

Consumer vulnerability

Comments raised at the COPOLCO workshop in 2012 indicated that the Banking Ombudsman in Canada had identified vulnerable consumers as the primary source of complaints to his office, with the majority of complaints coming from *older adults, recent immigrants and those consumers with mental health problems*.

Similar disadvantaged groups exist in other countries.

There is no perfect consumer protection system but here was an example of an under-served section of society in a country with an allegedly good consumer protection system.

The British standard BS18477 *Inclusive Services* has been out for more than 5 years so has a track record and feedback on how it's being used and could be improved. An assessment of three consumer organizations that interfaced with consumers, including those in disadvantaged circumstances, had been released on BS 18477.

BS 18477 was reviewed early in 2015, and BSI considered revision for the UK market only at first, but sought feedback on applicability as a possible International Standard. After inconclusive first consultations, the COPOLCO Secretariat launched a formal Committee Internal Ballot to gauge members' support for this work and also to assess members' interest in taking part in future work.

The CIB concluded on 21 April. . 52 votes were cast.

In response to the question "Is the "vulnerable consumer" an important issue in your country?" The answers were 36 Yes; 0 No; 0 undecided; 16 abstain.

In response to the question "Should the Consumer protection in the global marketplace working group develop a new activity template on the "vulnerable consumer"?" The answers were 33 Yes; 1 No; 2 undecided; 16 abstain.

Action at Fringe meeting: To make a decision on the next step for this initiative.

Result of voting

Ballot Information	
Ballot reference	COPOLCO N197
Ballot type	CIB
Ballot title	Proposal for an International Standard on service to vulnerable consumers
Opening date	2016-03-25
Closing date	2016-04-21
Note	<p>This consultation follows up COPOLCO Resolution 8/2015, below. Please respond to the questions below.</p> <p>COPOLCO Resolution 18/2015 <i>Global marketplace working group (2)</i> COPOLCO</p> <p><i>notes the work of British Standards Institution on consumer vulnerability as described in COPOLCO 18/2015,</i></p> <p><i>invites its members to contact the COPOLCO Secretariat to indicate their interest in participating in any future work in this area,</i></p> <p><i>requests the Secretary to correspond with the members to gather views and information about the interest and relevance of international work on consumer vulnerability.</i></p>

Member responses:	
Votes cast (52)	Argentina (IRAM) Australia (SA) Austria (ASI) Bahrain (BSMD) Barbados (BNSI) Botswana (BOBS) Brazil (ABNT) Canada (SCC) Chile (INN) Colombia (ICONTEC) Costa Rica (INTECO) Cyprus (CYS) Czech Republic (UNMZ)

	Denmark (DS) Egypt (EOS) Germany (DIN) Ghana (GSA) India (BIS) Indonesia (BSN) Iran, Islamic Republic of (ISIRI) Ireland (NSAI) Israel (SII) Jamaica (BSJ) Japan (JISC) Kenya (KEBS) Malawi (MBS) Malaysia (DSM) Malta (MCCAA) Mauritius (MSB) Mexico (DGN) Namibia (NSI) Netherlands (NEN) Norway (SN) Pakistan (PSQCA) Panama (COPANIT) Peru (INACAL) Portugal (IPQ) Saudi Arabia (SASO) Serbia (ISS) Singapore (SPRING SG) Slovenia (SIST) South Africa (SABS) Spain (AENOR) Sweden (SIS) Switzerland (SNV) Thailand (TISI) Trinidad and Tobago (TTBS) Turkey (TSE) United Kingdom (BSI) United States (ANSI) Uruguay (UNIT) Zimbabwe (SAZ)
Comments submitted (5)	ANEC Armenia (SARM) CI Saint Lucia (SLBS) Viet Nam (STAMEQ)
Votes not cast (18)	Algeria (IANOR) Bangladesh (BSTI) Bulgaria (BDS) China (SAC) Ecuador (INEN) Fiji (DNTMS) Finland (SFS) France (AFNOR) Italy (UNI) Kazakhstan (KAZMEMST) Korea, Republic of (KATS) Oman (DGSM)

Romania (ASRO)
 Russian Federation (GOST R)
 Sri Lanka (SLSI)
 Sudan (SSMO)
 Tunisia (INNORPI)
 United Arab Emirates (ESMA)

Questions:

Q.1	"Is the "vulnerable consumer" an important issue in your country? "
Q.2	"Should the Consumer protection in the global marketplace working group develop a new activity template on the "vulnerable consumer"?"

Votes by members	Q.1	Q.2
Argentina (IRAM)	Yes	Yes
Australia (SA)	Yes	Yes
Austria (ASI)	Abstain	Abstain
Bahrain (BSMD)	Yes	Yes
Barbados (BNSI)	Abstain	Abstain
Botswana (BOBS)	Yes	Yes
Brazil (ABNT)	Abstain	Abstain
Canada (SCC)	Yes	Yes
Chile (INN)	Yes	Yes
Colombia (ICONTEC)	Yes	Yes
Costa Rica (INTECO)	Yes	Yes
Cyprus (CYS)	Yes	Yes
Czech Republic (UNMZ)	Yes	Yes
Denmark (DS)	Yes	Yes
Egypt (EOS)	Yes	Yes
Germany (DIN)	Yes	No
Ghana (GSA)	Yes	Yes
India (BIS)	Abstain	Yes
Indonesia (BSN)	Yes	Yes
Iran, Islamic Republic of (ISIRI)	Yes	Yes
Ireland (NSAI)	Abstain	Abstain
Israel (SII)	Abstain	Abstain
Jamaica (BSJ)	Abstain	Yes
Japan (JISC)	Yes	Abstain

Kenya (KEBS)	Yes	Yes
Malawi (MBS)	Yes	Yes
Malaysia (DSM)	Yes	Yes
Malta (MCCAA)	Yes	Abstain
Mauritius (MSB)	Yes	Yes
Mexico (DGN)	Yes	Yes
Namibia (NSI)	Yes	Yes
Netherlands (NEN)	Abstain	Abstain
Norway (SN)	Yes	Yes
Pakistan (PSQCA)	Yes	Yes
Panama (COPANIT)	Yes	Undecided
Peru (INACAL)	Yes	Yes
Portugal (IPQ)	Abstain	Abstain
Saudi Arabia (SASO)	Yes	Yes
Serbia (ISS)	Abstain	Abstain
Singapore (SPRING SG)	Abstain	Abstain
Slovenia (SIST)	Yes	Undecided
South Africa (SABS)	Yes	Yes
Spain (AENOR)	Abstain	Abstain
Sweden (SIS)	Abstain	Abstain
Switzerland (SNV)	Abstain	Abstain
Thailand (TISI)	Yes	Yes
Trinidad and Tobago (TTBS)	Yes	Yes
Turkey (TSE)	Yes	Yes
United Kingdom (BSI)	Yes	Yes
United States (ANSI)	Abstain	Abstain
Uruguay (UNIT)	Yes	Yes
Zimbabwe (SAZ)	Abstain	Abstain

Answers to Q.1: "Is the "vulnerable consumer" an important issue in your country? "		
36 x	Yes	Argentina (IRAM) Australia (SA) Bahrain (BSMD) Botswana (BOBS) Canada (SCC) Chile (INN) Colombia (ICONTEC)

		Costa Rica (INTECO) Cyprus (CYS) Czech Republic (UNMZ) Denmark (DS) Egypt (EOS) Germany (DIN) Ghana (GSA) Indonesia (BSN) Iran, Islamic Republic of (ISIRI) Japan (JISC) Kenya (KEBS) Malawi (MBS) Malaysia (DSM) Malta (MCCAA) Mauritius (MSB) Mexico (DGN) Namibia (NSI) Norway (SN) Pakistan (PSQCA) Panama (COPANIT) Peru (INACAL) Saudi Arabia (SASO) Slovenia (SIST) South Africa (SABS) Thailand (TISI) Trinidad and Tobago (TTBS) Turkey (TSE) United Kingdom (BSI) Uruguay (UNIT)
0 x	No	
0 x	Undecided	
16 x	Abstain	Austria (ASI) Barbados (BNSI) Brazil (ABNT) India (BIS) Ireland (NSAI) Israel (SII) Jamaica (BSJ) Netherlands (NEN) Portugal (IPQ) Serbia (ISS) Singapore (SPRING SG) Spain (AENOR) Sweden (SIS) Switzerland (SNV) United States (ANSI) Zimbabwe (SAZ)

Answers to Q.2: "Should the Consumer protection in the global marketplace working group develop a new activity template on the "vulnerable consumer"?"

33 x	Yes	Argentina (IRAM) Australia (SA) Bahrain (BSMD) Botswana (BOBS)
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		Canada (SCC) Chile (INN) Colombia (ICONTEC) Costa Rica (INTECO) Cyprus (CYS) Czech Republic (UNMZ) Denmark (DS) Egypt (EOS) Ghana (GSA) India (BIS) Indonesia (BSN) Iran, Islamic Republic of (ISIRI) Jamaica (BSJ) Kenya (KEBS) Malawi (MBS) Malaysia (DSM) Mauritius (MSB) Mexico (DGN) Namibia (NSI) Norway (SN) Pakistan (PSQCA) Peru (INACAL) Saudi Arabia (SASO) South Africa (SABS) Thailand (TISI) Trinidad and Tobago (TTBS) Turkey (TSE) United Kingdom (BSI) Uruguay (UNIT)
1 x	No	Germany (DIN)
2 x	Undecided	Panama (COPANIT) Slovenia (SIST)
16 x	Abstain	Austria (ASI) Barbados (BNSI) Brazil (ABNT) Ireland (NSAI) Israel (SII) Japan (JISC) Malta (MCCAA) Netherlands (NEN) Portugal (IPQ) Serbia (ISS) Singapore (SPRING SG) Spain (AENOR) Sweden (SIS) Switzerland (SNV) United States (ANSI) Zimbabwe (SAZ)

Comments from Voters		
Member:	Comment:	Date:
Egypt (EOS)	<i>Comment</i>	2016-04-07 10:37:07

We want to protect the consumer and study the reasons for vulnerable consumer and wish strong consumer. EGYPTIAN CONSUMER PROTECTION .		
Indonesia (BSN)	Comment	2016-04-19 11:06:43
<p>Yes. Characteristics of consumer in Indonesia are very heterogeneous, both in terms of geography, socio-economic status.</p> <p>Vulnerable consumer as like women, children, disabled, migrant workers need special attention.</p> <p>To protect vulnerable consumer need a special approach</p>		
Kenya (KEBS)	Comment	2016-04-19 13:51:36
In Kenya, most consumers can be considered to be "vulnerable" hence this subject matter is of importance. Moreover, the 2010 Constitution of Kenya does prominently give the consumers immense rights.		
Malaysia (DSM)	Comment	2016-04-20 10:06:20
<p>Malaysia is experiencing decreasing birth rate, resulted ageing population by 2030. Also meaning that Malaysia will be having a large group of vulnerable consumer at year 2030. UN Developing programme also mentioned that 80% of the disabilities live in developing countries World Bank estimates that 20% of the world's poorest people have some kind of disabilities and the statistics shows a steady increase in these number.</p> <p>Malaysian person with disabilities act 2008 has govern the disabilities. However, many business did not refer to the act while designing or developing product or services for the vulnerable group and the emerging economy and technology has changed the way of living. The world is been telling us to be inclusive, some even come out with a term 'fully inclusive society'. The idea of fully inclusive society is to have an inclusive heart and attitude which must be incorporated in the formal education, and supported by relevant facilities for the special need and disabilities which also considered as vulnerable group. Understanding that the vulnerable consumer is inclusive of consumer that without basic facilities including education and access of information, with great hope the guidance can help to share best practices in protecting vulnerable consumer.</p> <p>Yes, it is important to develop a series of international guidelines on vulnerable consumer to protect consumer interest of the vulnerable group. However, the scope of the guidelines/ standards should focus more on the protection of consumer than businesses management.</p>		
Panama (COPANIT)	Comment	2016-04-21 17:28:30
A highest percentage of the population in Panama are vulnerable consumer.		
United Kingdom (BSI)	Comment File	2016-04-21 12:32:08
CommentFiles/COPOLCO N197_BSI.doc		

Comments from Commenters		
Member:	Comment:	Date:
ANEC	Comment	2016-04-21 13:20:53
ANEC submits the attached comments.		
ANEC	Comment File	2016-04-21 13:20:53
CommentFiles/COPOLCO N197_ANEC.docx		


Armenia (SARM)	<i>Comment</i>	2016-04-18 15:10:13
1	Is the "vulnerable consumer" an important issue in your country?	Yes
2	Should the Consumer protection in the global marketplace working group develop a new activity template on the "vulnerable consumer"?	Yes
CI	<i>Comment</i>	2016-04-21 17:03:10
Consumers International support the elaboration of an ISO for identifying the needs of vulnerable consumers		
Saint Lucia (SLBS)	<i>Comment</i>	2016-04-21 21:28:24
<p>Saint Lucia would like to submit comments to support the development of new work to focus on vulnerable consumers.</p> <p>Is the "vulnerable consumer" an important issue in your Saint Lucia?Is the "vulnerable consumer" an important issue in your Country:</p> <p>Answer: Yes</p> <p>Should the Consumer protection in the global marketplace working group develop a new activity template on the "vulnerable consumer"?</p> <p>Answer: Yes</p>		
Viet Nam (STAMEQ)	<i>Comment</i>	2016-04-13 04:41:28
<p>1.Yes</p> <p>2. Yes</p>		

Template for comments and secretariat observations

Date:2016-04-23

Document:

Project:

MB/ NC ¹	Line number	Clause/ Subclause	Paragraph/ Figure/Table	Type of comment ²	Comments	Proposed change	Observations of the secretariat
GB 001				GE	 N 197 Vulnerable consumers.docx		
ANEC 1 002			Question 1		<p>As a European based consumer association, ANEC has consulted its membership about the issue of vulnerable consumers and broad support was expressed for standardisation in this area.</p> <p>ANEC is also working to build a momentum within the European Institutions to put the needs of vulnerable consumers (children, people with disabilities and older people) at the center of EU policies. Based on the position paper we issued in December 2011 we influenced the European Parliament Report on Vulnerable Consumers adopted in May 2012 and the European Commission Communication "Consumer Agenda".</p> <p>On 7 February 2013, the European Consumer Consultative Group (ECCG) approved an ECCG Opinion on consumers and vulnerability,</p>		

¹ **MB** = Member body / **NC** = National Committee (enter the ISO 3166 two-letter country code, e.g. CN for China; comments from the ISO/CS editing unit are identified by **)

² **Type of comment:** **ge** = general **te** = technical **ed** = editorial

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					<p>drafted by ANEC and BEUC based on ANEC's position paper on Vulnerable Consumers of December 2011. The aim of the Opinion is to provide a better understanding and increased consideration for all consumers' needs so as to develop an inclusive and targeted policy approach by the European Commission, and in particular in their response to the European Parliament Resolution a strategy for strengthening the rights of vulnerable consumers of May 2012.</p> <p>The call made by ANEC for standards to be developed to meet the needs of vulnerable consumers has also been taken into account by the European Institutions in several pieces of legislation calling for the standards to implement them to take into account the needs of vulnerable consumers (Lifts Directive, LVD Directive, RED Directive). These new provisions, which will be applicable in the coming months, should set the legal basis for safety and accessibility</p>		

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					<p>standards to meet the needs of all consumers.</p> <p>The 3rd European Standardisation Summit, held on 11 June 2014 in Istanbul, was dedicated to the theme of how standardisation can support the silver economy. To mark the event, ANEC published the Position paper 'Wiser standards for an ageing world'.</p> <p>In February 2016, the European Commission published the study, 'Consumer vulnerability across key markets in the European Union'. The study follows the European Consumer Consultative Group's Opinion on consumers and vulnerability, drafted by ANEC and BEUC further to ANEC's position paper on Vulnerable Consumers of December 2011. The aim of the Opinion was to provide a better understanding and increased consideration for all consumers' needs, so as to develop an inclusive and targeted policy approach by the EC.</p> <p>The EC study looks into the</p>		

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					<p>difficulties consumers face in getting the best or fairest deals. It identifies the main reasons behind this vulnerability and considers what can be done to enable consumers to make better use of their rights and the alternatives the marketplace offers. <i>ANEC hopes the study will help the Commission to develop the right legislative, policy and standardisation approach to address consumer vulnerabilities. We are ready to contribute to this important task.</i></p> <p>On the standardisation front, ANEC was at the forefront of the revision of the standards on the safety of household appliances (IEC and EN 60335) to take into account the needs of vulnerable consumers. The previous version of the EN 60335 standards contained an exclusion or limitation clause that these standards do not "..., in general, take into account the use of appliances by young children or infirm persons without supervision." In Europe the work has come to an</p>		

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					end and it represents a huge step forward for the safety of European consumers, especially children, older people & those with disabilities. We know look at IEC to follow the same way.		
ANEC 2 003			Question 2		<p>ANEC supports the development of a new activity template on the "vulnerable consumer" and we would like to make the following suggestions/background documents to be considered in addition to the information provided above, based on the feedback from our members:</p> <ul style="list-style-type: none"> -In February 2015, the UK's Financial Conduct Authority (UK major regulator for the finance industry) published a report ("Consumer Vulnerability - Occasional Paper No 8") in which the scale of vulnerability in the UK is made very clear in the context of financial services. - Centre for Consumers and Essential Services Consumer Vulnerability – Mainstream, not Marginal 		

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					http://www2.le.ac.uk/departments/law/research/cces/copy_of_consume rvulnerability2016.pdf -Ofgem and vulnerable consumers http://www2.le.ac.uk/departments/law/research/cces/ofgem-and-vulnerable-consumers -And What is consumer vulnerability http://consumers.ofcom.org.uk/disability/consumer-vulnerability/ -Vulnerability A PhonepayPlus Discussion Document https://www.phonepayplus.org.uk/~media/Files/PhonepayPlus/Research/Vulnerability-discussion-document-2015.pdf - Greek standard ΕΛΟΤ 1439:2013 «Οργανισμός φιλικός σε πολίτες με αναπηρία - Απαιτήσεις και συστάσεις» (organisations friendly to people with disabilities- needs and recommendations.		

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D:\ISO\data\prod_iso_comment-collation\work\temp\COPOLCO N197_BSI.doc: Collation successful

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Collation of files was successful. Number of collated files: 2

SELECTED (number of files): 2

PASSED TEST (number of files): 2

FAILED TEST (number of files): 0

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BSI Consumer & Public Interest Network comments on:

For vote by 21 April – N 197 Vulnerable consumers

This is clearly very much in tune with the current Safeguarding agenda in the UK, and in the view of CPIN, certainly something we should support. There are clear links between the vulnerability issues and some aspects of the accessibility agenda.

The Discussion Paper seems stronger on identifying the key issues than the draft outline for the standard which seems somewhat watered down by comparison. The draft for the standard needs to address all the points raised in the Discussion Paper.

All consumers are vulnerable and are becoming increasingly so, in the face of the massive industrialisation of marketing, merchandising, advertising and product/services design. Information essential to inform consumers is being replaced by blurb and marketing-speak, image replacing substance and fiction replacing fact. The Supply Side has created a climate of myths and stories to hard sell its products, often based on celebrity culture which exploits a major consumer weakness - the predilection for presentation over content. Consumers can sometimes be their own worst enemies and they do need protection. The Discussion Paper leaves out lack of education as a factor in consumer vulnerability, other than mentioning literacy; lack of mathematical ability should be included (relevant to shopping, particularly for financial services). Low income is mentioned as a vulnerability factor in the Discussion Paper but this should be extended to include poverty, deprivation and poor health, both mental and physical.

In many circumstances, vulnerable consumers will have a measure of protection through existing standards and regulations; any new overarching standard like this one proposed will have to plug some of the gaps –as many as is feasible. Lack of sound accessible information must be addressed but the consumer protection framework is now becoming so complex that specific measures must be taken to facilitate consumer understanding and the need for consumers to thread their way through the maze of often overlapping standards and regulations. It must not be assumed that consumers will always act rationally: as the Discussion Paper points out (but the draft standard does not cover) consumers need protection after, as well as before, they take wrong decisions.

The CPIN has been promoting BS 18477 far and wide for the last few years and think that it would work well as the basis for a European or international standard.

In the UK, there is a growing understanding of consumer vulnerability, and the wide range of factors that can cause it. Some of these are circumstantial, but organizational systems and procedures can actually exacerbate the problem.

Identifying and responding to consumer vulnerability is increasingly important for businesses. As the service industry develops, organizations have to look for different ways to

stand out and differentiate themselves from their competitors. First it was price, then customer service. Now organizations are having to go above and beyond this - trying to win new customers, or keep existing ones, by demonstrating their values and principles of service. Sustainability is one example. Inclusive service is another.

The issues are more about inclusive service than 'vulnerable consumers' as such. It is about recognising that each consumer is an individual, with different needs and abilities, and organizations should adopt a flexible approach that is able to adapt to suit the requirements of each person, rather than a 'one size fits all' approach.

This can actually be beneficial to organizations in the long term, as it means each customer is getting what they want and need, thereby reducing the occurrence of problems and subsequent complaints. In the UK we've seen forward-thinking organizations moving towards this model - in healthcare, financial services and utilities. Regulators are encouraging organizations to take this approach.

The CPIN believes the UK should strongly support this proposal!