When writing your terms, put yourself in your customers’ shoes – think about how they might read and access them.

Here are some of the key things to consider to help you communicate with your customers clearly and avoid unnecessary disputes:

- **Respect your customer’s interests**, don’t use terms you wouldn’t like to sign up to yourself.

- **Avoid ambiguity** – ensure that your terms are not open to a number of different interpretations.

- **Be open and fair** – don’t hide important wording or use ‘small print’ that might surprise or mislead your customer.

  Wording that has a significant impact for customers should be particularly drawn to their attention.

- Use **ordinary words** and avoid legal jargon or technical language.

  Put yourself in your customers’ shoes to make sure the effect of the term is likely to be understood by them.

**An unfair term is not legally binding on your customer. Enforcers can also take action to stop you using it.**
• Consider whether your written contract is **reader-friendly** (for example, are terms legible? Are short sentences and subheadings used?).

• Consider whether terms describing the contract’s main subject matter and those setting the price (i.e. the essential obligations of the contract) are specifically **brought to the customer’s attention** as well as easy to understand.

• Take particular care with terms that could potentially **work against your customer**, for example:

  - Terms that limit your liability if things go wrong
  - Terms that transfer risks to your customer that they can’t control
  - Terms that allow you to make changes to the contract
  - Terms that allow you to keep deposits and advance payments
  - Terms that impose financial sanctions on your customer (e.g. cancellation fees)
  - Terms that automatically renew your customer’s contract.

**Having clear and fair terms in your contract will**

- **Save you time**
- **Help prevent disputes and reputational damage**
- **Protect your business if something goes wrong**

**Want to know more**

**Introductory guide** – click here for an overview of some of the key things you need to know about unfair terms.

**Individual guides** – see our other guides on contract terms that may be unfair.