businesscompanion
trading standards law explained

# Introduction

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## Doing the right thing

While businesses have a responsibility to treat all consumers fairly, they also have a responsibility to ensure all customers get the best outcomes in the decisions they are making. It is particularly important that they are aware of their responsibilities in identifying and supporting consumer vulnerability.

Many of us find ourselves in vulnerable situations at certain points in life, as do those we care about. During those times we would all wish to be treated with respect and understanding, and while we are in a vulnerable situation we may need additional support to ensure we get the right product or service.

This guidance is intended to help you, as a business, identify consumer vulnerability and assist those affected by it.

It is important to be aware of consumer vulnerability because early identification often leads to more effective interventions and allows consumers to receive appropriate help and support to get a good outcome. There are also laws in place to ensure that consumers receive the information necessary to make informed decisions, and are not exploited.

Being aware of the issues around consumer vulnerability, and developing a policy to accommodate it, will help to ensure your customers are satisfied, everyone gets a fair deal, and that those most in need of protection are supported and safeguarded.

## Background

Consumer vulnerability is fluid and dynamic, and consumers can move in and out of periods of vulnerability. A consumer's situation - for example, going through a bereavement - can make them more vulnerable at a particular time.

In a business context, consumer vulnerability refers to any situation in which an individual may be unable to engage fully or effectively in a market. As a result, they may be at particularly high risk of not getting a fair deal or the best deal for them, or - at the extreme end of the scale - being exploited by criminals.

The COVID-19 pandemic and the cost-of-living crisis has made consumers potentially more vulnerable than before. Social isolation, money worries, increased mental health issues and different ways of shopping all contribute to this.

In addition to general consumer protection law, in certain regulated sectors - for example, financial services, energy and telecoms - there are specific rules and guidance on dealing with vulnerable consumers, which businesses in those sectors need to be aware of and abide by.

Consumer vulnerability is actually specifically mentioned in law, in the Consumer Protection from Unfair Trading Regulations 2008. You can find out more about the Regulations in our guide 'Protection from unfair trading'.

**> Part 1. Types of vulnerability**

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