

Summaries of the five agreements

Two trusted trader sites and three care home review sites have agreed to improve their practices to address concerns that were raised following the CMA's call for information (CFI) on online reviews and endorsements.

The CMA's general concerns about the sector

The CMA's CFI published in June 2015 highlighted a number of general concerns about the review sector as a whole, including the potential for:

- some processes and policies to have the effect of preventing or delaying negative reviews from being published, or to otherwise distort the picture presented to site users;
- some sites' checks of reviews not being sufficiently rigorous given the risk of fake reviews; and
- some sites not to clearly and prominently explain to site users how they collect, check or publish reviews.

The CMA's agreements with five businesses

Following the CFI, the CMA engaged constructively with a number of businesses in two sectors: trusted trader schemes¹ and care home review sites. With each business, we discussed their practices as they relate to online reviews and raised some specific concerns. For the avoidance of doubt, not all of the general concerns listed above applied to all of the businesses.

We welcome the improvements that the five businesses named below have committed to make. These bespoke improvements, once implemented, will help to ensure that all genuine, relevant and lawful reviews are published, and that site users have the information they need to make well-informed decisions.

Checktrade has agreed to:

¹ The CMA worked with Kent Trading Standards Service (TSS) and Hertfordshire TSS during this engagement with two trusted trader schemes.

- make it clearer that, in line with its existing policy, if people would like their negative review to be published they can do so whether or not they would like further contact with the trader;
- give consumers a new option to add a second piece of feedback to their original comments after a problem has been fixed;
- enhance its existing software and increase staff capacity to increase its scrutiny of positive feedback; and
- building on its existing practices, make changes to its website to more clearly and prominently explain its checks, dispute resolution policies, and complaints procedures.

Trustatrader has agreed to:

- improve its onscreen message when reviews are pending publication, so that the reason why a review has not yet been published is explained clearly and prominently (eg because Trustatrader is carrying out verification checks, or because the customer and trader have entered a dispute resolution process);
- ensure that reviewers have various options, including to stick with their original review, amend it, rewrite it completely, or write a second review, after a problem has been fixed;
- put all feedback (positive as well as negative) through its verification procedures; and
- building on its existing practices, make a number of changes to its website to more clearly and prominently explain its checks, dispute resolution policies, 'review pending' message, and complaints procedures.

Carehome.co.uk has agreed to:

- no longer allow care home providers the option to restrict publication of a review (previously, in order to mitigate the legal risk, it gave providers this option and published a prominent message to show where a review had been withheld);² and

² Where a review was restricted, Carehome.co.uk still counted the reviewer's ratings towards the provider's overall rating.

- refine its policy and process for handling providers' claims of defamation (eg to take further legal advice on the statutory defences that are available).

Care Opinion has agreed to:

- always take the final decision on which reviews it publishes, rather than allow care home providers to have the final say (previously, in order to mitigate the legal risk, it gave providers the option to restrict publication and then published a prominent message to show where a review had been withheld);³ and
- publish reviews if providers do not respond to its communications about negative reviews that have been submitted – in some cases, its default had previously been not to publish.

Most Recommended Care has agreed to:

- subject all reviews, good or bad, to the same checks;
- clearly identify on its website any commercial relationships that it has with care home providers;
- ensure that customer testimonials gathered directly from its business clients are presented on its site in a way that clearly distinguishes them from user reviews; and
- building on its existing practices, make a number of changes to its website to more clearly and prominently explain how it collects, checks and presents reviews, and how its ratings system works.

³ Where a review was restricted, Care Opinion still counted the reviewer's rating towards the provider's overall rating and the review was still visible to care regulators and local authorities.