

The HæeHA Member's Code

Introduction

HAE EHA brings together the Hire Association Europe (HAE) (originally founded in 1974) and the Event Hire Association (EHA) formed more recently. We are commonly known to members as 'The Hire Association.' In this Code, both organisations are combined and are referred to as HAE EHA.

HAE hire members specialise in tools, plant and equipment and EHA hire members are specialists within the event hire supply market. Our members are mostly located in the UK and Ireland and consist of hire businesses, suppliers, and manufacturers and those with a strong interest in the hire sector. However, there remains a strong international focus to our sector.

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

HAE EHAs core mission is to promote and protect the hire and rental sector; working with members and allies to develop and share good practice, and to provide a strategic insight into the sector. This involves representing the sector to government, in the media and through cooperating with other organisations.

HAE EHA is a Model Trade Association as defined by the Government and operates as a not-for-profit company, limited by guarantee. This Member's Code is designed to provide a framework for members of HAE EHA.

HAE EHA expects members to understand and adhere to the latest Code in their business operations as a condition of their membership. However, it is for individual member businesses to adopt and apply policies and procedures concerning their conduct with customers, suppliers and other hire businesses ensuring they are operating lawfully and within this Code.

Membership

Applications for membership from eligible businesses are always welcome and will be reviewed by our staff and board members. Due diligence will be undertaken, including company and financial status.

To be eligible for membership of HAE, EHA or both, a business must be properly registered with business ownership and financial information available at Companies House.

For hire members, the business must either own or significantly control assets which are hired to customers. We accept that with changes in how business is conducted, some organisations may have a blend of physical and virtual channels.

Suppliers (OEMs/equipment manufacturers, distributors, and service providers etc) are also eligible to join and fully participate. Our representation across the hire sector supply chain is important and effective.

General Scope

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

General

- Members should conduct their business lawfully, comply with all relevant legislation and regulations applicable to their business.
- Members should conduct their business relationships with honesty and integrity.
- Members cannot knowingly misrepresent facts to their customers and are expected to provide a high standard of customer service.
- No member should bring the hire sector or HAE EHA into disrepute. This includes where the conduct of business is in such a way as to give HAE EHA reasonable cause to consider actions to be dishonest or deceitful and or are unfair or unlawful.
- By participating in HAE EHA meetings and events, HAE Members agree to adhere to the Member's Code and to fully comply with current legal requirements.
- We ask members to adhere to the following: **HAE Members agree to adhere to the HAE Code of Conduct and to fully comply with current legal requirements. This includes no discussions whether formal or informal concerning pricing, pricing policies, discounts, soliciting for business, territories, the allocation of customers or future business plans. Any member attempting to do so will be immediately asked to discontinue and the meeting will be brought to a closure.**
- This includes the Competition and Market Authority's (CMA) rules concerning trade associations. These legal obligations require members not to discuss pricing, pricing policies, discounts, territories, the allocation of customers or any other competitively sensitive information.



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SafeHire

HAE EHA requires hire members to follow the SafeHire pathway towards accreditation to demonstrate that they are a safety-focused business. This can help to identify risks, shape management practices, and grow business prospects. SafeHire is a Private Standard developed by the hire sector with support from the Health and Safety Executive (HSE) and in conjunction with the British Standards Institution (BSI) and is periodically revised and updated. HAE EHA is committed to supporting members to meet the required standard and this requires proportionate auditing of business premises, as well as online engagement.

As we are a safety-first industry, it is also a condition for businesses in HAE EHA membership to be on a journey towards SafeHire accreditation. We will work with member businesses to ensure a proportionate level of engagement and support is provided.

More details can be found at: <https://www.hae.org.uk/safehire/>

Premises

HAE EHA expects members to conduct their business from a suitable, safe and well-managed location. They should comply with all necessary legislation, regulations and good practice relating to customers, employees, and suppliers.

Training

HAE EHA strongly encourages members to invest in their people with regular training and skills development. The Association offers numerous training packages and courses to support members.

Advertising

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

Providing Access to the Member's Code

Members should provide physical or online access to this Code when requested by a customer and a physical or online copy made available in hire depots and office premises.

Insurance

Members must ensure that they hold adequate insurance protection to cover any possible claims made by customers and members of the public made in the conduct of their business. This must include having adequate mandatory Employer's Liability Insurance and displaying an Insurance Liability Certificate.

HAE Insurance Services offers bespoke hire sector insurance via our regulated partner, Towergate Insurance Brokers, but it is not a requirement of membership to obtain or possess cover from this provider. For more details please visit: <https://www.hae.org.uk/products-services/>

Pricing

Members must provide a transparent explanation of how charges are calculated with a detailed quotation available on request. The member must ensure that when setting prices, they fully comply with relevant legislation and rules set out by authorised bodies in the UK and Nations.

Hire or Rental Agreement

It is in the Member's interest to ensure customers are aware of terms and conditions before a binding agreement is entered into.

HAE EHA model **Terms and Conditions** (Ts and Cs) exists to support members in their business relationships, and they are periodically reviewed and updated. However, there is no obligation to use the HAE EHA Ts and Cs although many members find them to be invaluable.

Customer Payment

Members should explain to customers about the basis for any deposit required, including any mandatory insurance excess and the option for payment by the customer when the product is returned. This should be done before the hire period commences. In the event of any disputes relating to payments, members must ensure they deal with such dispute fairly and transparently. Members should fully comply with data protection legislation and any secure transaction considerations.



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Receipt on Return

Members should issue a receipt for all hire or rental products returned or collected.

Refunds

Any legitimate and agreed refunds due to customers should be made by the hire provider promptly, and in accordance with any relevant period specified in legislation.

Pre-hire Checks

It is vital that members ensure all hire tools, equipment and plant are thoroughly inspected, tested, and maintained. This activity and any repairs or corrective action should be recorded and made available to appropriate bodies on request.

Safety Instructions

The member must provide practical instruction and issue safety guidance instructions with a record kept for future reference. Where appropriate, personal protective equipment must be made available, and its proper use explained to the customer.

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.

Handling Customer Complaints

Members are expected to have in place an accessible and transparent customer complaints procedure, setting out options for redress. These include the right for the matter to be referred to HAE EHA if a member fails to satisfactorily handle the complaint.

Any complaints should be dealt with in a timely and courteous manner with a response to a written complaint should be issued within a working week. Members should aim to resolve disputes within 15 working days.

Members should maintain a complete record of any complaints and use this experience to improve training and procedures.

Dispute Resolution

Where a member has been unable to resolve a dispute, or a dispute is not capable of satisfactory resolution, HAE EHA can assist in resolving the dispute via facilitating an arbitration process. Outstanding and unresolved disputes may be referred to HAE EHA by a customer and/or member by emailing: **complaints@hae.org.uk**

Following a referral HAE EHA will review the details and may convene a sub-group of the HAE EHA Board and Management to consider the complaint and offer options for resolution. This is an advisory and non-binding procedure.

No Restriction of Rights

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

How Breaches of the Code Will be Handled

HAE EHA will take breaches of this Code seriously given the impact on all members.

Should the conduct of a member appear, in the reasonable opinion of HAE EHAs Board, to breach, or repeatedly breach, this Code, or where a member appears to have acted in a manner that is prejudicial to the reputation of HAE EHA and the wider hire sector, such conduct shall be subject to the HAE EHA disciplinary procedure and may result in expulsion from HAE EHA membership.

HAE EHA expects members to comply with all relevant legislation. For example, data protection requirements are continuously changing, and more detailed information can be found at:
<https://www.gov.uk/data-protection> and <https://ico.org.uk/>

Updates to This Code

This Code of Conduct will be periodically reviewed, and revised versions will be shared with members via our newsletter and website.

HAE EHA November 2024



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