

Our Vision

**“To Support, Protect, Develop
and Promote the Hire Sector.”**

Code of Conduct

Hæ eHa
stronger together

HAE EHA is a combination of the two leading hire sector trade associations, the Hire Association Europe (HAE) which was founded in 1974 to represent the hire sector and the more recently formed Event Hire Association (EHA), both representing member businesses principally in the UK and Ireland with some members further afield. HAE EHA brings together members from across the hire supply chain; HAE with membership from tool and equipment and plant; and EHA with membership from audio visual, catering, inflatable, marquee and portable sanitation hire specialists. Our supplier members also add a valuable component to the HAE EHA.

Members range from small independent companies to regional, national and international multi-site businesses.

HAE EHA is regarded as a Model Trade Association by the Government and operates as a not for profit organisation, limited by guarantee.

HAE EHA offer guidance to members to assist in improving industry standards and support campaigns to increase the awareness of the benefits of hire to end users. HAE EHA act in partnership with Government agencies and serve the hire industry through influencing on behalf of its membership. HAE EHA plays a strategic role in supporting the promotion and protection of the hire and rental industry.

Hire Association Europe exists to:

- ✓ **Support our members and the wider sector in terms of speaking up for hire**
- ✓ **Protect our members by offering a menu of bespoke risk management products and services**
- ✓ **Develop the hire sector through skills based training, good practice and shared knowledge**
- ✓ **Promote the hire sector, speaking up for hire and creating the desire for working with our members.**

We have developed this Code of Conduct which seeks to amplify these goals.

HAE EHA expects members to understand and adhere to the Code of Conduct in their business operations as a condition of their membership. However, it is for members to formulate and manage policies and procedures relating to the operation of their business, and relationships with customers and other parties to ensure they are operating lawfully.

Where the conduct of a member appears in the reasonable opinion of HAE EHA to materially breach, or repeatedly breach, this Code of Conduct, or where a member

appears to act in a manner which is contrary to the spirit of this Code of Conduct, and/or is prejudicial to the reputation or integrity of HAE EHA, such conduct shall be subject to the HAE EHA disciplinary procedure and may result in expulsion from membership of the HAE EHA.

GENERAL RULES OF CONDUCT

These rules are applicable to all members and cover all of the hire and rental services provided by members of HAE EHA.

GENERAL

Members should conduct their business lawfully, comply with all relevant legislation, regulations and judicial decisions applicable to their business and trade fairly and responsibly at all times. Members must behave with honesty and integrity and endeavour to ensure that all other persons with whom the member has a commercial relationship, behave similarly. Members must not knowingly misrepresent facts to a customer concerning any aspect of a hire or rental transaction and are expected at all times provide a high standard of customer service.

No member shall conduct his business in such a way as to give HAE EHA reasonable cause to believe that his actions involve dishonesty, dishonourable or deceitful behaviour, or are otherwise unfair or unlawful to customers, or (in the reasonable opinion of HAE EHA) bring HAE EHA and its membership into disrepute.

PREMISES

Members are expected to operate from a suitable place of business and comply in full with any and all relevant legislation and regulations applicable to their premises.

In premises where access is available to customers, the member must ensure that the facility is clean and safe and any rules relating to health and safety at the premises are readily available and communicated to staff and customers. As good practice, members are encouraged to carry out regular health and safety assessments at the premises to ensure they do not pose any risk to customers or staff. In addition, members should ensure that all premises maintain a professional appearance and are well-managed.

BUSINESS HOURS

Members should display hours of business prominently at their premises and, where possible, include this information on delivery notes and any other relevant correspondence with customers.

TRAINING

Members should ensure that any staff are adequately trained to a standard at least as high as that provided by the HAE EHA training programmes and members should maintain a training log book for future reference.

ADVERTISING

Members should comply at all times with all applicable laws and any codes and standards set by the Advertising Standards Authority which regulate their advertising, including (but not limited to) ensuring that any and all advertising and literature produced or displayed by the member does not contain any misleading or inaccurate statements.

ACCESS TO THE CODE OF CONDUCT

Members should ensure that a copy of the latest version of the Code of Conduct is made available at all operating locations and that all staff have a proper understanding of the Code of Conduct and where to obtain details.

Members should provide access to the full Code of Conduct when requested by a customer or otherwise display a copy of the Code of Conduct at any premises which may be accessed by customers.

INSURANCE

Members must ensure that they hold adequate insurance to cover any possible claims made by customers which may include commercial general liability insurance, professional indemnity insurance, employer's liability insurance and public liability insurance.

BEHAVIOUR TOWARDS THIRD PARTIES (EXCLUDING CUSTOMERS)

Members are expected to act in their dealings with third parties (excluding customers for these purposes) in accordance with accepted commercial practices. Without limitation, the members should ensure that where they have entered into card schemes, they comply with any card scheme rules that may apply.

DATA PROTECTION

Information held by members relating to customers may be covered by the Data Protection Act 1998 (DPA) which regulates the "processing" of personal data. The DPA not only creates obligations for members (as data controllers), it also gives individuals rights, such as the right to gain access to their details and to claim compensation when they suffer damage. The basic legal requirement is to comply with the DPA itself; failure to do so risks enforcement action being taken and/or prosecution, and compensation claims from individuals.

Accordingly, members must have policies and procedures in place which ensure compliance with the DPA, from the moment it obtains the data from the individual until the time when the data has been returned, deleted or destroyed. Members are encouraged to carry out a regular assessment of its data protection policies and procedures to ensure adherence to the DPA.

Members should furthermore ensure that all marketing activity is conducted in accordance with the Data Protection Act 1998 and that regard is had to any opt out scheme, such as (without limitation) the Telephone Preference Scheme.

ANTI-BRIBERY

Members are expected to have in place adequate procedures to ensure they do not act in their dealings with HAE EHA, customers, other members of HAE EHA or any other third parties, in a manner which is contrary to any anti-bribery legislation in any jurisdiction, including (but not limited to) the Bribery Act 2010. Members are encouraged, as a minimum, to adopt an anti-bribery policy to demonstrate compliance with anti-bribery legislation.

SPECIFIC RULES REGARDING CONDUCT TOWARDS CUSTOMERS

PRICING

Members should provide a transparent explanation of the basis on which all charges will be calculated. The charges should be explained to the customer and a written quotation should be available on request. The member must ensure that when setting prices and negotiating its prices with members, it complies at all times with any applicable legislation or regulations and guidance or policies issued by any regulatory authorities, including (but not limited to) Trading Standards.

HIRE OR RENTAL AGREEMENT

Members should ensure that they draw the customer's attention to its terms and conditions of hire or rental before the agreement is formed with the customer. Members should (where possible) reproduce their terms and conditions on quotation forms, order forms, hire forms, emails, websites, letter heads, hire catalogues, or otherwise make them readily available to customers..

Members must ensure that the terms of the hire or rental agreements are in writing and in a form which comply with any applicable legislation or regulations. A copy should be provided to the customer showing all details of the transaction including products and charges.

PAYMENT

The member must advise the customer, prior to the commencement of the hire or rental, the basis for any deposit required, including any mandatory insurance excess and the option for payment by the customer when the product is returned. In the event of any disputes relating to payments, the member must ensure it deals with such dispute fairly and act in all dealings with the customer in good faith.

The member must ensure it has in place sufficient security measures to protect any data it receives from customers of a financial nature, which may include encryption technology.

SAFETY INSTRUCTIONS

The member must provide practical instruction in respect of all products. Written safety guidance instructions must be issued and a record filed for future reference. Where necessary, personal protective equipment must be made available and its proper use explained to the customer. HAE EHA actively encourages members to adopt the SafeHire Standard which has been developed by the sector, for the sector.

RECEIPT ON RETURN

Members must ensure that a receipt is issued for all hire or rental products returned to, or collected by the member.

REFUNDS

Members must ensure that any refunds due to customers are made promptly, and (where applicable) in accordance with any period specified by relevant laws or regulations. Where cash payments have been received, these should be refunded in cash by the member where practicable.

PRE-HIRE CHECK

Members must ensure that all hire or rental products are subject to a thorough examination and test to at least a minimum standard set down in the SafeHire Standard, and are maintained in good working condition throughout the lifetime of the product. All records must be maintained in accordance with any applicable statutory or regulatory requirements.

BREAKDOWN

Members are expected to offer a pro-rata reduction in any rental payments to customer in the event of a breakdown which does not result from the customer's action or negligence, until such time as the product is repaired or exchanged.

COMPLAINTS HANDLING

HAE EHA members are expected to have in place a clear and effective complaints procedure which can be easily and understandably communicated to customers, together with other options for redress (which should include the right for the complaint to be made to HAE EHA if the member fails satisfactorily to handle the complaint). Any complaints, however rare, should be dealt with in a timely and courteous manner and, as a minimum, a response to a written complaint should be issued within five working days. Member should aim to resolve disputes within 15 working days.

Members should maintain a complete record of complaints and take action based on this information to improve their level of service to customers.

DISPUTE RESOLUTION

In the event that a member is unable to resolve a dispute, or a dispute is not capable of swift resolution, HAE EHA can facilitate an arbitration process to assist in resolving the dispute.

Any unresolved disputes may be referred to HAE EHA by the customer and/or the member involved. Details should be submitted in writing to:

The Managing Director. HAE EHA, 2450 Regents Court, The Crescent, Birmingham Business Park, Solihull, West Midlands B37 7YE

Upon receipt of a referral, HAE EHA will review the dispute and, where appropriate, it can make the necessary arrangements to facilitate independent arbitration to resolve outstanding issues.

NO RESTRICTION OF RIGHTS

Nothing in this Code of Conduct restricts, or is intended to restrict, the rights of a complainant or member to pursue remedies through the Courts.

AMENDMENTS TO THE CODE OF CONDUCT

This Code of Conduct will be updated from time to time. HAE EHA will issue members with a revised version as soon as this is available and members should ensure this is substituted in place of the immediately preceding version and communicated to its staff and customers.

Last updated by HAE EHA November 2013



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