

# TRUSTMARK SCHEME REQUIREMENTS SCHEDULE

The TrustMark Framework Operating document, Customer Charter and Code of Conduct set out in Annex A all the requirements that you are required to meet on application and comply with on an ongoing basis. These documents can be found at <https://www.trustmark.org.uk/aboutus/useful-links/docs/default-source/scheme-documents/trustmark-framework>

The Trustmark Framework Operating document sets out the Principles and Requirements of both Scheme Operators and installer members. Annex A has been designed as a quick reference section to clearly lay out member requirements.

Some requirements are automatically met as part of your registration with ELECSA / NICEIC, however the following requirements are not assessed, to confirm your understanding of these requirements please indicate the areas your business complies by ticking the boxes below then complete the self-declaration at the end of the document to confirm your business is complying with these requirements.

Note: Please see page 2 for useful guidance links on some of these requirements.

**Requirements** *Please note: It is a requirement that all boxes must be ticked. Whilst some of the requirements may not currently be applicable to your business we require you to confirm you will comply should these become applicable at a later date.*

- |   |                          |
|---|--------------------------|
| Comply with all relevant and current consumer protection legislation, including Sales of Goods Act, Supply of Goods and Services Act, Consumer Protection from Unfair Trading Regulations 2008, Cancellation of Contracts made In a Consumers Home or Place of Work etc. Regulations 2008 (commonly referred to as the doorstep selling regulations) and Consumer Credit Act 1974 | <input type="checkbox"/> |
| Comply with current Health and Safety at Work etc. Act 1974 and all relevant health and safety legislation  | <input type="checkbox"/> |
| Comply with current waste regulations - in particular the requirements to apply the waste hierarchy and requirements relating to the carriage and transfer of waste   | <input type="checkbox"/> |
| Comply with and reporting of work under Building Control notifications, notification of Microgeneration work as appropriate and submission of work in-progress and complete to your PAS2030 Certification Body, where appropriate   | <input type="checkbox"/> |
| Comply with Advertising Standards Agency guidelines and requirements for legal, decent, honest and truthful advertising, and compliance with TrustMark branding requirements  | <input type="checkbox"/> |
| Take full responsibility (in the name of the registered firm) for any sub-contracted work, or related work at the same location which is undertaken by the firm, or sub-contractors, which is outside the scope of the firm's registered trades   | <input type="checkbox"/> |
| Have in place a speedy, responsive, accessible and user-friendly complaint handling policy and process, with a prescribed time limit for responding to complaints   | <input type="checkbox"/> |
| Provide written quotations, estimates, contracts, contract variations and cancellation notices and encourage the use of the TrustMark app or agreed industry form of contract when appropriate. An exception to this will be for immediate, emergency call-out work where time is of the essence  | <input type="checkbox"/> |
| Make consumers aware of the benefits of the Scheme and the complaints procedure, including access to Alternative Dispute Resolution (ADR)   | <input type="checkbox"/> |
| Respect a consumer's expressed wish that they do not want to receive unsolicited visits, canvassing, mailshots or telephone calls at home, including respect for displayed notices declining doorstep cold calling  | <input type="checkbox"/> |
| Avoid pressure selling techniques and leave immediately if requested to do so   | <input type="checkbox"/> |
| Take appropriate steps when dealing with special needs and vulnerable people in their homes   | <input type="checkbox"/> |
| Provide consumers with the option of a warranty covering pre-payments and rectification of defects or major damage, including non-compliance with building regulations in the event of a registered firm ceasing to trade   | <input type="checkbox"/> |
| There are no County Court Judgements at home and business trading address for the Registered Firm   | <input type="checkbox"/> |
| Awareness of relevant, current legislation for the protection of protected species, e.g. Bats, Newts, native plants etc.  | <input type="checkbox"/> |
| The registered firm has had no previous expulsion from the TrustMark Scheme   | <input type="checkbox"/> |
| Ensure products with appropriate CE marking are used and that instruction manuals, maintenance requirements and warranties where appropriate, are handed over to the consumer   | <input type="checkbox"/> |

Pre-payment - Ensure that a warranty provision is made to protect any pre-payments from clients including any form of deposit. This is required in case you are unable or unwilling to complete the work contracted \*

Work in Progress - Ensure that a warranty provision is made when accepting contracts to warrant that any additional costs incurred to tender and employ another Approved Installer to enable completion of works. This is required in case you are unable or unwilling to complete the work contracted. Cost for the actual work will remain with the client \*

\*Note these warranty requirements can be met by taking out an appropriate insurance policy. Our Platinum Promise does not cover these aspects.

\*Note we reserve the right to sample your compliance with the TrustMark Framework Operating Requirements.

### Links to further reading and guidance (not exhaustive)

Sales of Goods Act

<http://www.legislation.gov.uk/ukpga/1979/54>

Supply of Goods and Services Act

<http://www.legislation.gov.uk/ukpga/1982/29>

Consumer Protection from Unfair Trading Regulations 2008

<http://www.legislation.gov.uk/uksi/2008/1277/contents/made>

Cancellation of Contracts Made in a Consumers Home or Place of Work

<https://www.gov.uk/doorstep-selling-regulations>

Health and Safety at Work

<http://www.hse.gov.uk/>

Waste Regulations

<https://www.gov.uk/waste-legislation-and-regulations>

Reporting of Work under Building Control Notifications

<http://www.labc.co.uk/advice-building-projects/homeowners/what-competent-persons-scheme>

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

Advertising Standards Agency Guidelines

<http://www.asa.org.uk/Industry-advertisers.aspx>

Protection of Protected Species

<http://www.legislation.gov.uk/uksi/2010/490/contents/made>

### Declaration

I confirm that I have read, understood and agree to comply with the TrustMark Registered Firm Licence Agreement, Code of Conduct, Customer Charter, TrustMark Framework Operating Requirements document and the requirements outlined in this Schedule.

I confirm that pre-payment and work in progress warranty provisions will be obtained if required.

I have placed a tick against all of the requirements above to confirm that the Registered Firm that is making this application for TrustMark membership complies and will continue to comply with these TrustMark requirements including any updates to relevant legislation for the duration of the TrustMark membership.

I understand that once TrustMark membership has been achieved it will continue on a rolling basis unless the business informs us that it no longer wishes to be a member or if the business can no longer meet the full scheme requirements. I also acknowledge that TrustMark can at its own discretion remove membership following any complaint investigation.

I confirm that I am authorised to sign this declaration on behalf of the Registered Firm.

Registered Firm:

Name:

Position:

Signature:

Date:

Please indicate trades required:

Domestic Installer

MCS Contractor

PAS 2030

If there is any specific requirements please indicate here:

Once completed please return to: Certsure LLP, Warwick House, Houghton Hall Park, Houghton Regis, Dunstable, Beds, LU5 5ZX or email to [enquiries@niceic.com](mailto:enquiries@niceic.com)