Consumer news

Here to help

Which? deals with difficult deliveries



Home delivery should take the pain out of shopping, but we receive numerous complaints about it. One recent problem was encountered by Susan Chisholm (left) when she ordered a £2,300 adjustable bed from Dreams.

Shop staff assured her that the bed would fit into her house in Sidcup, Kent, but, when it turned up, one of the two delivery men had hurt his back. The other couldn't manage to get the bed up to the first-floor bedroom, so Dreams stopped the delivery, blaming the Chisholms, and leaving them hundreds of pounds out of pocket.

Susan said: 'Despite what the salesman told me, Dreams said its terms and conditions meant that we had to ensure that the bed could be delivered where we wanted it, and that we'd lose our 20 per cent deposit due to our negligence.'

We contacted Dreams and it has now paid the £365 that Chisholms asked for – the deposit minus administration costs.

Take Action! Peter McCarthy of Which? Legal Service says: 'If a firm's terms and conditions say one thing and you are told the opposite, the verbal statement prevails.

'A business must also deliver your goods by an agreed date or within a reasonable time – or you can ask for a refund. If the delivery time is important – for example, if you're trying to coordinate a plumber's visit with delivery – you can make time "of the essence" in writing when you order. If the delivery is then late, you can cancel for a full refund. The shop is also liable for any losses incurred due to delay.'



Ongoing stories of glass giving way in ovens prompt questions

Oven door concern

PRODUCT SAFETY

The maker behind several exploding oven doors denies that there's a fault with the design of its cooker.

Three members have told us of their horror at seeing glass on their Diplomat oven inner doors explode, blowing the outer doors open and sending shards of glass flying through their kitchens.

Two of them had the glass replaced only for it to shatter again just months later.

The glass first blew on Christopher Hale's oven last July. The replacement exploded shortly before we went to press. He told us: 'The force of the explosion blew the door open and sprayed glass all around the kitchen.

'Thankfully, our grandchildren weren't playing near the oven – I dread to think what could have happened.'

David Bogard bought his Diplomat oven from MFI. The glass first exploded in May 2006 and the replacement glass shattered in February 2007. He bought a new oven rather than accepting a replacement,



Christopher Hale and his smashed oven door (and above)

fearing for the safety of his family.

David said: 'I know that once is an accident, but for it to happen twice with no real explanation as to why makes me believe there is a fault with the door. I don't believe that either piece of glass was ever scratched or chipped.'

All three ovens were made by Galiform, which no longer supplies MFI. A Galiform spokeswoman said: 'We're unaware of any design fault with this oven. We have monitoring systems in place and we know that the failure rate of these ovens is less than 0.5 per cent.'

Howdens, which supplied Christopher's oven and is part of Galiform, has agreed to contact him to arrange a replacement.

TAKE ACTION!

Bill Bilon, Director of Brent and Harrow Trading Standards Service, who has looked at the issue of exploding oven doors in depth, says that you might be able to avoid some incidents

It can happen if the oven receives a thermal shock, for instance when a cold cloth is placed on a warm oven – in a similar way to pouring boiling water over a frosted windscreen.

In addition, manufacturers say that you should use soap and water to clean your oven door but some people use scouring pads. When those scratches are heated and cooled they get wider until the glass breaks. Some people also use the oven door to balance heavy dishes, causing stress on the glass.

People should follow manufacturers' advice carefully with respect to the cleaning and maintenance of their cookers.

B&Q fails to address its customers' complaints promptly

Shelley

three

fitted

so far

has had

bathrooms

Waiting for years

HOME REFURBISHMENT

B&Q customers have criticised its fitting service after waiting years to get kitchens and bathrooms installed.

The DIY store features high in the league of companies most complained about to Which? Legal Service. We've heard from customers who've waited years and endured numerous refits of kitchens and bathrooms after unsuitable workmanship.

Shelley Özsoy is still in dispute with B&Q over her bathroom suite three years after it was ordered. She chose the £2,700 suite in August 2004 and, after two shoddy installations that led to shower leaks, she's on her third – which she also is not satisfied with.

During the years of dealing with B&Q, Shelley's signature was forged on a form saying that she was happy with the service. Fortunately, there was no problem as her name was spelt incorrectly.

Shelley referred her problem to the Furniture Ombudsman, then known as Qualitas. It recommended £1,000 for the delay, disruption and inconvenience caused, which she hasn't accepted.

18-month wait

Wendy and Ian Ruddick, from Buxton, ordered a kitchen refit costing more than $\pounds 8,000$ in January 2006, but it was ripped out and reinstalled three times over the next 18 months.

After numerous delays, the initial fitting was finished in August 2006, but problems emerged straight away. A B&Q assessor listed 19 faults and ordered a complete refit. But even more faults appeared after the second installation, and

TAKE ACTION!

■ The Furniture Ombudsman is a service for resolving complaints about furniture and flooring companies that are members of the scheme. Members must comply with the ombudsman's recommendations, and your £50 fee is refunded if your complaint is upheld. If your supplier isn't a member, the ombudsman will do an inspection and report for a fee. See www.fira.co.uk or call 0870 162 0690.



The Ruddicks waited 18 months to get their dream kitchen

another fitter reviewed and condemned the work.

In February 2007, the kitchen was cleared again. The final refit was completed in September. Ian said: 'It's a lovely job now but it's been a nightmare. We've been complaining to B&Q for a very long time. The workmanship was appalling.'

In frustration, the couple complained to the ombudsman. It recommended \pounds 800 compensation, saying that there was no financial loss suffered as Ian had retired and was not earning. It also looked at only a four-month period of dealings with B&Q.

When we contacted B&Q, it apologised, saying that all its fitters are carefully selected and have proven track records, and it has a team of installation managers responsible for the quality of fit. A spokeswoman added: 'Unfortunately, from time to time, we fail to meet standards to which we aspire and in these instances we're absolutely committed to making things right for the customer.'

The Furniture Ombudsman told us that in making its decisions it follows legal principles, and it takes into account time frames involved when assessing compensation levels.

In the Ruddick's case, it added, their caseworker was unavailable for comment.



COSMETIC CAUTION

We're continuing to warn people about cosmetic treatment providers that put sales before safety. We sent researchers to 19 clinics and found invasive surgery described as 'scarless' or 'minor' and literature offering savings on liposuction carried out in an 'office setting'. Go to www.which.co.uk/cosmetic for practical advice on treatments.

BROADBAND PROGRESS

Consumers are expected to get clearer information on broadband speeds, after we highlighted how advertised speeds are often much quicker than actual connection speeds. The Ofcom Consumer Panel agreed with our findings and is calling for a mandatory code of practice to make internet firms provide clearer information. Visit www.which.co.uk/broadbandspeed to check out our guide on speeds.

HOME HELP



Which? has called on the government to set up an independent inquiry into home

buying to make the process less stressful, time-consuming and expensive. In our survey, 49 per cent of people would consider selling online to avoid estate agent fees. Go to www.which.co.uk/books for details of our guide *Buy, Sell and Move House*.

DENTAL DATA

We've sent evidence to the Health Select Committee inquiry into dental services following reforms aimed at increasing the availability of NHS dentists. Our research (see *Which?*, May 2007, p14) found that access was improving, but seeing an NHS dentist was still a major problem for many.