – the Competition and Markets Authority (CMA). We supply the CMA with information about emerging trends from our case-handling database in order for them to take action if necessary. The CPC exchanges information and cooperates with counterparts in other Member States to combat cross-border consumer fraud.

We also work hard to maintain links with agencies such as the Civil Aviation Authority so that, when we are aware of significant issues within the air passenger market, we can collect and share the relevant data.



“

*Very fast and most informative. Sound advice given.*

”

The UK ECC's important role within the UK regulatory infrastructure is illustrated by its place on the Consumer Protection Partnership (CPP), which brings together key players in the UK enforcement landscape. The CPP develops strategies to deal with emerging threats and risks to the consumer economy and UK ECC data and input contributes to this process.

Further information on the ECC-Net can be found on the European Commission's [Europa website](#).

But what of the future? The UK ECC is currently co-funded by the European Commission and the Department for Business, Energy and Industrial Strategy (BEIS). It is delivered by the Chartered Trading Standards Institute (CTSI) – a not-for-profit organisation delivering services to trading standards professionals, government, businesses and consumers.

### SECURING OUR FUTURE?

Keen to get a commitment on our future, early in 2019 our host body CTSI successfully worked with the UK Government to get a

pledge that it would continue to provide funding to keep the UK ECC open at least until the end of the EU-Exit transition period.

However, without a commitment beyond that, the UK European Consumer Centre could face closure and thousands of UK consumers could be left unprotected if an agreement between the UK Government and the EU is not made, and funding not arranged, before 31 December 2020.

CTSI has, in autumn 2020, received an undertaking from the UK Government for funding to deliver a consumer centre through 2021. With the removal of some of the current service's key relationships, CTSI will work to develop new processes in support of consumers, who have encountered problems when buying across international borders. It is hoped that during the next year we will build a greater understanding of what this 'international' consumer centre service will look like in the future.

The Brexit negotiation phase has created uncertainty about the future of the centre with funding from the EU likely to be removed at a time when demand for the service, the only one of its type available to UK consumers, could rise.

CTSI performs a key influencing role in connecting with, and making representations to, central and devolved government, UK and EU parliamentary institutions, and key stakeholders in the local government community, business and consumer sectors and other regulatory agencies.

It is now engaging with key stakeholders within the UK Government to ask that the Government understands the critical role the UK ECC performs in the UK consumer protection landscape and for it to work out a solution which retains this valuable service during the EU-Exit negotiations.

Consumer rights are of little or no value if they cannot be enforced or relied upon. Our core purpose now is to help consumers. We want that to continue into 2020 and beyond.

“

*The help I received from the UK ECC was excellent. I did worry what effect Britain's decision to leave the EU would make to my case. I am concerned that in the future our rights will be denied.*

”





Many of our cases tell a success story; either by gaining a consumer their money back, by getting them out of an unfair contract, by securing the delivery of the correct item, by persuading a trader to repair a faulty item or by ‘persuading’ the trader to supply a replacement for the consumer.

Not every definition of success includes money, however; it’s whatever makes the customer happy. But whether we get a consumer their money back – and the average amount we recovered per consumer in 2019 was £364 – the consumer is in a better position once we have handled their case.

In this section we take a look at some of the cases we have dealt with in 2019, including some of the more high-value ones: a case where a consumer bought a luxury sports car for €20,130, only for it to break down a few hundred miles later; a case where a child’s dinghy was delivered instead of a 10ft Rib inflatable boat and a flight cancellation involving an airline, an online travel agent and a price comparison website.



## ON THE ROAD AGAIN, OR NOT (AS THE CASE MAY BE)...

A Maltese consumer purchased a diesel luxury sports car with around 60,000 miles on the clock from a UK trader for €20,130. He negotiated the deal whilst still in Malta, but flew to the UK to view the car before purchasing it and intending to drive it back home.

The car broke down in Italy, within 48 hours, and the consumer arranged to have the car towed back to Malta, which incurred several fees including an extra charge on a ferry. He took the car to a local mechanic who said that the engine was faulty and would be very expensive to fix.

Despite the consumer contacting the trader by phone and email to say that he would return the car, to request cancellation of the contract and ask for a full refund, the issue was not resolved and the trader asked the consumer to stop contacting the company.

The consumer then contacted ECC Malta to help him resolve the dispute and the case was shared with the UK ECC, who liaised with the UK trader.

This case is also a good example of the UK ECC working with local trading standards services throughout the UK, to provide such services with information, allowing officers to complete intelligence-led enforcement for the benefit of consumers.

The car trader was reported to his local trading standards office and it turns out that he had already been prosecuted earlier in 2019 for breaches of the Consumer Rights Act, including attempting to deny a consumer their statutory rights.

The UK ECC secured a full refund for the consumer.

## RESOLUTION

“ Our advisor used the Consumer Rights Act 2015 to secure the consumer’s refund. Under the Act, any goods purchased are required to be of satisfactory quality and free from defects. Where goods do not conform to these standards, the trader is required to provide the consumer with a suitable remedy. Where a defect has appeared within the first six months of the consumer’s ownership, the law will deem that the product is assumed to be faulty at the time of purchase, unless the trader can prove otherwise.

Where a breach of the consumer’s rights has taken place, the consumer is also entitled to reclaim any consequential losses that arise from this breach. This would include the cost of the vehicle being towed and the mechanic’s diagnosis, amounting to a total of €24,130 including the car’s purchase.

”

“ I was very, very sad about this car. My parents helped me to buy it. It was my dream car, a sort of graduation present for me. I am very, very happy and delighted that you could help me because my family and I were very disappointed.

”

## ALL PATHS MAY NOT ALWAYS LEAD TO ROME!

**When a UK consumer's flight from London to Rome was cancelled by the airline, he fully expected to have no problem getting his money back.**

But Mr C hadn't factored in the fact that he bought the ticket via an online travel agent which he'd found from a price comparison site.

The issue was that it was the airline which notified the consumer that the flight was cancelled and the airline which provided a refund back to the travel agent. It was the travel agent who refused initially to pay the consumer back.

After the refusal, the consumer contacted the UK ECC for our help and we liaised with our counterparts in the ECC where the agent was based.

Unfortunately, the consumer also approached the price comparison site for help at the same time, which led the travel agent to say that he did not want to deal with two organisations about the same complaint.

Despite the involvement of the consumer of the price comparison website introducing this added complication into the mix, UK ECC secured for the consumer a full refund of £853.47.

*“ Thank you - after several months, I have finally received my money back. ”*

## RESOLUTION

*“ The EC Regulation 261/2004 – known as the Air Passenger Rights Regulations – applies to the contract between the consumer and the flight. These EU air passenger rights mean that you may be entitled to reimbursement, re-routing, compensation and more, if your flight is cancelled, delayed or you are denied boarding.*

*If your flight is cancelled you are entitled to the following: a choice between a refund of the ticket or of re-routing to your final destination. The airline should re-route you to your final destination at your earliest available opportunity. This can be with a different air carrier. If you accept a refund, then you are not entitled to any further assistance with re-routing or assistance.*

*Due to Regulation 261, the airline in this case refunded the agent, who then did not pass this onto the consumer. This was a breach of contract by the agent for not providing the service of passing the funds from the airline to the consumer.*

## EVERY PENNY COUNTS

**At the opposite end of the scale, one of our consumer advisors recently received a case from a consumer in Spain regarding a promotional discount on a UK trader's website.**

The consumer ordered €200 of goods, including some trousers. Initially, the order arrived minus the trousers. The company said that the trousers were out of stock and so the order had not reached the €200 threshold for the discount. The advertised reduction was €50 off for every €200 spent.

Eventually the trousers were delivered and a discount applied, however, the discount given to the consumer's order was €49.77, not the €50 she was expecting.

The consumer complained but was not successful, so she asked ECC Spain for help. The case was shared with the UK ECC and our advisor drafted a letter to chase the company for the refund of €0.23 (£0.19). The consumer subsequently received the outstanding amount back onto their card.

## RESOLUTION

*“ Our advisor contacted the trader regarding the breach of contract, as the trader had not applied the full discount advertised when processing the sale. This also meant that the price of the product was not as described, allowing the advisor to also reference Directive 1999/44/EC (sale of consumer goods and associated guarantees).*



### I'VE GOT TWO LEFT FEET!

When a UK consumer decided to use the last of her holiday spending money - £43.14 - at a duty-free shop at an airport in Croatia before boarding the plane back home to the UK, her eye was caught by a snazzy pair of espadrilles which she thought summed up the holiday spirit perfectly.

But when she got them home, she discovered that the box contained two left-footed shoes.

After getting no response to her numerous emails to the airport shop, she sent the shoes back to the manufacturer, who offered a goodwill gesture in the form of a discount for a new pair. The consumer declined the offer and ended up taking the two left-footed shoes back from the manufacturer.

She then approached the UK ECC for help. We shared the case with our counterparts in ECC Croatia and, after liaising with the trader, a full refund was secured for the consumer.

*"I tried time after time to get some response from the airport but I don't know if it was the language barrier or sheer apathy on their part, but they never replied to any emails.*

*When I asked the UK ECC for help, your consumer advisor kept me informed every step of the way and eventually, I am very pleased to say, you got me a refund for the €51 which I had paid for the espadrilles. So well done UK ECC and thank you."*

### RESOLUTION

*"The law outlines that when we purchase goods they should be fit for purpose. When this is not the case then the trader is in breach of contract. Under Directive 1999/44/EC - sale of consumer goods and associated guarantees – if goods don't conform to contract, then remedies would firstly be a repair or replacement, sometimes moving to a full or partial refund.*

*Any rights the consumer has in law will always be with the seller of the goods, rather than the manufacturer. Anything the manufacturer offers would likely be considered a goodwill gesture.*

*"In this case, there was no doubt that the duty-free shop was in breach of contract as they'd supplied two left-footed shoes, which were absolutely no use to anyone."*

### IT'S CHILD'S PLAY!

A UK consumer ordered a 10ft Rib inflatable boat online from a Spanish company, including delivery, at the end of March 2019. It was finally delivered on 1 July, despite the order having a 21-day delivery.

But what arrived was not the £771.40 inflatable they'd been expecting, but a child's blow-up dinghy retailing on the trader's website for around £30.

The consumer contacted the trader, asking them either for a total refund or for the company to send the correct item that had been paid for, but they heard nothing back, so proceeded to ask the UK ECC for help.

After UK ECC contacted the trader through our Spanish counterparts, a full refund of £771.40 was sent to the consumer, who was also advised that they could keep the child's dinghy as a gesture of goodwill.

*"We were very surprised to receive the full payment back into my husband's account as we thought we'd lost it. Thank you for being there ready to help out if we needed you. It was very reassuring!"*

### RESOLUTION

*"Our advisor used Directive 1999/44/EC (sale of consumer goods and associated guarantees) as the basis for advice given to the consumer. The law across the EU says that if you receive goods that are not as described you are entitled to a replacement or a refund. The law also states you should not bear any of the costs associated with rectifying the problem."*



**One of our biggest challenges is to make more consumers and other consumer protection bodies aware of who UK consumers can turn to with EU-trader related problems.**

During 2019 we worked hard on this vital work of the promotion of the UK ECC – informing consumers about our work, how we help consumers, the topics we cover, the type of cases our staff can advise on, about our part in the ECC network and how we work with other organisations to strengthen the consumer protection environment.

As part of our quest to inform UK consumers, we sent out seven issues of Your Update e-newsletters, a project which has been running for 10 years now. Written and produced in-house, Your Update was emailed – with a link to the publication on the UK ECC website - to 850 subscribers in 2019, providing consumers with a flavour of what the UK ECC does, showing anonymous examples of cases we have been working on and providing advice on cross-border shopping. Consumers can be alerted to copies of the electronic newsletter by subscribing via the UK ECC website.

*“Your advisor was fantastic in handling this case. Rather than letting me have a rant and giving information not necessary, he took great control of the case, asking relevant questions, giving appropriate and very helpful advice and passing the case to ECC Denmark. A wonderful service.”*

## BUILDING RELATIONSHIPS

Awareness of the UK ECC within the media became a major positive in 2019 as we worked to build relationships with key consumer affairs journalists, resulting in a number of high-profile broadcast interviews and national newspaper articles featuring how the UK ECC can help consumers.

We issued press releases to the media to reflect emerging themes and EU information campaigns and journalists approached us to ask for information and our position on consumer-related subjects, so strengthening the position of our role within the consumer protection environment.

Social media, press work, website work and stakeholder engagement were all used in 2019 to build awareness of our service and to help increase complaint volumes.

Search engine optimisation improvements continued to be made to the UK ECC website and work was done to improve the interaction of our social media activity with our website.

Throughout 2019 we continued to invest a significant amount of time in our internet and social media presence via Twitter and Facebook. On social media our number of Twitter followers increased by 120 in 2019 and we achieved 418,000 website visits.

Other communications channels used included four leaflets and one Annual Report. The leaflets were titled: Buying something in the EU, Package travel across the EU, Shopping online across the EU and Car hire across the EU.

Our leaflets, along with other publications and tools such as the Travel App, are downloadable from the website. The ECC Net Travel App is a free mobile application for European consumers when travelling abroad. It is a travel companion which helps consumers to overcome difficult situations on their holiday abroad and assists

them to exercise and express their consumer rights in the language of their destination country. By making all of this information available to consumers, we aim to increase consumers' understanding of consumer rights and increase the profile of the UK ECC and the ECC network and its working.

During 2019, our consumer rights promotional events included a series of advice desks on P & O Ferries' sailings from Dover to Calais.

In order to maximise our engagement with consumers at these events, we gave out leaflets targeted at specific consumer problem areas. In 2019 this activity focused on promoting knowledge of passenger rights and of our consumer service.

## LINKING UP WITH TRADING STANDARDS

As well as raising awareness of our service with UK consumers, it is important for the UK ECC to maintain its positive and fruitful relationship with CTSI (the UK ECC's host body and the UK's national enforcement membership organisation which is largely made up of local authority enforcement membership teams).

CTSI's 2019 Symposium was a primary vehicle for the UK ECC for communicating with a wide spectrum of consumer regulators, enforcers and advisors as well as enhancing our work with traders through trade associations. In 2019 an added focus was given by concentrating our promotional stand on Alternative Dispute Resolution (ADR).

The UK ECC Director and two of our consumer advisors also contributed at the CTSI Symposium to seminars on Brexit impacts on consumers and businesses.

The UK ECC receives a significant number of cases from 'signpost referrals' by other consumer protection bodies and the symposium is important in raising awareness for this purpose. The event is also important for meeting regulator and enforcement stakeholders as the UK ECC endeavours to increase the national use of its complaint data.

Due to Brexit uncertainties the centre communicated with trading standards services more frequently than usual in 2019 and at a more senior level. The centre contributed significantly to its hosts' and trading standards services' work on Brexit readiness. Operational discussions based on individual cases occurred as normal.



## SELECTED COVERAGE – NEWSPAPER/MAGAZINE/ONLINE ARTICLES

BBC Parliament television freeview channel 232 (live) – 17 January 2019

BBC Parliament Live channel (online) – 17 January 2019

BBC Parliament television freeview channel 232 – Day in Parliament – 17 January 2019

[They Work For You](#) (web) – 17 January 2019

Hansard – 17 January 2019

BBC Parliament website - cross-border consumer protection - written answer – 5 March 2019

[Buying things from Europe after Brexit](#) – 12 March 2019

BBC iPlayer – House of Lords – 9 May 2019

Daily Express – May 2019 – online version – [Hike in European consumers' complaints against UK traders](#)

Daily Express – June 2019 – online version – [Driver wins justice after Goldcar car hire deposit row](#)

Daily Mail – online version – I beat the car hire cowboys – June 2019

The Sunday Times – online version – [\(First a thief, then Europcar picked our pockets\)](#)

Good Housekeeping – September 2019 – [protection whilst on holiday](#)

Third Age Matters U3A magazine – autumn 2019 - Don't suffer in silence

BBC News – [Brexit, half-term, future of UK ECC](#) – October 2019

Britain's scam epidemic – Saga magazine online – November 2019

Cranfield and Marston Vale Chronicle – [Black Friday](#)

Britain's scam epidemic – Saga magazine online – November 2019

Thomas Cook collapse: [advice from the UK European Consumer Centre for UK holidaymakers](#) – Travel Daily News – 24 September 2019

[Cycling News](#) – 12 February 2019

[Ask the police website](#) – 28 March 2019

### UK European Consumer Centre – Delivered by the Chartered Trading Standards Institute

1 Sylvan Court, Sylvan Way,  
Southfields Business Park,  
Basilidon, Essex SS15 6TH

**Telephone:** 01268 886 690

**Email:** [eccnet-uk@ec.europa.eu](mailto:eccnet-uk@ec.europa.eu)

**Website:** [www.ukecc.net](http://www.ukecc.net)

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UK European Consumer Centre

Delivered by the Chartered Trading Standards Institute

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