

# Annual Plan 2011-12

June 2011



# Chair's Foreword



In common with other publicly funded organisations, Consumer Focus Scotland has to operate with less resource. We have therefore targeted our work for this year on those areas of detriment where we judge that we are in the best place to advocate on behalf of consumers, or where our particular involvement will help achieve the necessary benefits for consumers in Scotland. Many of these projects will further develop work we have done in previous years, and overall they add up to a significant programme for protecting and enhancing the consumer interest in Scotland, with a particular focus on those facing disadvantage.

Cuts in public spending mean tougher and uncertain times ahead for consumers in both public services and private markets. Those who are most vulnerable and disadvantaged are the most dependent on public services and most in need of help and protection in essential markets such as energy, postal services, legal services and digital communications. And uncertainty also remains over the future of Consumer Focus Scotland, following the UK Government's announcement in October 2010 that, as part of its review of the consumer landscape, it intends to abolish Consumer Focus and transfer its functions and responsibilities to Citizens Advice and Citizens Advice Scotland.

However, the UK Government has specifically indicated that alternative arrangements may be put in place for Scotland and Wales. The previous Scottish Government established a short-term working group made up of stakeholder organisations to consider the optimum arrangements for delivering consumer advocacy and enforcement services in Scotland. The group published its report to Scottish Ministers in March 2011. The report may be used by the new Scottish Government in its discussions with the UK Government as to the shape of the future consumer landscape in Scotland.

Against this challenging background, we will continue to work to achieve positive outcomes for consumers across a range of markets and public services. Our plan for 2011/12, agreed after consultation with our stakeholders and partners, sets out our priorities.

A handwritten signature in black ink that reads "Douglas Sinclair". The signature is written in a cursive style.

**Douglas Sinclair**

**Chair, Consumer Focus Scotland**

# About Consumer Focus Scotland

## Who we are

Consumer Focus Scotland is Scotland's independent consumer champion, formed in 2008 from the merger of the Scottish Consumer Council, energywatch Scotland and Postwatch Scotland. We are rooted in over 30 years of work promoting the interests of consumers, particularly those who are the most disadvantaged. We are part of Consumer Focus, which has a remit across Great Britain, and work closely with our colleagues in Consumer Focus, Consumer Focus Wales and Consumer Focus Post (Northern Ireland).

## Our powers

We were created through the Consumers, Estate Agents and Redress (CEAR) Act 2007, which sets out the three core functions of Consumer Focus:

- **Representation** – Consumer Focus may provide advice and information, make proposals and represent the views of consumers to ministers, regulators, European Institutions and any other relevant person.
- **Research** – Consumer Focus may obtain information about consumer matters and consumers' views on those matters.
- **Information-** Consumer Focus may facilitate the dissemination of advice and information to consumers.

Consumer Focus Scotland exercises all of these functions on behalf of Consumer Focus in relation to Scotland.

Consumer Focus has strong legislative powers, most of which Consumer Focus Scotland can also exercise in relation to Scotland.

These include the right to investigate **any** consumer complaint which is of wider interest, the right to open up information from providers, the power to conduct research and the ability to make an official super-complaint about failing services.

We also have specific statutory responsibilities with regard to the energy and post sectors, and we will gain statutory responsibilities with regard to the water industry in Scotland in summer 2011.

## What we do

We work to secure a fair deal for consumers across nearly every aspect of their lives by promoting fairer markets; greater value for money; improved customer services; and more responsive public services. We represent consumers of all kinds: tenants; householders; patients; parents; energy users; solicitors' clients; postal users; and shoppers.

We tackle the issues that matter to consumers, and give people a stronger voice. We don't just draw attention to problems - we work with consumers and with a range of organisations to find effective solutions and achieve outcomes that make a difference to consumers' lives.

## Achieving impacts for consumers

We and our predecessor bodies - the Scottish Consumer Council, energywatch Scotland and Postwatch Scotland - have a long track record of influencing change and shaping policy to reflect the needs of consumers. We do this in an informed way based on the evidence we gather through research and our unique knowledge of consumer issues.

Among its many achievements, Consumer Focus Scotland has either delivered or contributed to the following impacts for consumers in Scotland:

- new legal protections for home owners facing repossession with the introduction of the Home Owner and Debtor Protection (Scotland) Act
- the report of the Civil Courts Review, which proposed significant reform of the civil court system aimed at increasing access to justice
- improved understanding of the issues faced by consumers switching to digital TV through our Digital Diaries research in the Scottish Borders
- a duty on scrutiny bodies to continuously improve user focus being included in the Public Services Reform (Scotland) Act
- establishing the Extra Help Unit to provide casework advocacy to over 17,000 vulnerable consumers in energy and post across Great Britain and recovering £1.9 million for them
- the publication of a guide on the social model of disability
- ensuring disadvantaged consumers are at the heart of Scottish Government food and health policy formulation and delivery
- making it easier for people to choose a healthy option when they eat, with 1200 food outlets now holding our healthyliving award
- the development of the £1m Post Office Diversification Fund for Scotland
- an innovative DVD and online guide to NHS Scotland services providing information for patients in 17 languages, including Gaelic and British Sign Language
- the introduction of the Home Report, leading to greater certainty and better upfront information for consumers buying or a selling a home in Scotland
- a stronger voice for parents with the establishment of the National Parents' Forum
- improving consumers' awareness and understanding of their rights through our guides on tenement repairs; buying and selling a home; energy supply in rented properties; education law; and the legal system of Scotland.

## Our consumer network

Our network of over 480 consumer volunteers will also continue to be our 'eyes and ears' on the ground across the country. The network has two main aims: to help keep us in touch with the concerns of consumers across Scotland, and to help us research and monitor how markets and services impact on consumers at a local level. For more detail about the Consumer Network, please visit:

<http://www.consumerfocus.org.uk/scotland/consumer-network>

## Extra Help Unit (EHU)

The Consumer Focus Extra Help Unit, based in Glasgow and managed by Consumer Focus Scotland, supports vulnerable consumers across Great Britain with their energy and postal complaints. Consumer Focus has a statutory duty to investigate cases where a consumer has been disconnected, is threatened with disconnection, or has experienced a failure with a prepayment meter. We also have powers to investigate cases where the consumer is vulnerable and unable to pursue the complaint for themselves. Consumers must be referred to the EHU through agreed channels including Consumer Direct, Ofgem, the Energy Ombudsman and parliamentarians.

## Scottish Government funded national development projects

Consumer Focus Scotland hosts and manages four Scottish Government funded national development projects. Each of the four projects has its own detailed business plan for 2011/12. Further information is available on each project's website as detailed below or by calling 0141 226 5261.

## Community Food and Health (Scotland) (CFHS)

CFHS is tasked by the Scottish Government to promote a national, strategic focus on low-income communities facing barriers (availability, affordability, culture, skills) to accessing a healthy diet.



<http://www.communityfoodandhealth.org.uk/>

## Health Rights Information Scotland (HRIS)

HRIS aims to produce nationally relevant patient information, focusing on patients' health rights and the health services that are available from the NHS. The information produced by HRIS is made available to NHS organisations across Scotland.



<http://www.hris.org.uk/>

## healthyliving award (HLA)

The healthyliving award aims to make it easier for people to know where to go for and how to recognise and select healthier food when eating out. The award recognises an organisation-wide commitment to provide and support healthier eating.

<http://www.healthylivingaward.co.uk/>



## Scottish Accessible Information Forum (SAIF)

SAIF promotes and provides guidance on the provision of accessible information to disabled people and their carers.

<http://www.saifscotland.org.uk/>



## Governance and accountability

Our work is overseen by the Board of Consumer Focus Scotland. Members of the Board are recruited through the public appointments process. They are appointed by the Secretary of State, in consultation with Scottish Ministers and the Chairs of Consumer Focus and Consumer Focus Scotland. As part of Consumer Focus, Consumer Focus Scotland is directly accountable to UK Government and the UK Parliament.

# Our priorities for 2011-12

## For consumers of energy

Access to affordable energy for heating, lighting and household appliances is essential to maintain a good quality of life for consumers in Scotland. Energy prices have risen in recent years, and this upward trend is expected to continue. People on lower incomes use a higher proportion of that income than others to pay for fuel and therefore stand to gain most from lower bills. Households which spend more than 10% of their income on fuel are said to be in fuel poverty, and in Scotland this applies to over three-quarters of a million households. There is increasing emphasis on energy efficiency as part of the solution to high energy costs, fuel poverty and climate change. We aim to ensure that energy consumers have access to the services they need, with a particular focus on the needs of disadvantaged consumers. We also work to ensure that the consumer voice is heard in the debate on the role of energy and renewables in Scotland's economy.



Our priorities are:

- delivering Phase 2 of the Energy Best Deal Scotland (EBDS) campaign, in partnership with Ofgem, Money Advice Scotland and Citizens Advice Scotland. In 2010/11, with support from Ofgem, we delivered the first phase of the campaign, which centred on the delivery of energy training for frontline advisers to allow them to support and empower disadvantaged energy consumers to switch energy tariff /supplier successfully and reduce their fuel bills. In total, some 325 advisers took part in over 30 events. The training was extremely successful, and this year we will continue to deliver face to face training through Money Advice Scotland and Citizens Advice Scotland. We will also take forward and widen the impact of EBDS by embedding switching in mainstream energy advice programmes, working with partners on specific initiatives and promoting a web-based version of the training.
- research into the experiences of consumers in Scotland who are not connected to mains gas services. We will use the research findings as the basis of a policy report with recommendations to both UK and Scottish governments. Our aim will be to help ensure such consumers have better access to cheaper fuel.
- following up our February 2011 discussion paper *Energy efficiency in private housing – the consumer interest in Scotland*, by working with stakeholders and with the Scottish Government to consider how best to introduce a new regulatory framework for energy efficiency in private housing to bring about the urgent improvements that are needed without imposing regressive cost burdens on tenants or homeowners.

- developing a coherent strategy and delivery plan for our energy policy agenda in 2011-13, with the aim of ensuring that the consumer voice is heard and taken into account in the development of UK and Scottish Government policy. This will take forward the wide range of policy recommendations contained in a range of reports published by us in 2010/11 on energy issues including fuel poverty, energy efficiency, switching, microgeneration, and energy efficiency in housing.

## **For consumers of postal services and post offices**

Effective postal services and a thriving post office network play a crucial role in bringing people together and providing access to many important services. Postal services and the post office network have a strong social function in Scotland, particularly in remote rural and island areas and in deprived urban communities. We work closely with our Consumer Focus colleagues across the UK to ensure that postal services customers in Scotland get a fair deal. We seek to identify issues of particular interest and concern for postal customers in Scotland, and work with Royal Mail, Post Office Limited, other postal services providers, and a wide range of stakeholders to promote improvements to services for the benefit of consumers.



Our priorities are:

- taking forward the findings of our recent research mapping the provision of local government services in Scottish post offices, with the aim of increasing the range and availability of government services delivered through post offices, leading to improved access to services for consumers and a more sustainable post office network in Scotland.
- continuing our ongoing work to monitor and investigate issues in respect of the quality of service provided to consumers by Post Office Limited and by mail delivery providers in Scotland.
- continuing our work, in conjunction with our Consumer Focus colleagues, in relation to the impact of the Postal Services Bill to ensure that the best possible outcomes are achieved for consumers in Scotland, in relation to both post offices and mail services.
- carrying out work on the Royal Mail modernisation programme as it is rolled out across the country, to ensure that consumers are informed about this process and the disruption to their mail service is minimised.
- building on the parcel delivery briefing paper which we published in 2010, undertake further work on the enquiry office network in Scotland and consumers' experiences of collecting mail which they are not at home to receive, with the aim of improving consumers' access to better quality services.

## For consumers of digital services

The digital and telecommunications markets have become essential features of life in Scotland, offering intrinsic benefits as well as improved access to a wide range of markets and public services. Technologies such as broadband and mobile phones are no longer a luxury but are a necessity for full participation in society. The public sector in Scotland is already looking to new technology as a mechanism for delivering services more efficiently and effectively, and this is likely to be a growing issue in the years ahead. The Scottish Government's digital strategy, published in March 2011, set out its vision for increased delivery of public services, the digital economy, digital participation and broadband connectivity.



Our priority is:

- taking forward the recommendations of our strategic policy paper on consumers and digital issues, due to be published in summer 2011. We will aim to influence the direction of future policy in this area to ensure that consumers throughout Scotland have improved access to digital technologies, together with the skills, confidence and capability to use those technologies to access the full range of public services and private markets.

## For consumers of public services

One of the major issues for consumers of public services in 2011-12 will be ensuring that they are involved in decision-making by public authorities on service delivery. As the recession continues to impact on public sector budgets, it is even more important to ensure that consumers are involved in decisions about the services they use, and that those services are focused on their needs.



Our priorities are:

- continuing to advocate best practice in consumer engagement to public service providers, supporting and encouraging them to carry out high quality engagement with consumers. This work will build on our 2010-11 report on best practice consumer engagement in public services.
- continuing to work on ensuring that consumers are put at the heart of public services, particularly those who are most disadvantaged and disenfranchised, on whom the recession and spending cuts may have the greatest impact. We will continue to work with stakeholders and service providers to explore how well public services are meeting the needs of consumers, how well scrutiny bodies are adhering to their new statutory

duties on user focus, and to what extent complaints systems for public services are fit-for-purpose. We will continue to advocate our view that user focus should be embedded within the existing Best Value regime, by revising the Best Value Guidance to include the seven tests of user focus developed by us.

## For consumers of water

In summer 2011, under the provisions of the Public Service Reform (Scotland) Act 2010, Waterwatch Scotland, the consumer advocacy body for water in Scotland will be dissolved, and its functions transferred to Consumer Focus Scotland. These functions include a range of statutory powers and duties.



Our priorities will be:

- delivering, at transfer, on our new statutory functions.
- working with stakeholders to shape our policy priorities and draw up a strategy for the way forward.
- embarking on a new programme of research and policy development on the big consumer issues in the water industry.

## For consumers of legal services and housing

Consumers enter situations which have legal implications every day, whether they are buying something from a shop, entering into a contract for goods or services, using public services, buying or renting a home, getting married or having children, starting a new job, or taking out a loan. We aim to ensure that all consumers know their rights, have the confidence and skills to assert these, have access to appropriate legal and advice services and are able to access justice if and when the need arises.



The quality of the housing people live in has a major impact on every aspect of their lives, including the extent to which they may need other services. Buying or renting a home is also one of the most expensive and significant transactions most of us will enter into. It is therefore important that consumers' rights and interests in relation to housing are promoted and protected.

Our priorities are:

- developing a plan for delivering a public legal education strategy for Scotland, aimed at equipping consumers with the knowledge and skills they need to deal with their legal problems, and setting out possible

practical options for taking this forward. This will build on our previous work in this area and on the recommendations of the Civil Justice Advisory Group report, which we published in January 2011. It will also have close links to our work across other policy areas, including public services and housing.

- taking forward the practical recommendations of the report of the Civil Justice Advisory Group, published by Consumer Focus Scotland in January 2011, in anticipation of future civil justice reform legislation. The Group's recommendations were designed to ensure that consumers have access to appropriate, affordable and fair dispute resolution processes.
- producing, launching and distributing credit card sized shoppers' rights and responsibilities cards to consumers, through a range of locations, including retailers, libraries, Citizens Advice Bureaux, trading standards departments and community shops. This initiative, which has the support of the Scottish Retail Consortium, Citizens' Advice Scotland and the Office of Fair Trading, is designed to raise consumers' awareness about their rights and responsibilities and empower them to act on these.
- building on our previous work, and on our recent consumer research with those who live on estates managed by land owning land management companies, we will respond to the Scottish Government's consultation on improving choice and accountability for consumers of land maintenance services.

## For older consumers

While in many respects, older consumers are little different to those in other age groups, they do have particular needs and some may become vulnerable as they become older. They may, for example, have particular health, care or nutritional needs. This year, we will take forward existing work on issues which are of particular interest to older people, in partnership with other organisations with a particular interest in the needs of older people.

Our priorities are:

- taking forward the findings of our innovative research into the preferences of people currently in their 50s and 60s for the kind of care and support they would like to be available to them if or when they are no longer able to live independently, which we expect to publish in summer 2011. This research aims to provide an evidence base which will influence policy and service provision in this area in the future. This should help to ensure that a greater range of options and choices are available in the future for older people in need of support for independent living, based on evidence of what people want.



- taking forward the findings of our current research into the availability of food services for older people living in the community, which we expect to publish in summer 2011. We will work together with Community Food and Health (Scotland) and relevant stakeholders including the Scottish Government, COSLA, Food Standards Agency in Scotland and Age Scotland to consider ways of ensuring the availability of improved food services for older people in Scotland, focusing on their needs and preferences.



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