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**MONEY BOX LIVE**

**Presenter: PAUL LEWIS**

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**LEWIS:** Hello. The banks are not dealing well with the 2 million complaints a year which customers make to them. That's the key message from a report out this morning from the Financial Services Authority. Five banks have been forced to introduce major changes in the way they handle complaints, and two of those five could be fined for their failings. Today's Money Box Live answers your questions about making a complaint about any financial service. Altogether we make about 3 million of them a year. Last week, of course, we reported on people whose flights were delayed after the volcanic eruption in Iceland. Many of those people are wondering what compensation they're entitled to and how to get it. There's little point of course in making a complaint if it doesn't result in you getting what you think you're entitled to, so we'll be considering what you can complain about, how to make that complaint, and what redress or compensation you might expect; and of course what to do if all else fails. So if you've been trying to get a bank or insurance company or a credit card provider or indeed a shop to treat you fairly, as they should, or you have a complaint about money back from a shop or a holiday, why not call Money Box Live now? The number is 03700 100 444. With me today to answer your questions about complaining are David Cresswell from the Financial Ombudsman Service. It's expecting to resolve more than 200,000 complaints about financial firms this year. Andy Foster is Operations Director at the Trading Standards Institute, which makes sure or tries to make sure that traders tell us the truth about what they offer. And also here is Mel Stein, a lawyer, author of the book 'How to Complain'. And probably not too much to say he's an experienced, almost a professional complainer. And our first question is from Rosemary in Wimbledon. Rosemary, your question?

**ROSEMARY:** Hi, thanks for taking my call. Very quickly, we purchased a kitchen and signed a contract with Maben Kitchens in October, in fact earlier - summer really 09 - and really to date, 7 months later, it's still not completed. Now we are pursuing a complaint through the Furniture Ombudsman with very little progress there. But as we're paying under a finance agreement with Hitachi Capital, I just really wondered what pressure could be brought to bear on Maben maybe by using that avenue? What are their obligations? And also my point really is that we are continuing you know to pay monthly ...

**LEWIS:** To pay for something you don't have?

**ROSEMARY:** Exactly, exactly.

**LEWIS:** Right, okay, well I think that will probably cover all three of our guests. They'll have something to say on that. So let's start with Andy Foster of Trading Standards. What are the basic rights when you buy something that doesn't happen?

**FOSTER:** Okay, the contract that's formed when you contract with a kitchen company like this is effectively covered by the Sales of Goods and Services Act. So the goods themselves must be of satisfactory quality, and then there's a service element to it which says that all reasonable skill and care must be carried out by the company installing it. Here we have another issue where you're paying to a finance company. My advice would be to continue paying to the finance company, otherwise you could be in trouble with the finance company there. But we have an issue here where the contract's not been completed, so my advice would be to write to Maben Kitchens, to ask them to what we call 'make time of the essence'. So put a letter in writing. State that you want to make 'time of the essence' and give them say 14 days to give you an indication of how they intend to resolve it. Send a copy to the finance company because they could be jointly liable as well under Section 75 of the Consumer Credit Act, and wait for the response.

**LEWIS:** And writing's always better, I suppose, than just ringing up and having a go at them?

**FOSTER:** Yeah. Well I mean I would always ring first. If it's a local shop, go and see them in person. It sort of builds up some kind of trust. But writing is absolutely essential, particularly if you find yourself in dispute later down the line. Send it recorded delivery and keep a copy.

**LEWIS:** So a sort of joint liability of the two. David Cresswell from the Financial Ombudsman, you're not the Furniture Ombudsman service. I'd never heard of the Furniture Ombudsman till Rosemary mentioned it.

**CRESSWELL:** There is indeed a Furniture Ombudsman. It's completely separate from the Financial Ombudsman Service. And as I understand it, the Furniture Ombudsman, a proper accredited ombudsman, she is looking at the quality of goods, the quality of the furniture - sofas, beds. But I think Rosemary's problem here is really interesting because it shows the big challenge a lot of customers have got in trying to separate out what actually their problem is and how do they deal with it. On the one hand, she has got a kitchen that isn't completed and it might sound as though she should just pursue the kitchen manufacturer. But because she's paying for finance, that's a completely separate company that she can pursue because in law if you're providing finance, you've got to have authority to do that in law and then you're covered by the Ombudsman if something goes wrong.

**LEWIS:** But something goes wrong with what you've bought rather than the finance itself?

**CRESSWELL:** That's right because under the Consumer Credit Act, the person who lends you the money to buy the goods is equally liable if there's a breach of contract or misrepresentation. Not getting the kitchen is a breach of contract.

**LEWIS:** This is the Section 75 that we often talk about if you pay on a credit card. It's the same if you've taken out a loan, is it?

**CRESSWELL:** That's right.

**LEWIS:** So it's got to be between £100 and £30,000, which I imagine your kitchen is,

Rosemary?

**ROSEMARY:** It is indeed, yes.

**LEWIS:** So have you thought of using that route - of complaining you know through the Financial Ombudsman perhaps, through that channel?

**ROSEMARY:** That is actually really the root of my frustration because, as you rightly say, the furniture aspect is slightly different. But it's the grievance of you know being told that we will be in breach of our agreement if we were to stop paying, but yet we feel one shouldn't be paying for something that one doesn't have.

**LEWIS:** Sure. But, but a letter to ...

**ROSEMARY:** But I will certainly pursue that avenue.

**LEWIS:** A letter to the finance company saying you're liable for this, get it sorted out, might do a lot of good.

**ROSEMARY:** Yeah, exactly.

**LEWIS:** Mel Stein is itching to get in. How does she cut through this Gordian knot, Mel?

**STEIN:** Well I just like the idea of this Furniture Ombudsman. I wonder if it's got a chairman of the organisation. (*Rosemary laughs*)

**LEWIS:** Leave the jokes to me, Mel. (*laughs*)

**STEIN:** Sorry about that. I think you should perhaps take a more pragmatic and practical approach and start dealing with Maben. And you're saying you haven't got a kitchen, you can't cook, so go ...

**ROSEMARY:** *(over)* Well we have. I don't want to go down that route.

**STEIN:** Oh, oh!

**ROSEMARY:** We have of course dealt with them, but it was really the frustration of nothing from them that prompted me down you know the other avenue.

**STEIN:** Yes because I'd be saying well go out and buy yourself some meals and send Maben some of the bills for those meals saying I can't prepare them.

**ROSEMARY:** Exactly, exactly.

**LEWIS:** Are you seriously saying that would be a way out of it?

**STEIN:** I'm genuine. I'd be writing to the Chairman of Maben, telling him exactly what's gone on, and enclosing him copies of restaurant bills and saying look, this is what I've had to do. I've had to entertain people out because I can't make meals at home.

**LEWIS:** Yes. I must say I have used that technique of actually going to the annual report of the company that I've got a problem with, finding out the name of the chief executive or the chairman, finding the office, and then either faxing or writing a personal letter to them. And even if they don't deal with it, it gets into the fast track in the complaints procedure. Andy, you wanted to add something very briefly, I think.

**FOSTER:** Yeah, it just occurs to me that you know ombudsman schemes don't always work for every type of dispute, and if the personal touch to the chairman doesn't work, Rosemary I think it's time to formalise the contract you have. Civil law is silent on how soon this kitchen should be delivered, how goods should be delivered, so it's time to formalise that by you stating a term that it should be of 'time of the essence'. State a time that's reasonable to you and then come back to Trading Standards if you're not happy.

**LEWIS:** So say 7 months is far too long. We want this kitchen by the end of August say?

**FOSTER:** Absolutely within her rights to do that.

**ROSEMARY:** Yes, set a deadline.

**LEWIS:** Set a deadline. Okay, Rosemary, some useful tips. Quite a bit of work for you to do, I'm afraid, but I hope that's helpful. Mike now from Worthing. Mike, your question?

**MIKE:** Hello. Yes, it's about a letter I received about two or three weeks ago from Santander ...

**LEWIS:** Right.

**MIKE:** ... with important information about our joint account with my name and my ex-wife's name on it at my address. I haven't got an account with them. She has got an Alliance & Leicester account, and they seem to have joined us together again.

**LEWIS:** Yes of course Alliance & Leicester is now becoming part of Santander, it is part of Santander and is going to take their name quite soon, so that may have been the cause of this. So have you tried complaining about this?

**MIKE:** Yes. I finally managed to get through yesterday after over 20 minutes on the telephone, using the number on the letter, which apparently isn't the number I should have rang, so they gave me another number. So I rang that number, which is an 0845 number. They said it's the wrong number, gave me an 0844 number, who very kindly referred me back to the number in the letter.

**LEWIS:** Right, yes this is known as passing people around, I think, to try and put them off complaining. Mel Stein, how do you cut through that?

**STEIN:** Well it's very close to home because I've also had terrible problems with Alliance & Leicester and Santander just in trying to extract a new cheque book out of them, and I've found out effectively what you're doing is you're phoning a call centre and call centres are an

absolute nightmare because you really can't get satisfaction from a call centre. Even if you ask to speak to managers, there's a script that they follow. I don't know what you do for a living, but obviously you're wasting time with them, and certainly one of the things you should be doing is ... I similarly, like you, got letters from Santander, from their Chief Financial Officer telling me that it was going to be a brave, new world now that they were in charge. And of course it wasn't, so I've been writing to him. I'm not sure I'm writing to him in his first language because it's Spanish because I haven't had a reply. But you should be writing as well and you should also be charging your time on this because you're wasting a lot of time on it. I don't know whether you've got a good relationship with your ex as well, but they've certainly breached her data protection by actually advising you that she's got an account with them.

**LEWIS:** So that's quite a strong line to take because that's a crime to breach the data protection laws, which they can be fined for. What have you said to them, Mike?

**MIKE:** Well what I have said is well it doesn't really affect me because I haven't got any accounts with you, but when my ex-wife is back - she's on a course at the moment - when she's back, I'm going to hand this over to her and say I've tried to sort it out, but you've got the Alliance & Leicester account. Do you want to really keep your money with them because they've sent me details about you.

**LEWIS:** She's going to be pretty annoyed. Okay, well you're at the start of this problem and I think that there are time limits. And we've certainly had an email about that from Frances who says: 'Is there a time limit for initiating a complaint?' She's actually talking about one that was in the distant past. But David Cresswell, once a bank hasn't given you a response within a certain time, you can then take it to the Ombudsman, can't you?

**CRESSWELL:** That's right. From the point you first raise your complaint with the bank - whether it's over the phone or whether it's in writing - the bank has just 8 weeks to sort things out for you. And that's at any stage within the bank, right up to its head office. At 8 weeks, either it's got to have sorted it out or it's got to have told you that in law you can come straight to the Ombudsman. There is another key time, a deadline in complaints though - and this is pretty much coming from law, so it's right across the complaints theme - and that's

broadly speaking that you need to have complained within 3 years of when you realised there was a problem.

**LEWIS:** Oh right. So Frances has emailed, just to go back to that. She says, 'I want to complain to NatWest about events covering December 07 to September 08.' She could actually still put in a complaint, and if it wasn't resolved she could come to the Ombudsman?

**CRESSWELL:** That's right, yes.

**LEWIS:** Okay. And after 8 weeks, if the company hasn't responded, you can go to the Ombudsman?

**CRESSWELL:** That's right. In fact in about 40% of complaints to the Ombudsman, which we take on as valid grievances, the business hasn't actually formally dealt with a complaint within that 8 week period.

**LEWIS:** Right. I have to say though that once it's get to you, it can take quite a long time, can't it David? I've got the figures here and some of your cases take more than a year.

**CRESSWELL:** Around 4 out of 10 cases, we are able to deal with within 3 months, and about two thirds within 6 months. But you're right, it's not as quick as we'd like. Largely that's because in the last few years every time we set out to deal with the number of complaints we think we're going to get, it's been about 20 to 30% more than that that we've actually got. But we've put a lot more resource in now and next year we're hoping to be able to deal with half of complaints within 3 months.

**LEWIS:** Yes and I know you're doubling your size, aren't you, because of all the complaints you're getting? Andy, briefly?

**FOSTER:** Yeah, I just wanted to inform your listeners, while we're talking about time limits, about general contract law time limits. You have 6 years in which to file a complaint for breach of contract. So you've commissioned a builder to come and build an extension. It's

started to crumble down after 5 years. You may think well it was so long ago, I can't do anything about it, but actually you can initiate a claim within 6 years of that.

**LEWIS:** Right, that's useful to know. And there's another email here, which I'll just take before moving onto our next call. Mike, I hope that has answered your question. I think the key thing for your ex-wife is tell her when you started this complaint, and then within 8 weeks of that there should be some resolution. Otherwise go to the Ombudsman. And just another email about just not replying. Peter emails us from Chesham. 'What about companies that simply don't respond, don't return calls when they say they will, make you pay online per minute while you're making a complaint, lose documents and then refuse to proceed without the originals which they've already had?' Mel, what can you do in those cases?

**STEIN:** Well you have to keep complaining. I think a lot of people just give up and that's fatal. You've just got to persist and persist. And I've got friends who say, "I can't believe you spent all that amount of time and trouble on this. It was only a jacket that they ruined." And I had one jacket that crossed the Atlantic five times following a complaint and it was the most travelled jacket in the world, but I finally got a new jacket.

**LEWIS:** (over) Most travelled jacket without its owner. (*laughs*)

**STEIN:** Just got to keep going. So I think people think that people are going to give up and you just have to be persistent. But you also have to make sure your letters are getting to the right people. And, as I say, you've got to escalate it. And chairmen and chief executive officers, maybe they won't deal with it themselves, but they will actually make sure that somebody is dealing with it if this letter lands on their desk.

**LEWIS:** Okay, that's useful advice. We'll move on now to Brian in Shipley. Brian, your question?

**BRIAN:** Good afternoon. Yes, well my question concerns the Nationwide who are in fact a mutual building society. About a year ago, I sort of put some money in a 1 year ISA bond, which matured on 9<sup>th</sup> April this year. Now following their request, I sent Nationwide my

instructions as to what was to happen to this money, and indeed I have written confirmation that they received these on 1<sup>st</sup> April. Basically I was wanting to sort of reinvest a lot of the money in another bond, but I wanted some £8,000 in cash, which I want for specific purposes. I've heard nothing from Nationwide. I mean they got my instructions nearly 4 weeks ago. The bond matured nearly 3 weeks ago. And in spite of me writing to them last week complaining, I've still heard nothing.

**LEWIS:** Well of course after the 8 weeks have elapsed, you can go to the Ombudsman. What do you suggest happens there, David Cresswell?

**CRESSWELL:** Well I think the point here is that Brian needs to make absolutely certain that Nationwide know he's formally complained. Often we see cases where people *think* they've complained because they've gone into their local branch and they've made clear that they're not happy, but then it becomes clear that it was never actually registered formally. The complaints process is a formal process and it's really helped if you do send a letter and you write 'complaint' at the top. And also people can often really help themselves by being very clear what actually they're unhappy with and what they want the business to do about it.

**LEWIS:** Yes.

**BRIAN:** I did write to them, if I can interrupt. I did write to them and I might add that they did the same sort of thing last year - kept me waiting for the cash element for quite a long time.

**LEWIS:** Yes. I suppose if you do write to them and you make it clear it is a complaint, then you do have that redress afterwards. And I suppose in your case, you fear that you're losing interest because of this mistake?

**BRIAN:** Precisely. I'm sure they're getting benefit from my money, but I'm not.

**LEWIS:** Sure. So you can always ask for that. And Mel, it's important to keep a note of everything you're losing and spending, so that you can actually send them the bill at the end?

**STEIN:** One of the most important things, one of the actually most enjoyable things about making a complaint is actually creating a paper trail.

**LEWIS:** We know you love it.

**STEIN:** I do. But you've got to make a paper trail. You've got to keep copies of your letters. Every conversation you have with somebody, the first thing you say is "Who am I speaking to?" Get their name down because when you write your blow them out of the water letter, you want to be able to copy in all the letters that you've actually sent and be able to give peoples' names. And at the end of the day if those people aren't providing the service and their heads have to roll and they're the people who get shouted at, so be it.

**LEWIS:** Okay. Well I think again - I'm going to say this to most of our callers, I suspect - a bit of work to do there, Brian, but hopefully some pointers about what you can do. Thanks very much for your call.

**BRIAN:** Hopefully this might shame them into action.

**LEWIS:** Well you never know your luck, do you? There will be a transcript of this programme on our website, [bbc.co.uk/moneybox](http://bbc.co.uk/moneybox), in a couple of days time. And of course if you want to cut and paste it in a letter, that might always help. Now I'm going to go to an email before we go to the next caller. This is from Peter who says, 'I purchased a motorbike on eBay. It said it had done 1,931 miles. I collected it and paid for it and then I found its last MOT certificate showed 2,500 miles, and the previous one 1,882. What comeback do I have against a seller?' Andy Foster, I suppose this depends whether it's a business or an individual, does it?

**FOSTER:** Yeah, absolutely right. eBay is a broad church and there's lots of activity on there - some good, some not so good. You know clocked vehicles and clocked speedos is something we've dealt with for many, many years.

**LEWIS:** Clocking meaning turning it back or misrepresenting the mileage?

**FOSTER:** Absolutely right - so misrepresenting the mileage on the odometer. Now there's two issues here. First of all, there's the civil issues, so what are your rights? So if you've dealt with a trader, then you're entitled to the goods to be as described. So if the motorbike says it's done 2,000 miles, it should have done 2,000 miles. If it turns out it hasn't, then that's a breach of contract and you've got a right to redress.

**LEWIS:** And that means your money back, does it?

**FOSTER:** It could potentially. You've got a right to refund, replacement or ... Repair is not an issue here. But I would say in that sort of situation you're entitled to compensation for the amount of the value the motorbike would have been if it had been that sort of mileage. But there's another issue here. There's a criminal issue here in that if somebody is misrepresenting or miss describing something, then that's a breach of consumer protection law, consumer protection regulations, which will be dealt with by your local Trading Standards service. So you need to let them know what's going on, so they can take action against this individual. Of course if this is a private individual and this is a breach of a mechanical failure in the bike and you bought it from ebay . That's not your situation, but if there's a mechanical failure then you lose that right to have the satisfactory goods, satisfactory quality issue. So there is a difference between private and trade sellers. But this sounds like a criminal issue to me, so you need to let your Trading Standards department know.

**LEWIS:** Let the Trading Standards know, and of course go to eBay and let them know as well. And I must say we've just had an email from somebody who says that they had a problem very much like the one about the kitchen. They used the Furniture Ombudsman. It took 7 weeks, but the letter was sent by recorded delivery and it's now been finished, I think. Yes, it has now been finished. So it can work. So that was good advice earlier. Right, that was from Pamela who says she's done that successfully. And now we're going to Dorothy who's in Tunbridge Wells. Dorothy, your question?

**DOROTHY:** Yes, oh good afternoon. My complaint is on two accounts. First of all, I lodged a complaint last July against Lloyds Bank. It was regarding a bank account and a fixed investment. It's a bit complicated to go into, but I lodged the complaint with them and they

dragged it out a long time until you get the formal letter. You understand what I mean by the letter?

**LEWIS:** Yes.

**DOROTHY:** They dragged it out - I wish I'd known about this 8 weeks business - until July. I'm blind, by the way. I put the complaint on audio tape because I know that these are service providers, banks and the Financial Ombudsman as well, and have to comply with the DDA, and indeed I checked ...

**LEWIS:** This is the Disability Discrimination Act?

**DOROTHY:** The Disability Discrimination Act. And I sent my complaint by audio tape, recorded delivery, to the Financial Ombudsman Service and had a call to say ... Well I called in and they had got it on 1<sup>st</sup> December. I got the name of the person who'd got it. From then on, I didn't hear anything. I had a couple of letters, which I had to ask a workman to read, and I kept ringing in to say well you know when are you going to comply with the DDA Act? What happened was my complaint was passed from one person to another, and on 23<sup>rd</sup> February this year I had a telephone call, a conversation with a girl who said, "Well I haven't listened to it yet. I've got nothing to listen to it on." It was on tape. So I said, "Well how come I've been passed to five different people who it's been allocated to if you haven't as yet actually managed to listen to it?" She then went off. And when she came back, she said, "I can't ... It's playing too fast. I can't get ..." I said, "Would you like me to send you a Sony cassette player in which you can turn ...

**LEWIS:** (*over*) So you had to send her the equipment as well?

**DOROTHY:** Yes, the whole thing was ... Eventually she got to hear it. And then she said, "I'm not responsible for anything until it gets to me. I'm not responsible for what happens before." By this time, I was making notes on tape myself. And I should say, in case this is useful for listeners, under Section 36 of the Data Protection Act, heading 'domestic', in your own home you can record any conversation you like, and whether or not you tell the other

party is optional. You can check this by ringing the Data Protection ...

**LEWIS:** Right, that's useful. Dorothy, you've obviously coped with this immensely ...

**DOROTHY:** No, I haven't coped with it.

**LEWIS:** Oh you haven't. What's the outcome and what would you like me to ask somebody?

**DOROTHY:** *(over)* Nothing yet. The outcome is I wanted to know if the telephone conversations were recorded, and was told they were. I asked "Can I speak to the ombudsman? Who *is* the ombudsman" They seem to be uncertain. Apparently there was somebody there on a temporary basis and now there is a lady.

**LEWIS:** Right, there are several ombudsmen and there's a chief ombudsman. But let me just ask David Cresswell to comment on this because you've obviously had the runaround and from what you say your complaint hasn't yet been resolved. I mean, David, if somebody sends a tape, you have to deal with it as much as if they sent you a letter, don't you?

**CRESSWELL:** Oh absolutely, Dorothy, and I'm so sorry to hear your story and I'd very much like to be able to look into it myself because obviously things have happened in your case that should not have happened. Around 14% of people who complain to the Ombudsman tell us that they have a disability and that means several hundred people a month we deal with in different formats - braille, tape - so it's something we really *want* to do and *have* to do. We owe you a good service and I think we've failed in this case.

**LEWIS:** Right, so you'll look into that, but it should have been dealt with differently. And I should also say, David, to be fair about this, that you can complain about the Ombudsman. There is a complaints procedure. And just to be completely fair, I'll have to read this email from Mark who says, 'The only body I ever gave up complaining to was the BBC as it was so difficult once you got past the first stage.' Sorry about that, Mark. If you want to complain about Money Box, just write to me and head it 'complaint'. Anyway, Dorothy, I hope that that will resolve it and David will look into your case and certainly we all acknowledge that it

should have been dealt with better. Thank you very much for your call. We're going to Miss Ahmed now in Nottingham. Your question? Miss Ahmed?

**MISS AHMED:** I bought a LCD television in 2008, March time, and they said that I've got a 5 year guarantee. I filled in the 5 year guarantee form. It's actually faulty at the moment. I rang Sony up and they said they've got no record of me sending the guarantee form, so there was nothing they could actually do. So I rang Trading Standards and they told me to contact the shop. I contacted the shop. I spoke to the manager. I bought the television from Mansfield Road in Nottingham. I spoke to the manager there who was very rude. I said that you know I've spoken to Trading Standards and he said that, "Well I don't care if you spoke to Trading Standards. They're nothing", you know. "You can't get a repair because you haven't got a 5 year guarantee and you should have filled in the form." I said, "I did fill in the form." You know he was very rude and said he couldn't help me.

**LEWIS:** So the dispute is really about whether you filled in this form and what Sony's obligations are?

**MISS AHMED:** Yeah. I mean I did speak to Trading Standards. They said under statutory rights, you know your TV should last longer than 6 years.

**LEWIS:** Right, let's ask Andy Foster. He's here from Trading Standards. Andy?

**FOSTER:** Okay, there's two issues here. First of all, does a guarantee exist, which is an insurance policy between you and the company, whoever sets up the guarantee? I'm not able to answer that question for you. Only you know whether you've paid a fee for it or whether there was what we call consideration exists that forms the contract.

**MISS AHMED:** It's free guarantee ...

**FOSTER:** Okay.

**MISS AHMED:** ... but when I contacted the insurance, they said don't worry about the

guarantee. You know they actually fix it for you.

**FOSTER:** Yeah, okay, they're absolutely right. Okay whether you've got a guarantee, sometimes called a warranty, it doesn't really matter. It doesn't affect your statutory rights. Your statutory rights are that it should be fit for the purpose it was supplied for and it should be of satisfactory quality. So a £2,000 TV, the reasonable person on the street would expect that to last more than a couple of years. So what you need to do is to go back to the shop you bought it from. Tell them that there's a fault, tell them why that fault exists, and put that in writing and see what response you get. Ultimately there's a breach of contract here and you're entitled to a replacement or a repair.

**LEWIS:** But the problem is enforcing it though, isn't it? I mean Mel Stein, you're a lawyer. It's all very well telling people their rights, which we often do on Money Box Live. Enforcing those rights can be more difficult.

**STEIN:** Well it can be expensive and I always try and dissuade people from going to law on claims like this. But one of the things, it's evidence of what I was saying before, is if you did fill in the guarantee - and it may not be the be all and end all of it - it's always good to keep a photocopy of it, always good to retain copies of all this stuff and put it into a file. And in terms of enforcing it, again I don't know who the manufacturer is. They're not going to want themselves to be slagged off in the shop. Don't know who the chain is, the shop is, whether it's a chain. But do write and complain. Set it out. And, as I said, if you have kept a copy of the guarantee as well, send them a copy of that.

**LEWIS:** And write to the managing director and get somebody a bit more senior to complain to. Andy?

**FOSTER:** I just wouldn't want people to fall into the trap of giving up - exactly Mel's point. We did a survey recently which showed that on average people don't enforce their own statutory rights because they feel intimidated or feel nervous or they've been fobbed off, and we work out that an average person loses about £5,000 a year ... sorry in a lifetime because they don't bother enforcing their statutory rights. So it's worth complaining. If it doesn't work

the first time, keep at it. If it doesn't work, call Trading Standards.

**LEWIS:** What a great way to finish. Miss Ahmed, thank you very much for your call. I hope that helps. That is all we have time for. My thanks to Andy Foster of Trading Standards Institute, David Cresswell from the Financial Ombudsman Service, and lawyer Mel Stein. Thanks to all of you for your calls and emails. There's been far too many to fit many of them in, I'm afraid. But you can find out more on our website: [bbc.co.uk/moneybox](http://bbc.co.uk/moneybox). You can listen to the programme again, download a copy, subscribe to the podcast, and, as I said earlier, read a transcript in a couple of days. I'm back at noon on Saturday with Money Box, and Vincent Duggleby's here to take more of your calls on Money Box Live next Wednesday afternoon.