

Consumer protection: cross-border infringements, administrative and legal cooperation (Regulation on consumer protection cooperation)

2003/0162(COD) - 12/05/2010 - Follow-up document

The Commission presents a 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. This is the accompanying document to the Commission Recommendation on the use of a harmonised methodology for classifying and reporting consumer complaints and enquiries (please see C (2010)3021)

As a result of the Single Market Review, the Commission developed the Consumer Markets Scoreboard. This is a tool to help monitor the market and identify possible malfunctioning. Consumer complaints are a key indicator in the Scoreboard. They provide valuable indications as to how modern markets are functioning from the consumer perspective. Due to the existing data gap in collecting comparable complaints data, there is a need to develop a harmonised methodology for classifying and reporting consumer complaints and enquiries. The harmonised methodology is to be used on a voluntary basis by all third party complaints bodies. These include consumer authorities, energy, telecommunication and financial services regulators, enforcement bodies, consumer organisations, alternative dispute resolution mechanisms and similar bodies. Complaints collected by traders, as well as complaint mechanisms operated by traders or on their behalf are outside the scope of this initiative.

The Commission Recommendation invites all eligible complaint bodies to adopt the harmonised methodology and report data to the Commission.

This Staff Working Document presents the background to the project and the main issues which emerged from the consultation. It explains how stakeholders' comments have been taken into account and how the Commission will help the complaint bodies adopt the harmonised methodology.

The document recalls that consumer complaints are an important 'grass roots' input into policy-making. It is increasingly important for policymakers at national and EU level to listen to the 'voice' of consumers and understand what they have to say, and to be able to convincingly communicate to citizens that their daily concerns are heard at the highest level where policy is made. A harmonised system is a great opportunity for both national governments and the EU to re-engage with citizens and listen more attentively to their every day problems and concerns. Complaints data can be used to encourage constructive dialogue between all interested stakeholders. Collection of comparable data on consumer complaints at EU level will enable monitoring of national markets and cross-country comparisons. This will give national authorities a much better context to monitor their own policies and consumer markets.

Public consultation: the public consultation was carried out between 7 July 2009 and 5 October, 2009. The consultation raised considerable interest among a wide range of stakeholders. In total, the European Commission received 168 responses, from European Consumer Centres, industry, Member State authorities, non-governmental organisations and regulatory authorities.

Responses were submitted by stakeholders from all Member States, Croatia, Iceland and Norway.

The majority of stakeholders who participated in the public consultation collect both consumer complaints and enquiries. The majority of these bodies classify complaints and enquiries separately. Also, most stakeholders said that they collect complaints coming from consumers while a tiny minority collect complaints from consumer organisations and businesses. Most bodies reported that they collect data about the sectors concerned by complaints as well as data about the different types of complaints.

The majority of respondents support the introduction of a harmonised methodology and the use of complaints data for policy-making. The majority of respondents expressed an interest in adopting the methodology either as it appeared in the public consultation or with some changes. However, **various stakeholders raised concerns related to issues such as the use and presentation of complaints data, the structure of the methodology, possible double counting and costs associated with introducing and using the methodology.** The issues are address in this document.

Implementation: to facilitate the adoption and implementation of the methodology the Commission will continue its close engagement with complaint bodies and discuss issues such as its practical application and the analysis of complaints. Efforts will be made towards providing assistance on IT aspects associated with adopting the harmonised methodology. In line with the Recommendation, complaint bodies are invited to report to the Commission on a yearly basis. The Commission services will present the data yearly in the Consumer Market Scoreboard.