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ENHANCING CONSUMER POLICY MAKING: THE ROLE OF CONSUMER COMPLAINTS

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FOREWORD

As part of its programme of work for 2009 and 2010, the Committee on Consumer Policy (CCP) agreed to carry out work in the field of consumer economics, with a view towards improving understanding of the economic factors and biases underlying consumer behaviour, and the implications for policy making. In support of this work it further agreed on the value of developing indicators that would better support policy making. A project on indicators was subsequently launched, examining the role of consumer surveys and consumer complaints.

This report is the second part of the consumer indicator project, focusing on the role that consumer complaints can play in consumer policy making and enforcement. It was approved and declassified by the CCP by the written process. Work on the project was supported by a voluntary contribution provided by Japan. The report was prepared principally by Ayako Terauchi of the OECD Directorate for Science, Technology and Industry. The report is published under the responsibility of the Secretary-General of the OECD.

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ENHANCING CONSUMER POLICY MAKING: THE ROLE OF CONSUMER COMPLAINTS

Background

In its programme of work for 2009-2010, the Committee on Consumer Policy agreed to examine how indicators could be used to strengthen consumer policy making. In the first phase of the project, consumer surveys were examined. In this second phase, consumer complaints were studied. This report summarises the findings. It is based on research carried out by the secretariat, in consultation with stakeholders, and the results of a questionnaire that was circulated to delegates (see Annex III). Some 33 responses to the questionnaire, from 20 countries, were received. A draft of the report was discussed at the committee's 82nd and 83rd sessions.

The report examines:

- The nature of complaints.
- What agencies do with complaints information.
- How complaints can be used in policy making and enforcement.
- The challenges consumer agencies have in using such information and how these challenges can be addressed.
- How the value of complaints information can be enhanced for use in policy making.

I. Nature of complaints

What are consumer complaints?

Consumer complaints are expressions of consumers' dissatisfaction about goods or services that consumers purchase or intend to purchase. They have otherwise been defined as follows:

- *A statement of dissatisfaction with a specific trader made by a consumer to a complaint-handling body, in relation to the promotion, sale or supply of a good or a service, use of a good or a service or after-sales service (European Commission, 2010).*
- *Any oral or written expression of dissatisfaction, whether justified or not ... about the provision of, or failure to provide, a financial service where the complainant has suffered (or may suffer) financial loss, material distress or material inconvenience (UK Financial Service Agency, 2011).*
- *An expression of dissatisfaction made to an organization, related to its products, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected (ISO, 2004).*

An interesting aspect of the UK definition is the notion that the complainant should have, or could have, experienced some form of detriment.

This report focuses on those complaints which are written or oral and are shared with a complaint-handling body, including business concerned, consumer organisations or consumer authorities.

What do consumers complain about?

Complaints can cover a variety of issues, including those that arise prior to a purchase, at the time of a purchase or once a good or service has been purchased and is being used. The types of issues can be grouped into 11 basic categories, as follows:

- Quality of goods and services: *Defective, non-conformity, falls short of expectations/claims, unsafe.*
- Delivery/provision of goods and services: *Delays, non-delivery.*
- Prices: *Too high, hidden additional costs, unexpected price changes, discriminatory pricing.*
- Customer service: *Difficult access to customer service, inadequate, poor or unsatisfactory service.*
- Labelling/documentation: *Misleading, inappropriate, unclear.*
- Invoicing/billing: *Incorrect, unclear, debt collection problems.*
- Warranties and guarantees: *Not honoured, misleading.*
- Redress: *Difficult access to redress, inadequate redress.*
- Selling practices/advertising: *Aggressive, misleading or fraudulent commercial practices, annoying.*
- Contract terms: *Misleading, unclear, incorrect, unfair, not adhered to, hard to cancel; hard to withdraw from or cancel contract (including any costs of withdrawal). Restrictions on the way products can be used; barriers to terminating a service or switching to other providers.*
- Personal information/privacy/data protection: *Inappropriate use or inadequate protection.*

What types of consumers are most likely to complain/not to complain?

Research indicates that socio-economic factors, namely *i)* age, *ii)* income and *iii)* education play significant roles in determining the types of consumers who complain. Middle-aged, high income individuals who are well educated are more likely to file complaints. Those who are familiar with consumer rights and have Internet skills are also more inclined to take action (Irish National Consumer Agency, 2011 and EC, 2011a).

On the other hand, people who are unlikely to complain include (NZ Ministry of Consumer Affairs, 2009 and EC, 2011a):

- Age: Those who are young (15-24 years old) and those over 65 years old. Younger persons do not seem to want to invest the time required to lodge complaints, while older persons were often complacent, believing that they had few options and were content to put up with problems.
- Income: Low income persons were seen as tending to be unaware of where and how to complain.
- Family situation: House-bound and widowed persons.

When do consumers complain?

A number of factors are likely to influence a consumer's decision whether or not to file a complaint. These include:

- Level of detriment: *Consumers are more likely to complain if the financial harm that was caused, or could be caused, or other forms of detriment, is relatively high.*
- Time and effort required: *If the time required to file a complaint is perceived to be excessive or burdensome, consumers would be less likely to proceed with one; moreover, efforts that had been initiated could be abandoned if filing was proving to be more burdensome than anticipated.*
- Accessibility of complaint processes: *Knowledge of how and where to lodge a complaint would remove a significant potential impediment to doing so.*
- Prospects that the complaint will be addressed: *Expectations that a complaint would be reviewed and could lead to a favourable outcome would encourage consumers to use such mechanisms.*

According to an Australian survey, about one in four consumers would always make a complaint if they thought they had been misled or exploited by a business, while about 70% of consumers responded that it would depend on the circumstances (The Treasury, Australian Government, 2011). The circumstances that might lead to a complaint were:

- If the value of the product or service was significant (67%); the average figure provided for significant by respondents was AUS\$540.
- If the problem was related to an ongoing service (62%).
- If the respondent thought others would also be affected by the same issue (59%).
- If the respondent felt disappointed or let down by the business (46%).
- If the respondent thought the business needed to be taught a lesson (27%).

The survey also revealed that there was a difference between the percentage of people who would be unlikely to complain (5%) and the percentage that actually did not (26%), indicating that there was a significant gap between willingness to complain and actually complaining (The Treasury, 2011).

Another survey (OFT, 2008) suggested that consumers are more likely to complain about insurance, personal banking, Internet facilities and domestic fuel, where detriment is likely to be high, than small domestic appliances, medical goods and services and postal services. On the other hand, 5% of consumers in the Australian survey indicated that they would be unlikely to make a complaint, for the following reasons:

- Doubt if it would achieve anything /if it would make a difference (25%).
- Too many hassles/too much effort (19%).
- Time consuming/you get passed from person to person (15%).
- Would not know whom to complain to/where to go/don't know how to (8%)
- Don't like making complaints/causing problems (7%).
- Would not use the business again/would spread the word (6%).
- Find confrontation difficult/don't feel confident making complaints (4%).

The survey further indicated that about three out of four consumers who experienced a problem in the survey period took some form of action. Those who did not take any action indicated that:

- It was not worth the effort (33%).
- Not confident that action would solve the problem (31%).
- It was not worth the time involved (29%).
- It was not worth the cost involved (21%).
- Did not have enough time (18%).
- Didn't want to deal with the trader (14%).
- Tried to resolve problems in the past and have not been successful (14%).
- The value of the initial purchase price was not significant (13%).
- Was unsure where to go for advice (12%).
- Was nervous or embarrassed (7%).
- Was eventually resolved/were able to resolve ourselves (3%).

The European Commission's annual survey on consumer protection shows similar trends. During 2008-2011 between 72% and 80% of consumers who encountered a problem when buying goods or services complained about it to the seller, provider or manufacturer. The reasons why they took no further action included: *i*) the sums involved were too small (42%); *ii*) they believed that they were unlikely to get a satisfactory solution to the problem (35%); and *iii*) it would take too long (27%) (EC, 2012).

The survey indicates that slightly over half of consumers (50%-58%) were satisfied with the way in which their complaints were handled by companies (*i.e.* sellers, providers or manufacturers). Yet, most consumers did not take their complaint further even if they felt that it was not satisfactorily dealt with (45%-51%). A minority asked advice either from a consumer association (13%) or a lawyer (6%) and 12% took the complaint to a public authority. Only a small number of consumers brought the matter to court (2%) or sought to resolve disputes through alternative dispute resolution mechanisms (3%) (EC, 2012).

Another EC survey found that only 16% of consumers who had experienced a problem complained to third-party bodies (public authorities or consumer organisations) (EC, 2011a). The reasons for not doing so were the following:

- Already received a satisfactory result from the retailer/provider (44%).
- The sums involved were too small (24%).
- Unlikely to get a satisfactory result (15%).
- It would take too long (13%).
- It would take too much effort (13%).
- Not sure about their rights as a consumer (9%).
- Did not know how/to whom to complain (9%).

To whom do consumers complain?

Consumers can make complaints through various channels. They are encouraged and often start by contacting the retailer or manufacturer concerned. If the problem is not resolved satisfactorily, the complaints might be referred to regulatory bodies, trade associations, ombudsmen, the media, shared on the Internet and/or notified to consumer organisations or consumer affairs centres.

An Australian survey indicates that more than 90% of consumers contacted the trader or provider directly as the first step to solve their problems (The Treasury, 2011). A survey by Consumer Affairs Victoria (CAV, 2008) indicated that most consumers (69%) complained initially to the trader concerned when they had a problem, while only 4 % of them contacted the CAV for help and this was usually after they had made attempts to rectify the problem with the trader.

An EC survey assessing consumer experience in over 50 retailer markets also found that two thirds of consumers experiencing a problem complained directly to the retailer/provider (EC, 2011b; see also EC, 2011a). A further 5% reported having complained to the manufacturer. Just over 7% of consumers complained to a third party such as a public authority, consumer organisation or ombudsman.

How do they complain?

Consumers can file their complaints in a number of ways. These include e-mail, on line, telephone, letter and face-to-face contact with, for example, merchants, retailers or consumer authorities. Many firms provide contact points or establish call centres to address complaints or enquiries. Some consumer authorities provide a format of a complaint letter for consumers' reference in their homepage.

The survey carried out by the committee indicates that telephone, web-based applications and e-mail are the most frequently used means for filing complaints by consumers (Table 1).

Table 1. Means for filing complaints

Means of filing complaints	Frequency of use by consumers (number of responses)		
	Not used	From time to time	Frequently used
Letter	0	17	14
Phone	1	5	25
Fax	11	15	5
Interview	14	9	6
Email	3	5	23
Web-based applications	4	1	25
Other ¹	0	1	3

Number of respondents =28, number of countries=17.

¹Other includes personal visits and a PDF format submitted online.

Source: OECD (2012), Responses to the OECD questionnaire.

There is, however, significant variation among, and within, countries (Table 2).

Table 2. Means of filing complaints that are frequently used, by country

Jurisdiction (number of reporting entities)	Letter	Phone	Fax	Interview	E-mail	Web
Austria (2)	•	••			••	••
Canada (6)	••	•••••	•••		••	••••
Chile	•	•		•		•
Czech Republic					•	
Denmark						•
Egypt		•	•		•	•
France	•	•		•	•	•
Germany		•			•	•
Italy		•	•		•	•
Hungary (2)	••	•		•	••	••
Japan	•	•		•	•	•
Korea		•				
Mexico	•	•		•	•	•
Norway(3)	••	••			•••	•••
Poland	•	•			•	•
Portugal		•		•	•	•
Sweden		•			•	
Switzerland (3)	•	••			•••	••
United Kingdom	•	•			•	•
United States		•				•

Number of respondents = 31.

Source: OECD (2012), Responses to the OECD questionnaire.

Some consumer authorities have developed tools to facilitate complaining. In the Netherlands, for example, the ConsuWijzer (www.consuwijzer.nl), which is an information desk for consumers, has posted sample letters that could be used for complaints. Over half a million sample letters were downloaded in 2010 (Netherlands Consumer Authority, 2011a). In the United States, the FTC has provided an online template which can be used to file complaints (*i.e.* “Complaint assistant”, at

www.ftccomplaintassistant.gov). Similarly, consumers can input complaints about cross-border e-commerce into the online form at the “econsumer” website (<https://econsumer.ftccomplaintassistant.gov/>). In Denmark, efforts have been made to increase the role of electronic filings; more than 80% of complaints are now filed using a web-based application.

Enquiries

Before consumers file complaints, they sometimes seek information or advice from consumer authorities or other complaint-handling bodies. The EC defines such enquiries as “a request for information or advice, other than a complaint, made by a consumer to a complaint-handling body concerning the promotion, sale or supply of a good or a service, use of a good or a service or after-service” (EC, 2010a). Information about inquiries may also be useful in policy making; if it is stored in a database and classified well, for example, it can help authorities identify areas where further investigation may be warranted.

Consumer inquiries can be categorized like consumer complaints, for example, by sector and by nature of inquiries. The EC applies the same classification to complaints as to enquiries. According to the Better Business Bureau (BBB) in the United States and Canada, the top 10 areas for enquiries in 2011 were roofing contractors, contractors-general, auto dealers-used cars, auto repair & service, plumbers, auto dealers-new cars, mortgage brokers, construction & remodelling services and heating & air conditioning and movers (US, BBB, 2011). Three areas in the top 10 enquiries were listed also in the top 10 areas for complaints.

Situations when consumers make enquiries are quite similar to those of filing complaints. According to the Australian survey (The Treasury, 2011), about one in three consumers indicate their willingness and interest in seeking information or advice, while about 60% indicate that it would depend on circumstances. The rate of enquiry was consistently higher than that of making complaints (32% vs. 27%). Consumers are likely to make inquiries:

- If the value of the product or service was significant (73%). The average figure considered significant was slightly lower than that for complaints (AUS \$470 vs. AUS \$540).
- If the problem was related to an ongoing service (63%).
- If the respondent thought others would also be affected by the same issue (58%).
- If the respondent felt disappointed or let down by the business (45%).
- If the respondent thought the business needed to be taught a lesson (29%).

Moreover, consumers are likely to access information/advice about rights as a secondary step when they have problems, the first step being to contact the trader/provider directly (The Treasury, 2011).

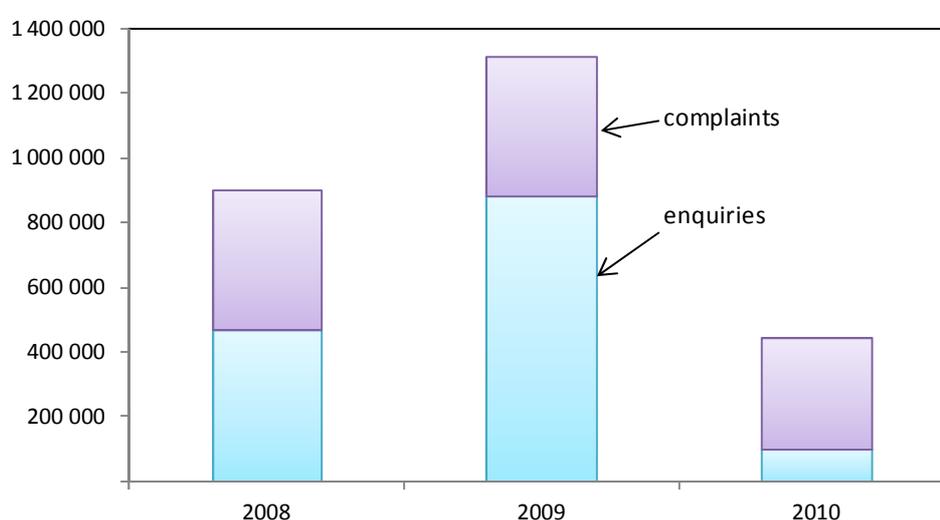
On the other hand, 5% of consumers in the Australian survey indicated that they would not likely seek information or advice. While doubts about success of making complaints was the top reason for not filing complaints, ignorance of where to get assistance was the top reason for not seeking information or advice (The Treasury, 2011).

Regarding knowledge about consumer organisations or consumer authorities, about half of consumers surveyed in the EU knew at least one consumer organisation in their country and one-quarter of them knew at least one consumer authority, while about one-third did not know any consumer organisations nor any consumer authorities (EC, 2011a).

The EC survey indicates that demographically, people who are the most likely to seek information on consumer rights are aged 25-39, with high education and good computer skills (EC, 2011a). The characteristics are quite similar to those who are likely to complain. On the other hand, people who are not likely to seek information are those who are over 55 years old, retirees, with low education and lack of Internet use. The survey also indicates that those who have problems are more likely to look for information than those who do not.

Consumer authorities receive consumer enquiries through channels which are similar to those used for consumer complaints. In Mexico, the Consumer Protection Federal Agency (Profeco) receives enquiries by telephone, email and letter, with about two-thirds made by telephone. In the United States, the Federal Communications Committees (FCC) publishes the number of consumer enquiries and complaints pertaining to communication services quarterly (Figure 1). In France, La DGCCRF receives annually about 200 000 contacts from consumers, more than 50% of which are complaints (Homobono, 2010).

Figure 1. The number of consumer enquiries and complaints



Source: FCC (2012), Quarterly Reports of Consumer Inquiries and Informal Consumer Complaints for third quarter of calendar year 2011 released.

II. What do agencies do with complaints information?

What approaches are agencies using to collect complaints information?

Countries are using a variety of techniques to manage complaints information. In addition to receiving this information directly, they frequently use data from other complaints-handling bodies such as local consumer affairs centres, consumer organisations and business associations. The extent to which they do so depends on whether complaints are collected in a harmonised manner and can be integrated into a central governments' database.

Canada

Provincial consumer protection authorities as well as federal government agencies receive consumer complaints. The *Complaint Roadmap*, which is managed by Industry Canada, provides a web application

that directs the complainant to the proper authority according to the sector and province (www.consumerinformation.ca/eic/site/032.nsf/eng/h_01165.html).

Denmark

The Danish Competition and Consumer Agency draws on information from four sources to assess complaints: *i*) the Consumer Complaint Board (3 000 complaints per year), *ii*) 18 authorised, private complaint boards, including banks, insurance companies, public transportation authorities and hotel associations (6 000 a year), *iii*) the Competition and Consumer Authority's Consumer Hotline (30 000 calls a year, including enquiries) and *iv*) survey data which evaluates complaint handling in 49 markets, by 50 000 consumers.

France

La DGCCRF (*Direction Générale de la Concurrence, de la Consommation et de la Répression des fraudes*) receives complaints from consumers by telephone, postal mail, e-mail and face-to-face visits. The system is in the process of being modified to conform to the EC harmonised complaint classification.

Japan

The National Consumer Affairs Centre of Japan (NCAC),¹ an independent administrative agency supervised by the Consumer Affairs Agency, collects consumer complaints from local consumer centres with a system called PIO-NET (Practical living Information Online Network). PIO-NET is an online network connecting NCAC and local consumer centres.² When a consumer counsellor in a local consumer centre receives a complaint by telephone, the counsellor listens to the complaint and tries to find a solution. The process is recorded and reported on a form to the PIO-NET; complaints reported directly to NCAC through PIO-NET are also recorded on it (see Annex II).

The system, which was launched in 1984, contained more than 15 million entries as of May 2011.

Mexico

Profeco has a complaints storage database called Comprehensive System for Information and Processes (SIIP). Complaints submitted to the agency are registered at each step of the complaints-handling process, until the process is finished.

United States

The Federal Trade Commission (FTC) manages the Consumer Sentinel Network (CSN), a secured online complaints database available to law enforcement agencies. In addition to consumer complaints lodged directly with the FTC and <http://econsumer.gov>, complaints data from other data contributors like the Better Business Bureau (www.bbb.org/) have been integrated into CSN and can be shared with consumer protection authorities. In 2011 the CSN added more than 1 800 000 complaints, an increase of 24.1% from the previous year mainly because of an increase in the number of data providers.

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- 1 . In a few years, most functions of the NCAC will be become the responsibility of the Consumer Affairs Agency (CAA, 2011*a*). PIO-NET will be also reformed to mitigate the reporting burdens on consumer counsellors and to improve information analysis.
 - 2 . As of October 2011, 981PIO-NET terminals had been established at prefectures, ordinance-designated cities and municipal consumer centres. The estimated cost of a PIO-NET terminal is about EUR 3 000 for terminal equipment and about EUR 600 per year for maintenance.

European Commission (EC)

The EC has adopted guidelines for collecting and classifying complaints information from member countries, plus Iceland and Norway, in a harmonised manner (see Annex 1). More than 700 organisations which handle consumer complaints are being asked to participate in the EC initiative and submit their complaints data at least once a year. Aggregate data will be available to the general public. In addition, the Commission's annual *Consumer Markets Scoreboard* contains survey data on the incidence of consumer complaints in over 50 specific consumer markets. Questions on complaints are also asked in in-depth follow-up studies on markets where problems have been noted.

What information do consumer agencies collect from consumers?

When consumer authorities collect complaints information from consumers on line, they generally request various types of related information, some of which is mandatory for the complaint to be processed (Table 3). The information usually includes the name of a complainant, an email address of a complainant, the name of the trader concerned and a brief description of a complaint.

Table 3. Mandatory information that consumer authorities ask consumers

Item	Australia (ACCC)	Belgium	Canada (Competition Bureau)	Japan	Mexico	Netherlands	US
Complainant:							
Name	X	X		X	X		
Country name	X	X		X	X		
Address	X	X		X	X		
Telephone number	X	X		X	X		
Email address	X	X	X	X	X	X	
Gender				X	X		
Age				X	X		
Profession				X			
Firm concerned:							
Name	X	X		X	X	X	
Country name				X	X		
Address		X ¹			X		
Homepage address				X			
Telephone number					X		
Transaction details:							
Description of a good or service	X			X	X	X	X
Price				X			
Date of order				X			
Date of payment				X			
Date received				X			
Payment method				X			
Amount claimed					X		
Whether complainant was a victim			X				
Whether a complainant contacted the trader concerned							
Nature of complaint	X	X	X	X	X	X	X

¹ The requirement for firm address in Belgium is "localité".

Sources: Australian Competition & Consumer Commission, Belgique SPF Economie, P.M.E., Classeses Moyennes et Energie, Competition Bureau of Canada's Complaint form, available at: www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/frm-eng/GH%C3%89T-7TDNA5, Japan Consumer Affairs Agency, Mexico Profeco, Dutch Consuwijzer and US FTC,

How voluminous is complaints information?

The number of complaints consumer agencies handle varies significantly among jurisdictions, both in absolute numbers and in proportion to the populations of the jurisdictions (table 4). Some countries manage more than 1 million complaints a year while others receive less than 100 000. For example, the US Consumer Sentinel Network recorded over 1.8 million complaints during calendar year 2011. PIO-NET in Japan receives almost 1 million complaints a year. On the other hand, the barometer of consumer complaints in France received about 90 100 complaints in 2011. In Chile, SERNAC administered by the National Consumer Service received more than 300 000 complaints in 2011, which increased by 45% from 2010. The number of complaints that the Italian Competition Authority received significantly increased, from 8 500 in 2009 to 16 000 in 2010. In Korea, KCA received about 280 000 claims in 2008. In Mexico,

Profeco receives more than 100 000 complaints per year. Variability in the number of complaints among jurisdictions, it should be noted, reflects many factors, making it difficult to make comparisons. Some national data presented in Table 4, for example, may reflect a limited number of complaint-handling bodies, while other data may include information from non-governmental sources as well. In addition, the extent to which consumers complain can also be influenced by cultural factors, consumer awareness of how and where to complain and the accessibility of complaint-handling mechanisms.

Table 4. The number of consumer complaints

Jurisdiction	Total number of complaints		Number of complaints per 1 000 inhabitants	
	2009	2010	2009	2010
Austria	485 000	519 067	58.0	61.9
Belgium	3 000	80 058	0.3	7.3
Chile	184 447	207 581	10.9	12.1
Czech Republic	16 000	49 402	1.5	4.7
Germany	-	2 400 000	-	29.4
Denmark	3 000	3 255	0.5	0.6
Greece	51 000	97 226	4.5	8.6
Spain	-	396 797	-	8.6
Finland	123 000	97 809	23.0	18.2
France	123 000	114 279	2.0	1.8
Hungary	40 000	20817	4.0	2.1
Iceland	8 000	7 161	25.1	22.5
Ireland	65 000	84 642	14.6	18.9
Italy	88 000	105 358	1.5	1.8
Japan	901 832	887 972	7.1	7.0
Korea	324 230	732 660	6.7	14.5
Luxembourg	-	4 485	-	8.9
Mexico	111 380	114 043	1.0	1.1
Netherland	40 000	64 063	2.4	3.9
Norway	17 000	20 492	3.5	4.2
Poland	671 000	655 711	17.6	17.2
Portugal	-	687 591	-	64.6
Sweden	134 000	123 951	14.4	13.2
Slovak Republic	2 000	9 613	0.4	1.8
United Kingdom	843 000	835 430	13.8	13.6
United States	1 419 030	1 460 368	4.7	4.8

Sources: EC (2010c, 2011d), Chile SERNAC (2011a), NCAC (2010), Korea, Mexico and US (2011).

To what extent and how are related complaints datasets (e.g. from industry) used?

Consumer authorities use complaints datasets collected by non-governmental bodies from time to time (Table 5), but they generally do not integrate this information into their datasets. For example, in the harmonised methodology of the EC, “complaint handling body” does not include consumer complaint handling mechanisms operated by traders and dealing with enquiries and complaints directly with the consumer or mechanisms providing complaint handling services operated by or on behalf of a trader (EC, 2010). According to the OECD survey, about half of the respondents indicate that they use frequently information from consumer organisations (Table 5). Information from industry associations and individual

firms is used from time to time. 10 out of 26 respondents combine information from other stakeholders in their complaints database and three-quarters of them are separately indefinable (OECD, 2012).

Table 5. Source of complaint information

Source	Use (number of responses)		
	Not at all	From time to time	Frequently
Industry associations	9	21	2
Individual firms	14	14	4
Consumer organisations	4	13	15
Other	0	8	5

Number of respondents = 32, other includes other authorities and regulators, media, local consumer centres.

Source: OECD(2012), Responses to the OECD questionnaire.

An exception is the US Consumer Sentinel Network (CSN). The CSN includes not only complaints filed with the FTC but also from several state attorney general offices, the Council of Better Business Bureaus, the Internet Crime Complaint Centre, MoneyGram International, the Western Union Company, the US Postal Inspection Service, and many other organisations. (FTC, 2011). Also, the United Kingdom uses complaints data collected by financial institutions: the institutions are required to report the complaints received every six months to the Financial Service Agency (FSA) (FSA, 2010).

How is complaints information categorised/analysed?

Complaints are often classified according to the sector involved, selling method, the nature of the complaint and, sometimes, the characteristics of the complainant (*i.e.* age, gender, occupation and/or location). Almost all agencies surveyed have complaints classification systems (OECD, 2012). For example, in Mexico, the SIIP (Comprehensive System for Information and Processes) categorises complaints by administrative unit, status of the conciliatory procedure, status of the procedural complaints, type of conciliation, commercial and legal name of the provider, commercial sector and sub-sector, type of claim, reason for claim, the type of good or service involved, selling method and means of payment.

- **Sector:** *Countries are using a variety of approaches to classify products. In the case of the EC, the recently developed harmonised method is based on a slightly modified version of the United Nations COICOP system. The number of categories and sub-categories being used varies significantly among jurisdictions. The EC system contains 10 major categories, compared to 8 in the case of the United Kingdom, 25 in the case of Japan and 250 in that of Mexico. In France, information is registered in a database that categorises data according to sector (12 sectors/55 goods or services/382 professionals/businesses) and the nature of complaints (5 complaint areas/42 themes/ 169 reported practices) (Homobono, 2010).*
- **Selling method:** *The EC identifies 11 selling methods; Japan's PIO-NET has 10, while France has 5 (distance selling through the Internet, home selling, market/trade fair, face-to-face, distance selling excluding the Internet).*
- **Nature of complaints:** *The nature of complaints, while differing among jurisdictions, generally includes categories for safety, quality of goods and services, price/tariff, billing/invoicing, contract issues, representation/advertisement, selling method, customer service, packaging and delivery, commercial practices, warranty/statutory guarantee and commercial guaranties, redress, change/switching, and privacy and data protection.*

- **Information on a complainant:** *In the EC harmonized methodology the consumer's country is mandatory; in Japan, the PIO-NET system collects information on the gender, age, occupation and location of the complainant; the US system includes information on age and location.*

How do agencies aggregate and share information about complaints with the public?

Consumer agencies collect, analyse and aggregate complaint information, which is often shared with other governmental bodies. In many cases, aggregated information is made available to the public in the form of annual or semi-annual reports (Table 6). The summary of Consumer Sentinel Network is available to the general public in the form of the *Consumer Sentinel Network Data Book, Annual Cross-Border Fraud Reports* and the *National Do Not Call Registry Data Book*, which are available at www.ftc.gov. Other examples include an annual report on consumer complaints in the United Kingdom (2011a) and semi-annual press releases in Chile (2011a) and France (undated). The EC publishes annually information on domestic consumer complaints collected by national authorities, regulators and consumer organisations in the EU, Iceland and Norway as well as data on cross-border complaints (*i.e.* complaints involving foreign suppliers) addressed to the European Consumer Centres' Network (ECC-Net). The complaints data collected according to the new, harmonised methodology is stored in an EC central database and will be published in aggregate form once the system is fully operational (see Annex I). Japan's PIO-NET itself is not accessible to the public but consumers can find examples of complaints with some categories or key words on the NCAC homepage (http://datafile.kokusen.go.jp/menu/knsk_menu.jsp) (Japanese only). The Japan's Consumer Affairs Agency and NCAC analyse information from PIO-NET and if necessary, issue press releases to inform and warn consumers.

Table 6. Information on complaints that is made available to the public

	France (Baromètre des réclamations des consommateurs)	Japan (Annual report on consumption and life)	United Kingdom (Annual report and Accounts)	United States (Consumer Sentinel Data Book)
Sector	X	X	X	X
Selling method	X	X		X
Nature of complaints	X	X	X	X
Payment methods				X
Age of complainants		X		X
Locations of complainants				X

Sources: DGCCRF (undated), NCAC(2011), OFT(2011) and FTC (2012).

In Korea, the Korea Consumer Agency (KCA) reviews complaints and issues newsletters to inform consumers about developments. In one newsletter, for example, the KCA noted that the number of e-commerce related consumer complaints accounted for 17.4% of overall consumer damage cases in 2010 (KCA, 2011). Information was provided on the types of products and services that were complained about, damage type, amount of damage and the types of complainants.

How do agencies share information about complaints with other stakeholders?

Consumer authorities often use complaints information from, and share such information with, other ministries and enforcement authorities. In Japan, the Consumer Affairs Agency and NCAC reply to inquiries on specific matters of PIO-NET information from the parliament (*i.e.* the Diet), other ministries, the police, the bar association, the public and the media. The average number of enquiries from other bodies in the last five years was about 4 800 (CAA, 2011b). In the United States, information from the Consumer Sentinel is shared with law enforcement officials from US, Canadian and Australian federal,

state and local agencies, including the 50 state Attorneys General (FTC, 2011*d*). In addition, cross-border complaints lodged with ec.consumer.gov are available to regulators from 13 participating countries

In addition to using complaint information within their own organisations, the sharing of complaint information with other jurisdictions or other stakeholders can be useful, especially in support of enforcement actions. When a consumer agency receives complaints about a firm in a different country, if there is an effective information sharing mechanism, the agency may be able to co-ordinate remedial actions. For example, in response to complaints from Belgian and Dutch consumers, Belgian SPF Economie and the Dutch Consumer Authority moved against a Dutch telemarketing company that was selling products in ways that did not comply with consumer legislation in either country (SPF Economie, P.M.E., Classes moyennes et Energie, 2011). One objective of Japan's PIO-NET is to share experience on how to solve consumer complaints among consumer counsellors and they are requested to report their experiences (within 500 characters).

With respect to the types of information that is useful to share across borders, the OECD survey indicates a high level of interest in acquiring information on an article purchased, nature of complaint, selling method, name of firm(s) mentioned in complaint and location and other contact information of firm(s) concerned (Table 7).

Table 7. Importance of sharing various types of information across borders

Item	Importance (number of responses)			
	None	Low	Moderate	High
Demographic information on complainant (age, income, etc.)	11	9	3	4
Personal information on complainant (such as name, address and other contact information)	2	9	7	8
Date of receiving complaints	1	3	12	11
Sector(s) concerned (i.e. type of good or service)	0	1	6	20
Article purchased		1	4	22
Brand of article	4	4	2	17
Nature of complaint (e.g. problems with quality, delivery, price)	1	0	1	25
Selling method (e.g. whether the product was bought through face-to-face interaction, e-commerce)	1	1	2	23
Amount of financial harm	3	5	5	14
Name of firm(s) mentioned in complaint	1	0	3	23
Location and other contact information of firm(s) concerned	1	1	4	21
Information on distributors and sales agents handling the products mentioned in a complaint	1	2	7	16

Number of respondents= 27.

Source: OECD(2012), Responses to the OECD questionnaire.

III. How can complaints information be used in policy making and enforcement?

Governments have traditionally used consumer complaint information primarily as a mechanism for signalling areas where policy interventions may be needed. Their use by business tends to be more specific. They can be used, for example, to *i*) provide a vehicle for consumers to obtain redress when there is a problem with a good or service and *ii*) signal areas where changes in business policies or operations may be warranted. Having an effective complaint-handling process in place, moreover, can be an important tool for companies to strengthen customer support for their goods and services.

The survey carried out by the committee indicates that consumer complaints play an important role in policy making in many ways, the most prominent being in identifying specific consumer problems (Tables 8 and 9).

Table 8. Role of consumer complaints in policy making

Item	Role (the number of responses)		
	None	Minor	Important
Preparing general market surveillance and analysis	2	9	20
Identifying specific consumer problems	0	2	31
Setting priorities for policy work	0	12	20
Setting policy objectives	7	7	18
As a policy tool	0	11	22
<i>Ex post</i> evaluation of policy measures	6	12	15
Setting priorities for enforcement actions	1	9	22
Intelligence/evidence for enforcement actions	3	7	21

Number of respondents=33.

Source: OECD(2012), Responses to the OECD questionnaire.

Table 9. Areas where complaints information plays an important role in policy making, by country

Country	Preparing general market surveillance and analysis	Identifying specific consumer problems	Setting priorities for policy work	Setting policy objectives	As a policy tool	<i>Ex post</i> evaluation of policy measures	Setting priorities for enforcement actions	Intelligence/evidence for enforcement actions
Austria (2)	•	••	•	••	••	•	••	••
Canada (6)	••	••••••	•••	•••	••••	••	•••••	•••••
Chile	•	•	•	•	•			•
Czech Republic	•	•	•	•	•	•	•	•
Denmark		•						
Egypt		•	•	•		•	•	•
France	•	•	•	•	•	•	•	•
Germany(2)	•	••	•		•	•	••	•
Italy		•	•	•	•	•	•	•
Hungary (2)	•	•	••	••	•	•		
Japan		•	•		•	•		•
Korea	•	•	•	•	•	•	•	•
Mexico	•	•	•	•	•	•		
Norway(4)	••••	••••	••	••	•••	•	••	••
Poland	•	•	•		•		•	
Portugal	•	•	•		•	•	•	•
Sweden	•				•			
Switzerland (3)	••	•••	•	•	•	•	••	••
United Kingdom	•	•		•			•	•
United States		•					•	•

Source: OECD(2012), Responses to the OECD questionnaire.

Providing general insights into conditions in consumer markets

Complaint information can and has been used to look at the functioning of markets in a broad sense. In France, for example, complaint data has been developed into indices which have been used to create a barometer for detecting problematic sectors and emerging concerns. The 92 500 complaints received by the DGCCRF in 2010 were helpful in the development of a law to strengthen the protection and rights of consumers in the energy, telecommunication and the Internet, anti-spam and transportation sectors (France, DGCCRF, 2011b).

Identifying specific consumer problems

Complaints are a major source of information that consumer authorities can use to help detect consumer problems in specific areas. If the information is robust, authorities will be able to gain preliminary insights into the magnitude and scope of a problem, socio-economic aspects, geographic issues and the extent and nature of detriment. In Japan, for example, the PIO-NET information was used to identify and determine the level of consumer detriment on door-to-door purchasing of gold and other precious metal accessories (CAA, 2011b). In this instance door-to-door merchants were proposing to buy gold and other precious metal accessories from individuals, using a contract which said it would be impossible to cancel that contract after the consumer signed, which was contrary to the Consumer Contract Law (CAA, 2011c).

In Mexico, the volume of consumer complaints on incorrect electricity invoices triggered an investigation by Profeco and the Federal Commission for Electricity (CFE), which worked together to identify the origin of the complaints. As a result, the CFE modified the structure and content of the bills and Profeco authored an article aimed at increasing consumer awareness. In Canada, in response to both the recent availability of technical solutions and increases in consumer complaints on the loudness of TV commercials, the Canadian Radio-television and the Telecommunications Commission (CRTC) announced that as of 1 September 2012, the broadcasting industry must control the loudness of TV commercials in accordance with recognised international standards (CRTC, 2011).

In the United Kingdom, the FSA has used the number of complaints reported from firms as an indicator of the quality of complaint handling. If, based on the data, the FSA finds that the complaint handling is delivering poor outcomes for complainants, they are able to use their regulatory powers to require changes (FSA, 2010). A co-ordination committee comprising the FSA, the OFT and the financial ombudsman service has also used the complaint information to contribute to identify emerging risks that have the potential to cause widespread detriment in the financial services sector (FSA, 2010). Ofcom, the communications regulator, has drawn on the consumer complaints it receives to determine policy priorities and sometimes provide the basis for intervention. For example, complaints of mis-selling of both mobile and fixed telephony services resulted in new rules to protect consumers, and complaints about problems in switching broadband service providers prompted Ofcom to develop new rules in this areas as well (Ofcom, 2006, 2009a and 2009b).

Consumer complaints are used as a main indicator to screen the functioning of 50 specific markets for consumers in the European Union. Potentially underperforming markets are then studied in more detail to identify problems and suggest possible remedies. For instance, as a follow-up to the October 2010 *Market Scoreboard*, in which complaints information is reported, the Commission launched an in-depth market study into Internet service provision, which had the second highest number of consumer complaints and the highest number of reported problems.

Setting priorities for policy work

Complaints information can be used to help to set priorities for policy work, by directing authorities to areas where consumer concerns are highest. In the United Kingdom, for example, a large number of complaints involving sales of used cars promoted a series of policy actions (Box 1).

Box 1. Complaints prompt actions in used car markets in the United Kingdom

Used cars have topped the number of consumer complaints in the United Kingdom. In response, the OFT launched an investigation, which included carrying out an in-depth consumer survey on the second-hand cars market (OFT 2010a). The survey targeted 1 000 consumers who had bought a second-hand car from a dealer or auction in the previous year. The survey indicated that the used car market was often not working well for consumers, which resulted in the OFT warning used car dealers to comply with the law.

Complaints, however, continued to be relatively high (OFT 2011d), prompting the OFT to publish a press release providing advice to consumers (OFT, 2011c). In addition the OFT took action against a company over its sales practices (OFT 2011c). Finally, the OFT has launched a campaign to increase awareness of consumer rights when buying a second car and advising consumers on where they could seek advice when they experienced a problem; the agency also indicated its intention to take actions against used car dealers that did not comply with the law.

Sources : OFT (2010a, 2011c,d).

Setting policy objectives

In setting policy objectives, policy makers may include the reduction of complaints in a specific area as one of the concrete goals to be achieved when taking a policy measure. On the other hand, policy makers have also taken steps to broaden the value of consumer complaints, by encouraging consumers to be more active in lodging complaints when they encounter problems. In the United States, the Federal Trade Commission (FTC) uses the number of complaints collected and entered into the Consumer Sentinel Network database to assess the robustness of the information. Its goal is to integrate 3 million complaints into the database by 2014 (FTC, 2009, 2012).

Identifying policy options

The policy instruments that can be used to address consumer problems include moral suasion (OECD, 2010). Information on complaints can be used in this context. If a decision is made to try to coax a company to address a problem, for example, the number and nature of complaints could be employed to persuade firms to act on their own to address problems. For example, the Korea Consumer Agency released the names of carmakers that had been the subject of many complaints, to the public (KCA, 2011). In France, the DGCCRF consulted with a number of firms which had been the subject of a relatively high number of complaints, demanding that they develop and implement action plans to address the issues that had been raised (DGCCRF, 2007).

In Chile, SERNAC published a list of company names and complaints non-response rate that had had more than 90 consumer complaints in January-September 2011. Although the non-response rate of some companies worsened compared to the previous year, the total non-response rate improved from 12.0% in 2010 to 6.2% in 2011 (SERNAC, 2011b). SERNAC considered that publicising this information would pressure companies into taking actions, so as not to lose customers. In Denmark, the Consumer Complaints Board has published the names of traders that fail to comply with decisions made by the Board, on the public website; the names will remain on the website for one year.

Ex-post evaluations of policy measures

When carrying out policy reviews, changes in the number and nature of consumer complaints can be used in assessing the effectiveness of the policy. If the number of complaints on a specific problem decreases after taking policy action, for example, it could provide evidence of the effectiveness of the action. In France, for example, the number of complaints filed with the government decreased by 17% in 2010 compared to 2009. The DGCCRF considered this decline as evidence of the positive effects of legal actions that were taken to strengthen consumer protection (DGCCRF, 2011a). In the Netherlands, the number of complaints on door-to-door selling decreased after the Consumer Authority started to provide information to consumers and conducted a survey on door-to-door selling (Netherlands Consumer Authority, 2011c). Nevertheless, caution needs to be exercised when drawing inferences from a change in the number of complaints as factors unrelated to the level of consumer detriment may influence that change.

Enforcing rules and regulations

Complaints have been used by enforcement authorities to help determine where their efforts should be focused. In the United Kingdom, for example, a large number of complaints against a gym management company prompted the Office of Fair Trade to take an action against the company, which had treated customers unfairly by locking them into lengthy contracts which they were not able to cancel (OFT, 2011b). Also in the United Kingdom, in light of complaints, the OFT contacted a Swiss company that had sent letters in which the sender of the letter, a self-proclaimed clairvoyant, offered protection to consumers from bad times, if they ordered a product from him. OFT claimed that the letters were potentially misleading consumers; at the request of the agency, the company agreed not to send any more letters to British consumers (OFT, 2006).

In the United States, the Federal Trade Commission has used complaints as evidence of a law violation (FTC, 2011a). For example, the FTC obtained an injunction against a major telemarketing operation, in response to tens of thousands of consumer complaints about deceptive, pre-recorded telephone solicitations (*i.e.* "robocalls") (FTC, 2010b).

The European Commission, together with its member states, considers the complaints data from the *Consumer Markets Scoreboards* as well as complaints received by the ECC network when deciding on the markets to target for its enforcement "sweeps" (*i.e.* EU-wide checks of specific markets by national consumer authorities, co-ordinated by the Commission). For instance, the 2011 sweep focused on websites offering consumer credit, which was the market which received considerably more consumer complaints than other services markets (EC, 2011c).

How can consumer enquiries be used in policy making?

Consumer enquiries are defined as initiatives that consumers take to seek information or advice on a good or service, general consumer rights or consumer laws. Consumer authorities sometimes monitor and assess such enquiries, along with complaints information, as they may indicate areas requiring attention. For example, in the United States, the FCC publishes a quarterly report on consumer enquiries and consumer complaints categorised by major sectors, providing some analysis of trends (FCC, 2012). The Financial Consumer Agency of Canada (FCAC) indicates that a notable increase in consumer enquiries and complaints related to prepaid cards justified closer monitoring of this sector (FCAC, 2011). In Australia, following an increase number of consumer enquiries and complaints, the ACCC has taken a closer look at green claims (ACCC, 2007).

IV. Challenges and limitations in consumer complaints information

While consumer complaints are a key source of information for consumer agencies, there are number of challenges and limitations that consumer authorities have to bear in mind when using such information.

What concerns have arisen in developing and using information on consumer complaints?

The OECD survey indicates a wide variation of views on concerns in using complaint information. More respondents have minor concerns in most areas reviewed than have no or important concerns. Interestingly, some two-thirds of respondents indicated that the cost of compiling and analysing information was, at most, a minor concern. This contrasts with surveys where OECD work found that budgetary constraints were a major constraint to carrying out survey work (OECD, 2011) (Table 10).

Table 10. Concerns in using complaints information

Area	Concerns (the number of responses)		
	No concerns	Minor concerns	Important concerns
Validity of complaints information (<i>i.e.</i> complaints may not be well justified)	5	16	11
Cost of compiling and analysing information	6	13	12
Difficulties in classifying information	7	14	10
Difficulties in comparing information from different sources	11	10	11
Complainants do not adequately represent the general population	9	15	7
Difficulty in interpreting information	8	17	7
Consumer reluctance to file complaints	11	13	7
Insufficient input from complainants living in foreign countries	21	7	1
Deciding what information should be shared with stakeholders	12	13	
Other ¹	0	0	5

¹Other includes *i*) difficulties in identifying and acquiring datasets, *ii*), complaints are often not sufficiently clear and precise; they require additional information for enforcement actions and *iii*) sharing complaint information with foreign jurisdictions in the course of conducting investigations.

Number of respondents=32.

Source: OECD (2012), Responses to the OECD questionnaire.

Limitations/biases in the information

The limitations and biases of complaints information must be kept in mind when used in policy making (OECD, 2010a; EC, 2009; Denmark 2011; DGCCRF 2011c):

- Complaints are based on consumer perceptions; they (the complaints) may be seriously flawed.
- Complaints can only be relied on to help to identify problems which consumers have observed; problems which are less obvious, but which could nonetheless be causing significant consumer detriment, will not be captured.
- Those who complain are not likely to be representative of society as a whole. Complaints will be limited to consumers who know where and how to make a complaint. As indicated earlier,

socio-economic factors play a role in determining who complains. Older people, for example, are more likely to tolerate problems than complain.

- Interpretation of the number of complaints is an issue. A relatively low number of complaints in a jurisdiction may not indicate well functioning markets; it may reflect *i*) a lack of concern or lack of knowledge of a problem, *ii*) consumers ignorance on how and where to complain, *iii*) a lack of consumers' time and effort to file complaints or *iv*) limited accessibility of complaint handling procedures. The number of complaints may depend, for instance, on the financial impact of the problems being considered. Conversely, an increase in complaints does not necessarily reflect degradation in a market. Increased consumer knowledge on how and where to complain and lowering barriers to filing complaints may lead to increases in the number of complaints; moreover, increased enforcement activity may lead to increased consumer awareness of a problem in a market, thereby spurring more complaints.
- Complaints contained in public bodies' databases will probably not reflect problems that are resolved directly between consumers and the businesses concerned; the scope of a particular problem may therefore not be fully appreciated.

Complainants are not likely to represent the general population

Consumer complainants may not be representative of the entire population who have problems. For filing complaints, consumers have to *i*) know their problems, and how and where to complain and *ii*) have the time for, and interest, in filing complaints. Time and interest are often influenced by the extent of consumer financial detriment (*i.e.* consumers may be less likely to complain about low value transactions). For example, an analysis in Canada by the *Office de la Protection du Consommateur Québec* (Québec) shows that there is a significant difference in the age and income of persons who file complaints and the age and income of the population as a whole, particularly with respect to younger and older persons, and those with lower income (Table 11) (Québec, 2009).

Table 11. Profile of complainants in Québec

Parameter	People who contacted the Office	Québec population
Age:	15-24	8%
	25-34	20%
	35-44	24%
	45-54	27%
	55-64	16%
	65 and over	5%
Income:	Less than CAD 20 000	8%
	CAD 20 000- 39 999	26%
	CAD 40 000- 59 999	24%
	CAD 60 000- 79 999	16%
	CAD 80 000 and over	26%

Source: *Office de la Protection du Consommateur Québec* (2009).

Difficulty in interpreting complaints information

Caution is needed in interpreting complaints data. An increasing number of complaints, for example, could be indicative of *i*) a growing problem, *ii*) an increase in consumers' willingness or awareness of the possibility to file complaints, *iii*) double counting (if consumers file multiple complaints) or *iv*) increased accessibility of complaint-handling procedures. Moreover, the complaints received by complaint bodies

may not be representative of the entire range of complaints. As indicated above, they will not, for example, generally capture those complaints which were resolved directly between the parties concerned. In the United Kingdom, there was a significant difference between the top 10 complaints submitted to Consumer Direct and those from a consumer survey that asked consumers which sector they made complaints about in 2009 (Table 12).

Table 12. Top 10 sectors of consumer complaints from consumer authority's data and consumer surveys

Rank	From Consumer Direct	From consumer surveys
1	Second hand cars	Telephone services, fixed line, not mobiles
2	Home maintenance and improvements	Renting a property or management services from a private landlord
3	Telecommunications	Gas or electricity
4	Furniture	TV service providers
5	Audio-visual	Internet services providers
6	Personal computers, accessories, software and services	Mobile phone network services, not handsets
7	Large domestic appliances	Home improvement products
8	Clothing and clothing fabric	Personal banking
9	Car repair and servicing	Drinking or eating out at pubs, restaurants, cafes, bars
10	Professional services	Estate agents or house purchase services

Classification of sectors of two data is not same.

Sources: OFT(2010b), Consumer Focus(2009).

Classification and comparability issues

Different complaint classification systems within countries make it difficult to assimilate and compare information. The results of the OECD survey underscore the value of harmonised approaches to collecting and classifying information within jurisdictions and across borders (Table 13). However, it has been pointed out that it is difficult for a country with decentralised systems to have comparable data when a common approach has not been employed (Denmark, 2011). The issue is further complicated when a number of different jurisdictions are involved. To overcome such obstacles, the EC adopted a harmonised methodology for classifying and reporting complaints for the EU area (see Annex I). Some other jurisdictions are following suit. In Canada, the *Office de la Protection du Consommateur* (Quebec) is planning to revise its classification system along the lines of the EC harmonised methodology (OECD, 2012). This should facilitate comparing data between the EU and Quebec. Other jurisdictions in the country, however, still have reporting systems based on a number of different classification systems.

Table 13. Importance of harmonising and sharing information
(Number of responses)

How important it is to have:	No importance	Low importance	Moderate importance	High importance
Harmonised approaches to collecting and classifying information within jurisdictions	1	5	15	11
Harmonised approaches to collecting and classifying information across borders	1	9	14	9
High level of sharing of complaints information among government agencies within jurisdictions	1	2	9	19
High level of sharing of complaints information among government agencies across borders	2	5	11	14

Number of respondents=33.

Source: OECD (2012), Responses to the OECD questionnaire.

The reporting and collection of information in a harmonised manner can make it easier for consumer authorities to detect consumer problems and address them more efficiently and rapidly. When adopted by different jurisdictions, harmonised approaches can facilitate the comparison of data across borders, which can contribute to more effective policy making. For example, a rapidly increasing number of complaints in one sector in one country could provide information that would be relevant in another jurisdiction. The earlier a country identifies problems, the more effective it may be to minimise any detriment.

The extent to which harmonised approaches are developed depends on how the information is to be used. The EC harmonised methodology establishes 23 types of information, 8 of which are considered mandatory: *i)* country of the consumer, *ii)* country of the trader, *iii)* date of receiving the complaint or inquiry, *iv)* selling method, *v)* sector information, *vi)* market information (second level of sector information) and *vii)* classification of the type of problem encountered. There are also practical considerations to the development of harmonised approaches; these include any additional burden that would be imposed on complainants and the counsellors that address the complaints and the cost of modifying existing systems. In adopting its harmonised approach, the European Commission highlighted the importance of confirming the feasibility of the system with stakeholders, the need for simplicity in classifying and reporting complaints, interoperability with existing complaint classifying systems in member jurisdictions, demonstrable benefits of the harmonisation for the parties affected and, to the extent possible, financial assistance and training to facilitate the harmonisation.

Barriers to filing complaints

Perceived and actual barriers to filing complaints limit consumer interest in using them to seek redress. The failure of consumers to file complaints reduces the value of the information for policy makers. Governments can take measures to facilitate filing. These include: *i)* informing consumers how and where to file complaints and *ii)* providing consumers options for filing complaints through, for example, web-based applications and consumer hotlines. Consumer agency websites often provide rich content for consumers. In Poland, the Office of Competition and Consumer Protection (www.uokik.gov.pl/) conducted a nationwide billboard campaign “Don’t let them rip you off”, aiming to improve consumers’ awareness about their rights and to remind them that they can seek help from consumer ombudsmen. The campaign succeeded in increasing the number of consumers approaching the ombudsmen for help (OECD, 2012). In the Netherlands, ConsuWijzer (www.consuwijzer.nl/) has carried out a campaign to help consumers to stand up for their rights since August 2011 (Netherlands Consumer Authority, 2011*b*). It has provided checklists and experiences of consumers on its homepage. Some consumer agencies have started to use social media (*e.g.* Facebook and Twitter) and online outreach to facilitate complaint filing.

In Mexico, Profeco uses social networks (including Twitter³, YouTube and Facebook) as a means to inform consumers, and receive feedback on the problems that they face. Through Twitter, consumers can signal concerns and receive guidance about the procedures they must follow to initiate a formal complaint before Profeco. In the coming months, the agency will develop platforms that will allow consumers to initiate legal proceedings by these means. This is designed to promote greater efficiency and speed in resolving disputes between consumers and suppliers; this is expected to encourage consumers to approach to Profeco to resolve problems.

Expansion of the development of online applications has resulted in consumers being able to file complaints easily and not having to wait for a long time to establish contact with a consumer counsellor. At some agencies, consumers can file complaints online in more than two languages, which is important as language issues appear to inhibit non-native filings (EC, 2011*a*). In the case of the ECCNET complaint

3. The account “@profeco” has more than 222 000 followers, which makes it the second most followed government account.

form, which involves cross-border complaints, filings in some 23 languages are possible. The US Consumer Financial Protection Bureau (CFPB) manages a call centre that supports 187 different languages (OECD, 2012).

On the whole, the adoption of online applications has resulted in an increase in the number of complaints. At the same time, many agencies indicate that web-based applications have contributed to improving the quality of complaints partly because web-based applications enable agencies to *i*) screen filings more efficiently and *ii*) more easily redirect complainants when their filing has been sent to the wrong agency. Moreover, with web-based applications consumer agencies can get complaints information at less cost and examine them faster (OECD, 2012). There are, however, a small number of shortcomings. The lack of personal interaction, for example, can reduce the quality and completeness of the information collected, which may require follow-up contact with the complainant (OECD, 2012).

Several agencies indicate that telephone-based consumer hotlines are also effective tools for facilitating the filing of complaints. Efforts are being made to improve and streamline these systems. The Canadian Radio-television and Telecommunications Commission (CRTC), for example, launched a new system in February 2012 which filters and redirects calls more effectively (OECD, 2012). In Korea, the Korea Fair Trade Commission launched a Consumer Counselling Centre in 2010, which consumers can access *via* a hotline; the number of consumer complaints has since doubled (OECD, 2012).

In Portugal, a *Complaint Book* has played a significant role in facilitating the filing of complaints. Since 2005, all traders of goods and service providers have to acquire it, post a sign in their business venue/shop showing clients/consumers that they have such a book and make it available for consumers to present a complaint. All complaints are investigated by the relevant public authority. The number of complaints registered in Complaint Books totalled 210 842 in 2009; 205 750 in 2010 and 187 775 in 2011 (Consumer Directorate-General, 2012).

Some agencies and complaint-handling bodies have also taken actions to reduce barriers by targeting specific groups. For instance, ECC (European Consumer Centre) Austria (www.europakonsument.at) has targeted seniors and students are offered a lecture during the school year on how to contact the agency and file complaints. In Canada, Consumer Protection BC (www.consumerprotectionbc.ca/) is focusing initiatives involving education and awareness of consumer rights on senior and immigrant populations. The US FTC targets organisations with direct avenues of communication with groups, such as military organisations, the Spanish-speaking and African-American communities and organisations that represent the elderly.

Interest in improving complaint mechanisms is significant and has been evident for some time. In Canada, the Consumer Measures Committee (<http://cmcweb.ca/>), a body comprising government representatives at the federal, provincial and territorial levels, has developed a guide for complaints handling for businesses. This includes the elaboration of a checklist of key elements for an effective consumer complaints mechanism (The Consumer Measures Committee, 2002).

Resource constraints

Although complaint information is valuable for consumer authorities, it takes resources (staff and financial) to set up and maintain processing mechanisms. As indicated earlier, some one-third of respondents to the OECD survey indicated that cost was an important concern. The greater the level of information demanded, the higher the level of resources that will be required. Staff training is also needed to maintain databases and use information properly. In this regard, the Korea Fair Trade Commission provides online and offline training for call centre staff (OECD, 2012).

Cross-border issues

With the rapid growth of the Internet economy, complaints involving cross-border transactions are increasing. For example, the US FTC collected information on over 100 000 cross-border fraud complaints in 2010 (covering the United States and Canada), which represented 14% of all fraud complaints. The number of such complaints has increased six-fold over ten years (FTC, 2011c).

Difficulty in filing cross-border complaints

Developing information on cross-border problems through complaint information raises a number of challenges. First, consumers may not be familiar with complaint filing procedures in foreign countries, and even if they are able to provide information, as mentioned earlier, there may be language barriers that limit their ability to provide information which is complete and accurate.

A number of measures have been taken by stakeholders to address the challenges (Table 14). Econsumer.gov provides a mechanism for gathering and sharing complaints involving cross-border e-commerce transactions. Consumer agencies from 28 countries participate in this initiative, whose multilingual (eight languages) website allows consumers to report cross-border complaints. However, the number of complaints submitted to Econsumer.gov (14 392 complaints collected from 28 countries in 2010) was much smaller than that of cross-border fraud complaints reported to the US Consumer Sentinel, suggesting that awareness of the econsumer.gov mechanism may be limited.

Table 14. Major cross-border consumer complaints systems

System	Objectives
Econsumer.gov	<p>E-consumer.gov was launched in 2001. The project has two components: a multilingual public website, and a government, password-protected website. The public site allows consumers to lodge cross-border complaints, and to try to resolve their complaints through means other than formal legal action. Using the Consumer Sentinel network (a database of consumer complaint data and other investigative information operated by the U.S. Federal Trade Commission), the incoming complaints are shared with participating consumer protection law enforcers.</p> <p>Member jurisdictions are Australia, Belgium, Canada, Costa Rica, Chile, Denmark, Dominican Republic, Egypt, Estonia, Finland, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Mexico, Netherlands, New Zealand, Norway, Poland, Korea, Spain, Sweden, Switzerland, Turkey, United Kingdom and United States.</p> <p>http://econsumer.gov/</p>
ECC NET	<p>The network of European Consumer Centres (ECC-Net) serves EU consumers shopping for goods and services on the European market, providing them with advice on their EU consumer rights and helping them with their disputes with traders in other EU countries.</p> <p>Member jurisdictions include EU Member States, Iceland and Norway.</p> <p>http://ec.europa.eu/consumers/ecc/about_ecc_en.htm</p>
FIN NET	<p>FIN-NET is a financial dispute resolution network of national out-of-court complaint schemes in the European Economic Area countries that are responsible for handling disputes between consumers and financial services providers, including banks, insurance companies and investment firms. This network was launched by the European Commission in 2001.</p> <p>Within FIN-NET, the schemes co-operate to provide consumers with easy access to out-of-court complaint procedures in cross-border cases. If a consumer in one country has a dispute with a financial services provider from another country, FIN-NET members will put the consumer in touch with the relevant out-of court complaint scheme and provide the necessary information about it.</p> <p>Member jurisdictions include EU Member States, Iceland, Liechtenstein and Norway.</p> <p>http://ec.europa.eu/internal_market/fin-net/index_en.htm</p>
ACLINC	<p>ACLINC is a secured information sharing system among consumer protection authorities and fair trade agencies in Australian and New Zealand state, territory and federal governments.</p> <p>Member jurisdictions include Australia and New Zealand.</p>
Cross-border Consumer center Japan (CCJ)	<p>On 1 November, 2011, The Consumer Affairs Agency (CAA) Cross-border Consumer center Japan (CCJ) was established to help consumers who encounter cross-border problems. The CCJ has been consulted by consumers who encountered cross-border transaction troubles (not only by Internet shopping but also by "face-to-face" shopping) and has provided the support to solve the problems, and also gather information for problems relevant to overseas shopping and to find solutions.</p> <p>Affiliated consumer support organisations include:</p> <ol style="list-style-type: none"> 1. United States, Canada: The Council of Better Business Bureaus 2. Chinese Taipei: Secure Online Shopping Association 3. Singapore: Consumer Association Singapore <p>www.cb-ccj.com/ (Japanese only)</p>
Chile and Peru	<p>As from January 2012, Chile and Peru are receiving consumer complaints from each other's consumers and exchanging information.</p>

Difficulties in sharing complaints information across borders

Many agencies indicate that legal and confidential concerns impede the sharing of consumer complaints information with foreign jurisdictions. Some countries have taken action to address this. In Canada, the Competition Act provides the Competition Bureau with the authority to share complaint information with foreign authorities, provided that confidentiality is assured. In the United Kingdom, the Enterprise Act was modified in 2007 to authorise public authorities to disclose information relating to specific consumer and competition matters (UK BIS, 2008).

Some agencies indicate the possibility that information might be shared with a foreign jurisdiction, when consumers file complaints; others seek consent to do so. The FTC, for example, indicates that personal information might be shared with other government agencies (federal, state, local, international) but also indicates that the information is strongly protected with computer safeguards and monitoring, and secured files and buildings to control access. In Belgium, the Ministry of Small and Medium-sized Enterprise and Economy demands a consumer's consent that a complaint be transmitted to other public organisations if necessary.

Other difficulties in sharing information include the trade-offs that sometimes have to be made between timeliness and security (OECD, 2010*b*), language barriers, difficulties in comparing complaints information and the danger that the foreign data could be falsely interpreted (OECD, 2012).

V. How can the value of complaints information in policy making be enhanced?

Aggregated information on complaints can provide a good indication of emerging consumer problems at an early stage. It cannot, however, be used in isolation due to the limitations discussed earlier. Consideration needs to be given to carrying out additional research to examine the validity of the complaints and assess more precisely the nature and scope of a problem, as well as the harm that may be occurring.

Suggestions to improve the value of complaint information include:

- To facilitate the filing of complaints, efforts could be made to inform consumers on how and where to do so. Conducting information campaigns can be useful in this regard. Reviewing consumer awareness of procedures periodically would help to provide insights into the types of measures that may be required to improve outcomes.
- To develop more robust, representative sets of complaints data, consumer authorities could try to focus on improving submissions from specific groups where such data are relatively low, including the young and the elderly.
- An increasing number of complaints can reflect improving consumer awareness of how and where to complain or increasing consumer problems. It is therefore important to carefully examine the reasons why the number of complaints is changing. Cross-checking complaints data with data from other sources such as consumer surveys could be beneficial in this regard. Comparisons with other countries can also provide insights.
- Further development of web-based applications could facilitate filing complaints. To reduce consumers' reporting burdens, it would better to use drop-down menus or indicate how long it will take to fill in a template. Web-based applications could provide mechanisms for consumer authorities to aggregate and classify complaints information more effectively, and detect emerging consumer problems more speedily.

- Consumer authorities could work more actively with other stakeholders to develop guides or best practices that complaint-handling bodies could use to improve the quality of their systems. It would prevent a complainant submitting the same complaint to several complaint-handling bodies and could improve the quality of complaints information.
- To provide more complete assessments, information on complaints collected by consumer authorities could, where possible, be used in conjunction with related information being collected by other parties.
- Efforts could be made to enhance the comparability of information within and between jurisdictions.
- More systematic cross-border exchanges of complaint information could help to put apparent problems in a broader context, and suggest areas where cross-border collaboration might be advantageous.
- Efforts could be made to increase the exchange of a broader range of data among government authorities in different jurisdictions, taking into account ensuring confidentiality.

The Committee on Consumer Policy examined the role of consumer surveys and consumer complaints in policy making. Both consumer surveys and consumer complaints can be used in various stages of consumer policy making as indicators but both have limitations. Consumer authorities should not rely on a single indicator for policy making. Consumer policy makers should use consumer surveys and consumer complaints information taking into account these characteristics for better policy making.

REFERENCES

- Australian Competition & Consumer Commission (2007), ACCC Scrutinises 'Green' Marketing, www.accc.gov.au/content/index.phtml/itemId/802028/fromItemId/2332, accessed in March 2012.
- Australian Competition & Consumer Commission (2011), *ACCC Annual Report*, www.accc.gov.au/content/item.phtml?itemId=1012352&nodeId=3648638631e30e3f1a5c89e3f33ff327&fn=ACCC%20Annual%20Report%202010-11.pdf, accessed in March 2012.
- Canadian Radio-television and Telecommunications Commission (2011), *CRTC Tells Broadcasting Industry to Turn Down the Volume on Loud Television Commercials*, www.crtc.gc.ca/eng/com100/2011/r110913.htm, accessed in February 2012.
- Consumer Directorate-General of Portugal (2012), Communication with the OECD secretariat, unpublished.
- Consumer Focus (2009), Reports on the 2009 Consumer Conditions Survey, www.consumerfocus.org.uk/assets/1/files/2009/12/Consumer-Conditions-Survey-2009.pdf, accessed in January 2012.
- Consumers Measures Committee (Canada) (2002), *Consumer Complaints Management — A Guide for Canadian Business*, [www.ic.gc.ca/eic/site/oca-bc.nsf/vwapj/ConsumerComplaints.pdf/\\$FILE/ConsumerComplaints.pdf](http://www.ic.gc.ca/eic/site/oca-bc.nsf/vwapj/ConsumerComplaints.pdf/$FILE/ConsumerComplaints.pdf), accessed in August 2011.
- Danish Consumer Agency (2011), Presentation at the OECD roundtable, unpublished.
- Department for Business, Innovation and Skills (BIS) (UK) (2008), *A Guidance Note on Information Disclosure to consumers and Intellectual Property Rights Holders for civil proceedings*, www.bis.gov.uk/policies/business-law/enterprise-act/part-9-enterprise-act-2002-information-disclosure, accessed in February 2012.
- Direction Général de la Concurrence, de la Consommation et de la Répression des Fraude (DGCCRF) (undated), *Baromètre des réclamations des consommateurs*, www.economie.gouv.fr/dgccrf/barometre-des-reclamations-des-consommateurs-0, accessed in August 2011.
- Direction Général de la Concurrence, de la Consommation et de la Répression des Fraude (DGCCRF) (France) (2007), *Baromètre des réclamations des consommateurs*, www.economie.gouv.fr/files/directions_services/dgccrf/documentation/barometre/barometre06_02_08.pdf, accessed in August 2011.
- Direction Général de la Concurrence, de la Consommation et de la Répression des Fraude (DGCCRF) (France) (2011a), *Bilan d'activité 2010 de la DGCCRF et priorités d'action pour 2011*, www.economie.gouv.fr/files/finances/presse/dossiers_de_presse/110207bilan_dgccrf.pdf, accessed in August 2011.

- Direction Général de la Concurrence, de la Consommation et de la Répression des Fraude (DGCCRF) (France) (2011b), *Projet de loi renforçant les droits, la protection et l'information des consommateurs*, <http://pubminefi.diffusion.finances.gouv.fr/pub/document/18/10849.pdf>, accessed in August 2011.
- Direction Général de la Concurrence, de la Consommation et de la Répression des Fraude (DGCCRF) (France) (2011c), Presentation at the OECD roundtable, unpublished.
- Direction Général de la Concurrence, de la Consommation et de la Répression des Fraude (DGCCRF) (2012), *Baromètre des réclamations des consommateurs*, www.economie.gouv.fr/files/files/directions_services/dgccrf/documentation/barometre/Barometr_reclam_bilan2011.pdf, accessed in March 2012.
- Econsumer.gov, www.econsumer.gov/english/, accessed in June 2011.
- European Commission (2010a), *Commission Recommendation of 12.5.2010 on the Use of a Harmonised Methodology for Classifying and Reporting Consumer Complaints and Enquiries*, http://ec.europa.eu/consumers/strategy/docs/consumer-complaint-recommendation_en.pdf, accessed in May 2011.
- European Commission (2010b), *Commission Staff Working Document on the Results of the Public Consultation and the Introduction of a Harmonised Methodology for Classifying and Reporting Consumer Complaints and Enquiries*, http://ec.europa.eu/consumers/strategy/docs/consumer-complaint-swd_en.pdf, accessed in May 2011.
- European Commission (2010c), *The Consumer Market Scoreboard 4th edition*, http://ec.europa.eu/consumers/consumer_research/editions/docs/4th_edition_scoreboard_en.pdf, accessed in May 2012.
- European Commission (2011a), *Special Eurobarometer 342 Consumer Empowerment*, http://ec.europa.eu/consumers/consumer_empowerment/docs/report_eurobarometer_342_en.pdf, accessed in August 2011.
- European Commission (2011b), Communication with OECD secretariat, unpublished.
- European Commission (2011c), *EU investigates consumer credit websites - a market underperforming for consumers*, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/6&format=HTML&aged=0&language=EN&guiLanguage=en>, accessed in June 2012.
- European Commission (2011d), *The Consumer Market Scoreboard 6th edition*, http://ec.europa.eu/consumers/consumer_research/editions/docs/6th_edition_scoreboard_en.pdf, accessed in May 2012.
- European Commission (2012), *Consumer's Attitude toward Cross-Border Trade and Consumer Protection*, http://ec.europa.eu/consumers/consumer_research/editions/docs/consumer_eurobarometer_2012_en.pdf, accessed in June 2012.
- FCC (Federal Communications Commission) (United States) (2012), *Quarterly Reports of Consumer Inquiries and Informal Consumer Complaints for third quarter of calendar year 2011 released*, http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0131/DOC-312187A1.pdf, accessed in March 2012.

- FTC (Federal Trade Commission) (United States) (2009), *Strategic Plan for Fiscal years 2009 to 2014*, www.ftc.gov/opp/gpra/spfy09fy14.pdf, accessed in March 2012.
- FTC (2011a), *Federal Trade Commission Annual Report 2011: Fair Debt Collection Practices Act*, www.ftc.gov/os/2011/03/110321fairdebtcollectreport.pdf, accessed in June 2011.
- FTC (2011b), *At FTC's Request, Court Halts Massive Robocall Operation*, www.ftc.gov/opa/2010/06/asiapacific.shtm, accessed in September 2011.
- FTC (2011c), *Cross-Border Fraud Complaints with Canadian and United States Consumer Complaint Details January – December 2010*, www.ftc.gov/sentinel/reports/us-cancrossborder-reports/us-cancrossborder-cy2010.pdf, accessed in June 2011.
- FTC (2011d), Presentation at the OECD roundtable, unpublished.
- FTC (2012a), *Consumer Sentinel Network Data book*, www.ftc.gov/sentinel/reports/sentinel-annual-reports/sentinel-cy2011.pdf, accessed in March 2012.
- FTC (2012b), *FY 2012 Strategic Plan Addendum to Strategic Plan for Fiscal Years 2009 – 2014*, www.ftc.gov/opp/gpra/spfy09fy14add.pdf, accessed in March 2012.
- FCAC (Financial Consumer Agency of Canada) (2011), *FCAC Consumer Inquiries Report - issues of Interest (April 1st –September 30th, 2011)*, www.fcac-acfc.gc.ca/eng/resources/surveyStudies/CIR/CIR2011-eng.asp, accessed in March 2012.
- FSA (Financial Service Agency) (UK) (2010), *Consumer Complaints (Emerging Risks and Mass Claims)*, www.fsa.gov.uk/pubs/discussion/dp10_01.pdf, accessed in August 2011.
- FSA (2011), *The Handbook Online*, <http://fsahandbook.info/FSA/index.jsp>, accessed in August 2011.
- Government of Japan, Consumer Affairs Agency (2010), *Efforts to Solve Cross-border Consumer Problems (Japanese only)*, www.caa.go.jp/adjustments/pdf/101210_4.pdf, accessed in June 2011.
- Government of Japan, Consumer Affairs Agency (2011a), *Report of the Task Force on Reconstitution of National Consumer Affairs Centre (Japanese only)*, www.caa.go.jp/region/pdf/110826torimatome.pdf, accessed in August 2011.
- Government of Japan, Consumer Affairs Agency (2011b), *Outline of Consumer Surveys about Cross-border Consumer Problems (Japanese only)*, www.caa.go.jp/adjustments/pdf/110117adjustments_2.pdf, accessed in June 2011.
- Government of Japan, Consumer Affairs Agency (2011c), Discussion with the Secretariat, unpublished.
- Homobono, Nathalie (2010), *The Complaint Barometer of DGCCRF*, http://ec.europa.eu/consumers/conferences/docs/Natalie_Homobono.pdf, accessed September 2011.
- Ireland National Consumer Agency (2011), *Consumers More Empowered than Ever*, http://corporate.nca.ie/eng/Research_Zone/Reports/consumer-empowerment.html, accessed in September 2011.

- Johnston, T (2004), *Customer Satisfaction with Provider Response to Service Failure*, Association of Collegiate Marketing Educators Annual Conference, presented in Orlando, www.utm.edu/staff/johnston/papers/AAIC04Johnston-T.pdf, accessed in March 2011.
- Korea Consumer Agency (2010), *KCA News*, www.kca.go.kr/front/english/news_01.jsp?tg=2, accessed in March 2011.
- Korea Consumer Agency (2011), *KCA News*, www.kca.go.kr/front/english/news_01_view.jsp, accessed in September 2011.
- National Consumer Agency (Ireland) (2010), *Market Research Findings: Consumer Empowerment and Complaints*, www.nca.ie/eng/Research_Zone/Reports/NCA-Research-Consumer-Empowerment-Report-Oct-2010.pdf, accessed in June 2011.
- National Consumer Affairs Centre of Japan, www.kokusen.go.jp/ncac_index_e.html, accessed in June 2011.
- National Consumer Affairs Centre of Japan (2010), *Annual Report on Consumption and Life 2010* (Japanese only), www.kokusen.go.jp/nenpou/index.html, accessed in September 2011.
- National Consumer Affairs Centre of Japan (2011), *Summary of PIO-NET system* (Japanese only), www.caa.go.jp/region/pdf/111219_3.pdf, accessed in February 2012.
- Netherlands Consumer Authority (2011a), *ConsuWijzer.nl 'Best Government Website 2011'*, <http://www.consumerauthority.nl/news/2011/consuwijzernl-best-government-website-2011>, accessed in November 2011.
- Netherlands Consumer Authority (2011b), *ConsuWijzer Helps Consumers to Stand U for Their Rights*, www.consumerauthority.nl/news/2011/consuwijzer-helps-consumers-stand-their-rights, accessed in September 2011.
- Netherlands Consumer Authority (2011c), *Consumer Authority: Enforcement and Providing Information Go Hand in Hand*, www.consumerauthority.nl/news/2011/consumer-authority-enforcement-and-providing-information-go-hand-hand, accessed in January 2012.
- OECD (2010a), *Consumer Policy Toolkit*, OECD publishing, Paris.
- OECD (2010b), *Report on Enhancing Information Sharing on Consumer Product Safety*, [www.oecd.org/officialdocuments/displaydocumentpdf/?cote=dsti/cp\(2010\)3/final&doclanguage=en](http://www.oecd.org/officialdocuments/displaydocumentpdf/?cote=dsti/cp(2010)3/final&doclanguage=en), accessed in December 2011.
- OECD (2011), *Enhancing Consumer Policy Making: The Role of Consumer Surveys*, unpublished.
- OECD (2012), Responses to the OECD questionnaire as of 31 May 2012, unpublished.
- Office de la Protection du Consommateur Québec, *Plan stratégique 2009-2013*, www.opc.gouv.qc.ca/Documents/Publications/Corporatives/Planification_2009-2013.pdf, accessed in March 2012.
- Ofcom (Office of Communications) (UK) (2006), *Broadband Migrations: Enabling Consumer Choice*, <http://stakeholders.ofcom.org.uk/binaries/consultations/migration/statement/statement.pdf>, accessed in May 2012.

- Ofcom (UK) (2009a), *Statement: Protecting Consumers from Mis-selling of Mobile Telecommunications Services*, <http://stakeholders.ofcom.org.uk/consultations/mobmisselling/statement/>, accessed in May 2012.
- Ofcom (UK) (2009b), *Protecting Consumers from Mis-selling of Fixed-line Telecommunications Services*, http://stakeholders.ofcom.org.uk/consultations/protecting_consumers_misselling/statement/, accessed in May 2012.
- Office of Fair Trading (OFT) (UK) (2006), *Threatening and Misleading 'Clairvoyant' letter stopped*, www.offt.gov.uk/news-and-updates/press/2006/15-06, accessed in August 2011.
- OFT (Office of Fair Trading) (UK) (2009a), *Office of Fair Trading Annual Report and Accounts 2008 - 09*, www.offt.gov.uk/shared_offt/annual_report/644197/hc475.pdf, accessed in August 2011.
- OFT (UK) (2010a), *Market study into second hand car sales*, www.offt.gov.uk/shared_offt/reports/676408/OFT1152c.pdf, accessed in November 2011.
- OFT (UK) (2010b), *Office of Fair Trading Annual Report and Accounts 2009 - 2010*, www.offt.gov.uk/shared_offt/annual_report/2009/hc301-annual-report2009-10f.pdf, accessed in March 2012.
- OFT (UK) (2011a), *Office of Fair Trading Annual Report and Accounts 2010 - 11*, www.offt.gov.uk/shared_offt/annual_report/2011/annual-report-10-11.pdf, accessed in August 2011.
- OFT (UK) (2011b), *Press releases 2011- OFT Secures High Court Order to Stop Unfair Gm Contract Terms*, www.offt.gov.uk/news-and-updates/press/2011/92-11, accessed in September 2011.
- OFT (UK) (2011c), *Press release 2011- OFT Takes Action Against Used Car Supermarket Over Sales practices*, www.offt.gov.uk/news-and-updates/press/2011/121-11, accessed in November 2011.
- OFT (UK) (2011d), *Press release 2011- Used cars top complaints to OFT*, www.offt.gov.uk/news-and-updates/press/2011/122-11, accessed in November 2011.
- SERNAC (Chile) (2011a), *Almost 180% Rise in Number of Claims in the Financial Market*, www.sernac.cl/sernac2011/noticias/detalle.php?id=2296, accessed in January 2012.
- SERNAC (2011b), *Real Estate and Corporate Gyms are Least Responsive to Consumers*, www.sernac.cl/sernac2011/noticias/detalle.php?id=2387, accessed in January 2012.
- SPF Economie, P.M.E., Classes moyennes et Energie (Belgium) (2011), *Communiqué de presse, Lecturama adapte ses pratiques commerciales*, http://economie.fgov.be/fr/binaries/20110916_CP_Leururama_tcm326-145015.pdf, accessed in February 2012.

ANNEX I

COMPLAINTS CLASSIFICATION HARMONISATION IN THE EUROPEAN UNION

The European Commission (EC) adopted a recommendation on the use of a harmonised methodology for classifying and reporting consumer complaints and enquiries in May 2010 (EC, 2010). According to the recommendation, complaint handling bodies which are responsible for collecting consumer complaints are encouraged, on a voluntary basis, to collect and register consumer complaints in accordance with the harmonised methodology and report them to the EC. The regime covers complaint handling bodies in member states plus Norway and Iceland but does not include consumer complaint handling mechanisms operated by traders.

Purpose of the Recommendation

There are over 700 third-party organisations collecting consumer complaints in the EU. The different approaches used by complaint bodies, however, limited the utility of information, leading to an initiative taken in 2008 to promote harmonisation of approaches. The aim of this initiative is to get a comprehensive and comparable picture of complaints across sectors and across the European Union (EU). The value of harmonising complaint classifications at EU level is seen by EU officials as considerable, for EU and national regulators, consumer organisations and EU consumers themselves. Directly comparable data across the EU is seen as allowing faster, better targeted, evidence-based policy responses at the EU and national levels to problems experienced by consumers. National authorities and regulators are seen as being able to respond better to emerging trends, owing to a more complete picture of their own markets, and easier comparisons with other countries. Finally, non-governmental consumer organisations, some of which now lack the resources to develop their own systems and to influence consumer policy upstream, are seen as benefiting from the availability of an off-the-shelf method and of comparable data. The data will feed into the *Consumer Markets Scoreboard*, which is the Commission's main tool for surveillance of consumer markets. The scoreboard draws together information on consumer market conditions in 29 countries. Complaints data is one of the five principal areas where information is collected.

An expert group (*i.e.* the Consumer Complaints Expert Group - CCEG) comprising more than 60 persons was formed in 2008, to develop a common framework and advise the Commission on implementation matters. The group includes representatives from national consumer authorities, consumer organisations, sectoral regulator bodies, self-regulatory bodies, alternative dispute resolution mechanism and European Consumer Centres. A base study was carried out in the same year to identify main consumer complaints-handling bodies in the European Union (by an external contractor). The expert group, which formally meets about once per year, completed a proposal, which was then put out for public comment in 2008 and 2009. A final recommendation was then developed and finalised in 2010. Following adoption of the recommendation, a high level conference was held to promote the implementation of the initiative. Currently the CCEG is monitoring the implementation of the complaints Recommendation in different member states and sectors and is discussing possible changes in the Recommendation as well as in the related implementation measures.

The Commission is assisting in the dialogue on the practical challenges of the implementation of the Recommendation at all levels, through a series of country visits. Such visits have already been conducted in a number of member states, helping them to implement the new approach.

Main elements of the harmonised methodology

Structure

Under the recommendation, complaint-handling bodies are called on to provide basic information on complaints and consumer enquiries in eight suggested fields, plus four “optional” fields. Most of the basic fields correspond to information that complaint bodies are already collecting, the exception being “selling method” (Table 15).

Table 15. Requested and optional data

Data field	Field information
Name of the consumer ¹	Free text
Email of the consumer	Free text
Telephone of the consumer ¹	Free text
Fax of the consumer ¹	Free text
Address of the consumer ¹	Free text
City of the consumer ¹	Free text
Postal code of the consumer ¹	Free text
Name of the trader ¹	Free text
Country of the consumer	Drop down menu of 31 countries, plus “other” and “do not know”
Country of the trader	Drop down menu of 31 countries, plus “other” and “do not know”
Name of the complaint handling body	Free text
Reason for contact by the consumer	Complaint or Enquiry
Date of receiving the complaint or enquiry	YYYY-MM-DD
Selling method	Drop down menu of 8 major selling methods (selling method face-to-face has 15 sub categories), plus “Other”, “Do not know” and “Not applicable”
Sector information	Drop down menu of 10 basic categories of goods and services
Market information	Second level of the sector information. In total 85 sub-sections for 10 basic categories
Type of complaint information	Drop down menu of 12 types of complaint information (level 1) and 53 sub-categories of complaint information (level 2)). Data requested at least at level 1.
Advertising method ¹	Drop down menu of 9 categories of advertising methods, plus “Other”, “Do not know” and “Not applicable”.
Means of payment ¹	Drop down by 10 means, plus “Other”, “Do not know” and “Not applicable”
Value of the transaction ¹	Amount
Value of the loss incurred by the consumer ¹	Amount
Currency of the transaction ¹	Drop down menu of 16 currencies plus “Other”
Currency of the loss incurred by the consumer	Drop down menu of 16 currencies plus “Other”
Notes ¹	Free text

¹ Optional field.

Source: EC, 2010a.

Complaint-handling bodies are provided with free software developed by the Commission (*i.e.* the European Consumer Complaints Registration System, or ECCRS), which is available in all European Union official languages. In addition, the Commission is offering technical support and advice (including IT expert visits on-site) free of charge to help adjust the IT system of the complaints-handling bodies to the requirements of the complaints recommendation.

Sector information

After discussion by the expert group the EC decided to use a simplified version of the UN Classification of Individual Consumption According to Purpose (COICOP) to classify sectoral information. The EC classification has 10 main sectors while the COICOP has 12 main sectors.

Type of complaint information

The expert group developed the taxonomy for classifying complaints. Twelve level 1 categories were created (including “Other”), along with 53 level 2 sub-categories. Full response at level 1 was strongly urged.

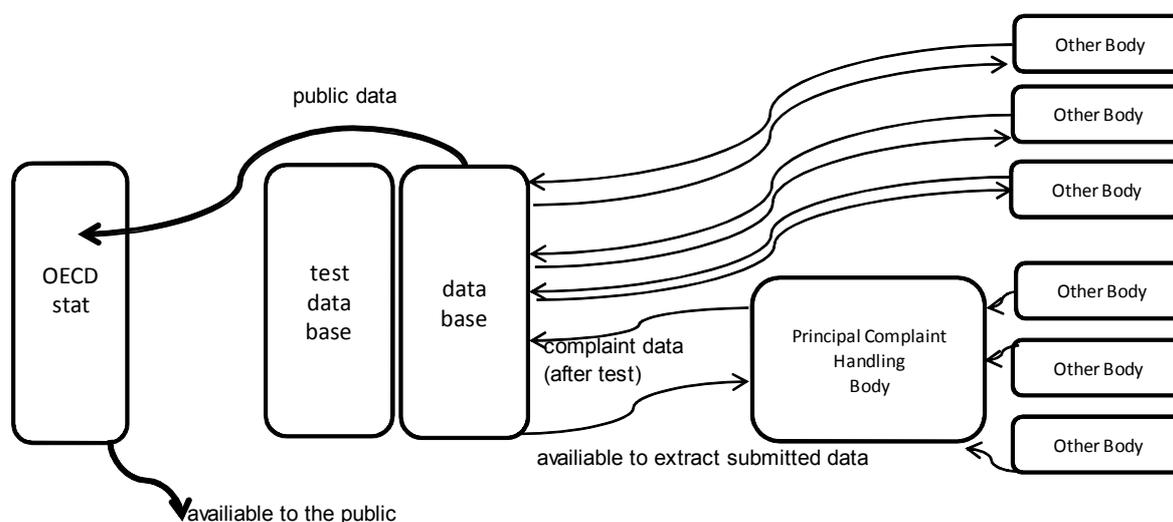
Where a single complaint actually included multiple aspects (*e.g.* an ordered product was defective, delivered late and invoiced incorrectly), a decision was made to count each aspect as a separate complaint (*i.e.* in the example provided the single complaint would be recorded as three).

Reporting

Complaint-handling bodies can report to a central country authority, which would then transmit to the Commission's database; alternatively, there is the possibility for bodies to report directly to the Commission database (Figure 2). The system is now operating; a “test” database has been developed so that bodies can experiment before fully engaging.

The data that is sent to the database is stored there; providers can access the data, but only the data that they provided. The ability of providers to use the database as a storage mechanism is proving to be a strong selling point for potential users as it diminishes the impact PC failure could have on historic records. The ECCRS can also be beneficial because it can be used independently, on local PCs (*i.e.* Internet accessibility is not required on a constant basis). Once data is sent to the database, input cannot be changed so contributors are encouraged only to send it along in final form. Complaint data can be sent at any time, but providers are encouraged to do so at least annually.

Figure 2. Reporting and disseminating system



Source: EC (2011), Communication with the OECD secretariat.

Dissemination

The database is linked to an OECD.stat mechanism, which is the mechanism that the EC decided to use to disseminate aggregated information to the public. While the system is now up and running, and entities are reporting, the volume of reported data is not yet sufficient to be used for in-depth analysis (EC, 2011b). A year or so may be required for the volume to reach interesting levels. The first version of harmonised data is expected to be made available in 2013; such data will also be made available in the EC scoreboard publication.

Implementation

The new system has been presented by the Commission at meetings organised by the main national authorities. Complaint bodies in the countries concerned are brought together for a hands-on demonstration of how the system works, and to discuss issues. The reaction has thus far been positive as the product appears to have much appeal (EC, 2011b). Word of mouth is also helping to increase the number of users. The principal concern raised by complaint bodies has been that too much information was being requested. This criticism has, however, tended to die down once the bodies start using the system.

Complaint bodies willing to adopt the methodology and adapt their IT systems may receive Commission financial support in the form of grants.

ANNEX II OUTLINE OF JAPAN'S PIO-NET SYSTEM

PIO-NET is a secured online database for collecting information on consumer complaints and sharing them among the central government, national consumer affairs centres and local consumer affairs centres in Japan. The system started with eight local governments in 1984 and then expanded to cover all prefectures by 1987. As of October 2011, the number of users was about 11 000.

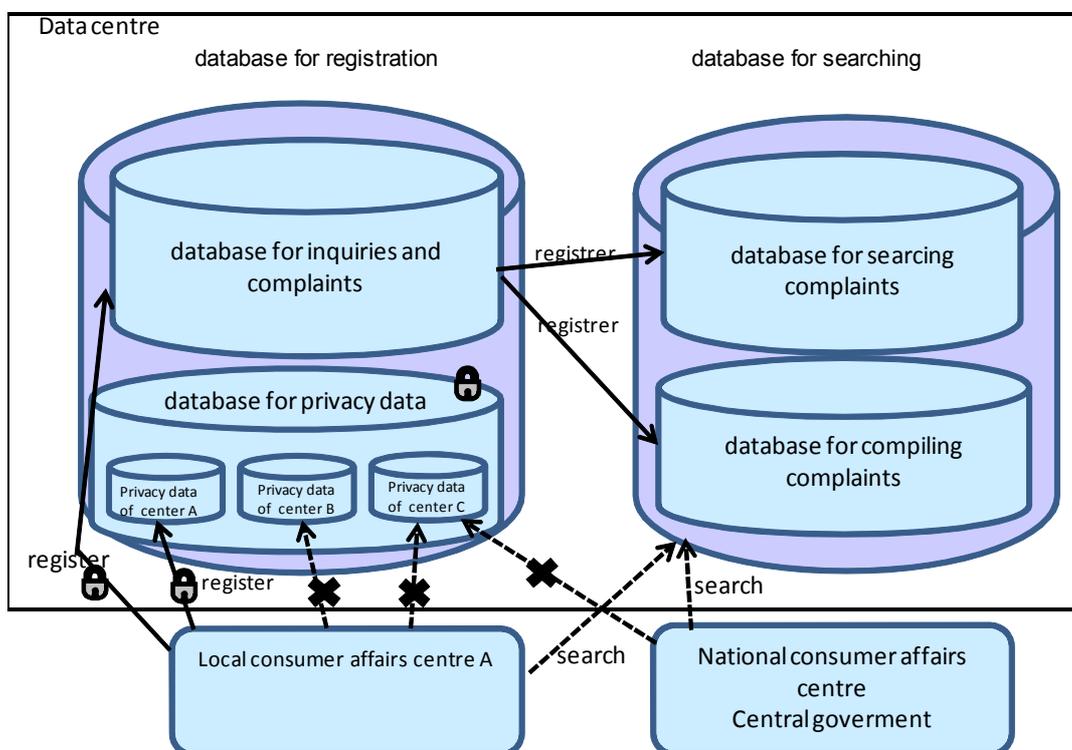
How are consumer enquires and complaints recorded in the central database?

When a consumer counsellor in a consumer affairs centre receives an enquiry or complaint from a consumer, the counsellor is supposed to register the content of the enquiry or complaint into a local PIO-NET terminal. As of October 2011, there were some 3 668 interconnected online PIO-NET terminals, located in 981 centres.

How is privacy ensured?

A local consumer affairs centre can register the personal information of a complainant (*e.g.* name, telephone number and address) in the database, designating it as private. Consumer counsellors can only access the private data that their centre provided. The central government and the NCAC cannot access any data designated as private (Figure 3).

Figure 3. How to register and access the information to PIO-NET



Source: NCAC (2011), Summary of the PIO-NET system.

How much does PIO-NET cost?

According to the NCAC, PIO-NET cost about EUR 4.3 million (JPY 430 million) in 2011. The system was totally renewed in 2010 and the cost has reduced dramatically by about 35% compared to the old system. About 30 % of the total cost is for the provision of PIO-NET local terminals (laptops) for local consumer affairs centres, at no cost to the local offices. The NCAC decides on which local consumer affairs centres are to be equipped with a PIO-NET local terminal, taking the number of working days of consumer counsellors into account.

ANNEX III
QUESTIONNAIRE ON THE ROLE AND USE OF CONSUMER COMPLAINTS INFORMATION

Note: If you would like to submit multiple responses to the questionnaire from more than one agency which use information on consumer complaints to support policy making or enforcement activities, please feel free to do so.

Country name: _____

Name of agency: _____

Contact person: _____

Email: _____

Please complete and return to Ms. Ayako Terauchi (ayako.terauchi@oecd.org; +33 1 45 24 92 04), by 7 February 2012.

Consumer authorities often receive inquiries as well as complaints. Does your organization collect and classify information on inquiries?

Yes _____ No _____

1. Consumer authorities often receive inquiries as well as complaints. Does your organization collect and classify information on inquiries?

Yes _____ No _____

2. If your organization collects information on inquiries, how is it used to support policy making and enforcement efforts?

3. What role does information on consumer complaints play in the following areas:

Area	No role	Minor role	Important role
Preparing general market surveillance and analysis (used in general reports on consumer conditions, development of indices, etc.)			
Identifying specific consumer problems			
Setting priorities for policy work			
Setting policy objectives (e.g. reductions in the number of complaints could be made an objective)			
As a policy tool (e.g. complaint information could be used by consumer agencies to identify areas where consumer education is needed or to encourage changes in a firm's behaviour)			
<i>Ex post</i> evaluation of policy measures (e.g. using the change in the number of complaints to assess the effectiveness of a measure)			
Setting priorities for enforcement actions			
Intelligence/evidence for enforcement actions			
Other (please specify):			

4. What concerns have arisen in developing and using information on consumer complaints in the following areas? (place a check in the relevant boxes)

Area	No concerns	Minor concerns	Important concerns
Validity of complaints information (<i>i.e.</i> complaints may not be well justified)			
Cost of compiling and analyzing information			
Difficulties in classifying information			
Difficulties in comparing information from different sources			
Complainants do not adequately represent the general population			
Difficulty in interpreting information			
Consumer reluctance to lodge complaints			
Insufficient input from complainants living in foreign jurisdictions			
Deciding what information should be shared with stakeholders			
Other (please specify):			

5. Importance of harmonising and sharing information. (place a check in the relevant boxes)

How important is it to have:	No importance	Low importance	Moderate importance	High importance
Harmonised approaches to collecting and classifying information within jurisdictions?				
Harmonised approaches to collecting and classifying information across borders ?				
High level of sharing of complaints information among government agencies within jurisdictions?				
High level of sharing of complaints information among government agencies across borders ?				

6. What actions has your agency taken to improve the quality of complaints information (e.g. measures to i) facilitate the filing of complaints and/or ii) encourage different societal groups to use complaint handling bodies more actively)? How effective have these actions been?

7. Cross-border transactions. When a consumer in a foreign country lodges a complaint in the foreign country about a product purchased from your country, what information on the complaint would you like to most receive from the foreign jurisdiction? (place a check in the relevant boxes)

Type of information	No importance	Low importance	Moderate importance	High importance
Demographic information on complainant (age, income, etc.)				
Personal information on complainant (such as name, address and other contact information)				
Date of receiving complaints				
Sector(s) concerned (i.e. type of good or service)				
Article purchased				
Brand of article				
Nature of complaint (i.e. problems with quality, delivery, price, etc.)				
Selling method (e.g. whether the product was bought through face-to-face interaction, e-commerce, etc.)				
Amount of financial harm				
Name of firm(s) mentioned in complaint				
Location and other contact information of firm(s) concerned				
Information on distributors and sales agents handling the products mentioned in a complaint				
Other (please specify):				

8. What impediments (e.g. legal, confidentiality concern) are there for sharing complaints information with foreign jurisdictions? To what extent and how have these obstacles been overcome?

9. To what extent does your organization use complaints information collected by other stakeholders?

Source of complaint information	Use		
	Not at all	From time to time	Frequently
Industry associations			
Individual firms			
Consumer organisations			
Other (please specify):			

10. If your organisation is using complaints information collected by other organisations (question 9), is this information:

i) combined in your organisation's complaints database (yes or no)? ____

ii) if combined, is it separately identifiable (*i.e.* is it "tagged") (yes or no)? _____

11. How often are the different means for filing complaints used by consumers?

Means for lodging complaints	How commonly are the different means of lodging complaints used by consumers?		
	Not used	Lightly used	Frequently used
Letter			
Phone			
Fax			
Interviews			
Email			
Web-based applications			
Other (please specify):			

12. Please describe *i*) initiatives that your country is pursuing to encourage complainants to increase their use of technology-based means (*e.g.* web-based applications) to lodge complaints *ii*) the impact that these initiatives are having on the volume and quality of complaints and *iii*) the effects this has had on the resources required to use complaints information to support policy making and enforcement activities.

13. Does your organisation have a classification system that your agency uses to organize consumer complaints?⁴ (yes or no) ____ If yes, could you provide a copy and share any observations about the rationale used to develop the system?

⁴ For example, the EC has recently published its classification system which is intended to act as a voluntary standard in the EU. See: http://ec.europa.eu/consumers/complaints/docs/consumer-complaint-recommendation_en.pdf.