

# CAN YOU SPOT A COWBOY?



## FENSA

### CONSUMER GUIDE TO COWBOYS

**If you are getting new windows or doors installed in to your home, it's hard to know if the company or the contractor is being reasonable in the services or the charges they are providing.**

According to Trading Standards, it is estimated that more than 106,000 complaints about rogue traders are logged every year. Disreputable companies carrying out substandard work wastes £1.5billion each year, as consumers have to fund the repairs to the damage they cause.

Rogue tradesmen are more commonly known as cowboys. They are people that carry out home improvement work without the necessary qualifications and experience. Cowboys take advantage of their customers, often over charging for services and causing damage to homes.

**This guide aims to show you how to protect yourself against cowboys in the glazing installation industry.**

**FENSA**



## Using a window installer registered with FENSA will help you to avoid falling victim to cowboy tradesmen.

FENSA stands for the Fenestration Self-Assessment scheme.

FENSA is a national, government authorised, self certification scheme for replacement double glazing window and door installers. This makes your window or door installation hassle free, as homeowners who use FENSA registered installers do not have to apply for approval from Local Authority Building Control. Furthermore, homeowners who use a FENSA registered installer will receive a certificate which acts as documentary evidence that the installation work has been self certified as complying with the Building Regulations, essential when it comes to the sale of your property.

The FENSA Building Regulation certificates can be incorporated into the Home Information Packs.

The FENSA standard is the industry standard for replacement window and door installers self-certifying compliance with the Building Regulations. FENSA maintains a register of installers that they continually assess to ensure compliance with the Building Regulation requirements, and the FENSA scheme rules.

The FENSA logo means regular assessment of installers. Enrolment with FENSA is voluntary, but window installers that are competent and conscientious about the service they offer would consider it a priority to register.

FENSA is the largest registration scheme for replacement window installers, giving homeowners a real choice of over 9000 registered business countrywide.

To find a FENSA registered installer in your area visit: [www.fensa.co.uk](http://www.fensa.co.uk)



FENSA REGISTERED BUSINESSES CAN BE RECOGNISED BY THEIR USE OF THE OFFICIAL FENSA LOGO.

# WHAT IS FENSA DOING TO COMBAT COWBOYS WITHIN THE GLAZING INDUSTRY?

- FENSA takes very seriously companies who mislead the public.
- When consumers and contractors submit a complaint to FENSA about an installer who is not registered with FENSA, the installer will be reported to the relevant Local Authority Building Control department. Other non compliant installations carried out by non FENSA Registered Businesses are also reported.
- Information about misuse of the FENSA logo is usually brought to FENSA's attention by consumers, FENSA registered installers or information received through [www.cowboystoppers.co.uk](http://www.cowboystoppers.co.uk).
- In the case of misuse of the FENSA logo (such as when an installer who is not registered with FENSA advertises that they are),

FENSA corresponds with the person who reported it, Trading Standards and the installer. FENSA notifies Trading Standards of any breach of the Trade Marks Act 1994 and Consumer Protection from Unfair Trading Regulations 2008, with a recommendation that legal action is taken. Attempts will be made to investigate the reason and cause for the complaint. If co-operation is received from the installer and the FENSA logo is removed immediately, Trading Standards may choose not to prosecute.

- FENSA set up the Cowboy Stoppers website [www.cowboystoppers.co.uk](http://www.cowboystoppers.co.uk). This website enables enquiring installers to register their concerns about another installer, anonymously, as well as containing useful information for consumers about how to spot a cowboy.







## SPOTTING THE COWBOYS

**Cowboy tradesmen are in the minority, however they are still out there. So how do you protect yourself? This list provides those all important tell-tale signs that the company you are dealing with may be disreputable.**

### **REFERENCES**

Cowboys will avoid providing details of previous jobs.

### **CONTRACT**

Cowboys will inevitably try to avoid any written agreements and may suggest that a contract is not needed.

### **CHEAP DEALS**

Cowboys may try to overwhelm you with cheap 'One day only' offers to make you part with cash upfront.

### **VAT**

Cowboys may offer you a VAT free deal for cash.

### **TIME FRAMES**

Cowboys may not agree on time frames or completion dates as 'things may crop up' that will change them.

### **COMPETITION**

Cowboys may be underhand and unfairly criticise their competitors.

### **PREMISES**

Cowboys may provide inadequate contact details such as just a mobile number. A reputable company should provide business cards with full details, names, registered business addresses & contact numbers.

### **START STRAIGHT AWAY**

Cowboys generally say they are able to start straight away. Good glazers or builders are often unable to start straight away as most are in constant demand.

### **GIVING CONFIDENCE**

Cowboys may not understand the Building Regulations or keep themselves up to date with any changes to the law, building regulations or latest industry developments. If your installer does not give you the confidence that they are knowledgeable, then you might be correct.

# FINDING A REPUTABLE TRADESMAN

Knowing what to look out for will make you less likely to fall victim to the cowboy tradesman.

## A LIST OF DO'S AND DON'TS

### DO....

#### DO SHOP AROUND

Obtain at least three quotes (estimates) and a works specification from each tradesman to make a fair comparison. Remember the cheapest contractor is not necessarily the best.

#### DO INFORM YOURSELF

Remember the more knowledgeable you are of the job and what it entails, the less likely you are to get ripped off. A 'cowboy' can easily spot a novice and may try to confuse you with industry jargon. Search on the internet and check out the websites of trade schemes which will provide lots of information. A list of reputable trade schemes is provided at the end of this leaflet.

#### DO CHECK THE CREDENTIALS OF A COMPANY CLAIMING REGISTRATION OR MEMBERSHIP WITH A TRADE SCHEME OR BODY

Telephone the trade scheme or body to verify that the contractor is registered. Alternatively check on the trade scheme's website.

#### DO USE REFERRALS FROM FAMILY AND FRIENDS

Gain recommendations from family members and friends you can trust and that have had similar work carried out. Remember someone who can lay a new drive may not be the right person to install your new glazing.

#### DO AGREE THINGS BEFORE HAND

Always get a written estimate and contract covering the work, the price, the payment arrangements and the time frame before the job starts. This avoids confusion later down the line.

#### DO INSURE THAT ALL MATERIALS ARE INCLUDED IN THE QUOTATION.

Including the exact materials and make of product you specifically requested to be installed.

#### DO BE EXTREMELY CAUTIOUS

Be cautious of doorstep vendors, those who claim you need immediate work carried out and companies that offer the job VAT free.

#### DO CONTACT FENSA FOR GLAZING INSTALLERS

Do search for an installer registered with **FENSA** [www.fensa.org.uk](http://www.fensa.org.uk), or a similar body using the Yellow Pages or Thomson Local directory.

#### DO TALK TO YOUR INSTALLER

It is important to maintain communication with your installer throughout the installation. Discuss any problems as they arise whilst work is in progress.

#### DO MAKE SURE YOUR GLAZING INSTALLATION HAS BEEN APPROVED UNDER THE BUILDING REGULATIONS

Since April 2002, anyone who installs replacement windows or doors must comply with current thermal performance standards and attain a certificate of compliance from a self-certification scheme such as **FENSA** or Local Authority Building Control. **FENSA** enables companies that install replacement windows and doors to self certify compliance under these Building Regulations.



### DON'T....

#### DON'T FORGET TO FOLLOW UP REFERENCES.

While it's important to ask for references, it's more important to follow them up.

#### DON'T USE AN INSTALLER WHO ISN'T REGISTERED WITH FENSA

**FENSA** Registered Businesses can self certify compliance with the Building Regulations. They are assessed regularly to ensure standards are being maintained.

#### DON'T PAY THE WHOLE AMOUNT UPFRONT

If you pay a large deposit or the whole amount upfront there is a risk that the contractor may leave the job before carrying out the works. However, if you have to and the goods cost more than £100, try to pay by credit card. That way, you can claim against the credit card company if anything should go wrong. Also, never pay the entire bill unless you are completely happy with the work.

#### DON'T FORGET TO ASK ABOUT INSURANCE.

The installer should have insurance which covers damage to your property and your neighbours. Any reputable company offers its own guarantee. **FENSA**'s Registered Businesses are required to have in place for their customers the two categories of insurance stated below. It is a government requirement that companies must have this insurance in place.

##### Deposit Indemnity

If **FENSA** Registered Businesses take deposits in advance of installations, they must give some form of deposit indemnity. Deposits may be guaranteed by, for example, trade associations, Deposit Indemnity schemes, or credit card protection.

##### Guarantee Insurance

A **FENSA** Registered Business must also offer or give a guarantee or warranty covering the cost of completing rectification work in respect of defects in the event of the installer ceasing to trade, through an independent insurance provider.



## KNOWING YOUR RIGHTS

Some consumers are unaware of their legal rights and obligations when purchasing goods or hiring services.

You should know that regardless of whether there is a written agreement between yourself and the contractor (although you should still always insist on written paperwork), you still have basic rights.

When you buy goods or services you are covered by the normal consumer protection laws, for goods, the Sale of Goods Act 1979 (as amended), and for services, the Supply of Goods and Services Act 1982 (as amended) under which you can expect the work or goods to be:

- **Fit for purpose, carried out with reasonable skill and of a satisfactory quality**
- **Finished within a sensible time frame (unless a completion date has been agreed)**
- **Provided at a realistic cost, even if you didn't agree a specific price in writing first, although it's always advisable to agree the cost of all works in advance**

## MAKING A COMPLAINT

**It is important to discuss any issues you have with your new window installation as soon as they arise. This gives the installer a chance to put them right. If that does not work, follow the following steps:**

### **PUT YOUR COMPLAINT IN WRITING TO HEAD OFFICE**

Giving them a suitable deadline for the works to be rectified or carried out. Send all mail by recorded or special delivery so there can be no dispute about it having been received.

### **CONSIDER PAYING AN EXPERT TO BACK UP YOUR COMPLAINT IF YOU DECIDE TO TAKE THE INSTALLER TO COURT**

Any reputable trader with relevant experience can count as an expert. Claims not exceeding £5,000 will normally be allocated to the small claims track. Claims between £5,000 and £15,000 will generally be allocated to the fast track County Court procedure.

### **CONSIDER HOLDING PART OF THE PAYMENT**

Be careful if you have a credit agreement as there could be complications if you fall behind with payments.

### **CONTACT THE RELEVANT TRADE ORGANISATION, IF UNABLE TO RESOLVE THE SITUATION WITH THE INSTALLER**

If you are unable to resolve the situation with your installer directly, then contact the trade scheme or body that the installer is registered with or a member of. An arbitration or conciliation scheme may be available to settle your dispute.



**FENSA**



## USEFUL CONTACTS

### FENSA

#### Fenestration Self Assessment Scheme

[www.fensa.org.uk](http://www.fensa.org.uk)

### TRADE ASSOCIATIONS AND TRADE SCHEMES

#### Glass and Glazing Federation (GGF)

T: 0870 042 4255

[www.ggf.org.uk](http://www.ggf.org.uk)

#### British Fenestration Rating Council (BFRC)

T: 020 7403 9200

[www.bfrc.org](http://www.bfrc.org)

#### British Plastics Federation (BPF)

T: 020 7457 5000

[www.bpf.co.uk](http://www.bpf.co.uk)

#### British Woodworking Federation (BWF)

T: 0870 458 6939

[www.bwf.org.uk](http://www.bwf.org.uk)

#### Competent Persons Schemes

[www.competentperson.co.uk](http://www.competentperson.co.uk)

#### Consumer Protection Association (CPA)

T: 01462 850064

[www.thecpa.co.uk](http://www.thecpa.co.uk)

#### Council for Aluminium in Building (CAB)

T: 01453 828851

[www.c-a-b.org.uk](http://www.c-a-b.org.uk)

#### National Federation of Glaziers (NFG)

T: 020 7740 3099

[www.nfogl.org.uk](http://www.nfogl.org.uk)

#### Steel Window Association (SWA)

T: 020 7637 3571

[www.steel-window-association.co.uk](http://www.steel-window-association.co.uk)

#### TrustMark

[www.trustmark.org.uk](http://www.trustmark.org.uk)

T: 0870 163 7373

### OTHERS

#### Citizens Advice Bureau

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Free information and legal advice. You can obtain the telephone number of your CAB office standards office from your telephone directory or online.

#### Consumer Direct

T: 08454 04 05 06

[www.consumerdirect.gov.uk](http://www.consumerdirect.gov.uk)

Government-funded telephone and online service offering information and advice on consumer issues.

#### Cowboy Stoppers Website

[www.cowboystoppers.co.uk](http://www.cowboystoppers.co.uk)

Report a cowboy installer anonymously

#### Department for Communities and Local Government (CLG)

Info on Building Regulations

T: 020 7944 4400

[www.communities.gov.uk](http://www.communities.gov.uk)

#### GGFi

T: 0870 850 8281

[www.ggfi.org.uk](http://www.ggfi.org.uk)

Insurance Provider specialising in the window and door market

#### Local Authority Building Control (LABC)

T: 0844 561 6136

[www.labc.co.uk](http://www.labc.co.uk)

You can also contact your local council for details of your Local Building Control department

#### Trading Standards

[www.tradingstandards.gov.uk](http://www.tradingstandards.gov.uk)

You can obtain the telephone number of your local trading standards office from your local council.

