

Improving Trader Recommendation Platforms:

Consumer law compliance advice for businesses

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What is this advice?

1. Since 2023/24, the Competition and Markets Authority (**CMA**)¹ has been working with Local Authority Trading Standards Services and with our Trading Standards partners to pool our knowledge of trader recommendation platforms (**TRPs**) to understand better the issues that consumers face when using such platforms.²
2. This document is an outcome of that work. It has been written by the CMA, in partnership and with the contributions of National Trading Standards (**NTS**), Trading Standards Scotland (**TSS**), the Society of Chief Officers of Trading Standards in Scotland (**SCOTSS**), and the Northern Ireland Trading Standards Service (**NI TSS**).³
3. It provides a set of compliance principles for TRPs in relation to their consumer-facing practices (eg the services, marketing and webpage content that they direct at consumers).⁴

Who is the advice for?

4. This advice is for TRPs. You are a TRP for the purposes of this advice if you:
 - (a) Operate a website or app that consumers⁵ may **use to find a trader**,⁶ either in the form of a 'matchmaking' service in which consumers can post the work they require and traders can respond, or a database,

¹ The **CMA** is the UK's principal competition and consumer protection authority.

² See paragraph 4 for a definition of TRPs.

³ **NTS** receives government funding to commission Local Authority trading standards services in England and Wales to conduct specific pieces of work and take enforcement action in serious consumer protection cases. **TSS** performs a similar role in Scotland. **SCOTSS** is the professional body representing the heads of service for trading standards services in Scottish local authorities. **NI TSS** is the single trading standards service covering the whole of Northern Ireland.

⁴ See paragraphs 19 to 24 about the scope of the advice.

⁵ The definition of a consumer from the Consumer Protection from Unfair Trading Regulations 2018 means any individual who in relation to a commercial practice is acting for purposes which are outside their business.

⁶ The platform does not need to be used by consumers only for that purpose. It can be used to find other sorts of services or other information as well (eg connect to a cleaner or a mover, or to find other information unrelated to traders). Although this compliance advice is addressed at the services offered by platforms in relation to finding a trader in this sector, consumer law applies widely and the same general principles in the advice will usually be relevant to other services offered by these platforms.

search engine (general or specific to traders) or listing service (or similar); **and**

(b) **Recommend traders**, ie represent, implicitly or explicitly, or otherwise create the perception or expectation, that the traders listed or hosted on the platform, or with whom matches may be made, are of a particular quality and/or are trustworthy, reliable or suitable for the consumer's requirements.

5. This advice, therefore, is not directed to: (i) other types of platforms and services that only provide listings of traders or only publish consumer reviews of traders and do not do any of the things in 4(b) above; or (ii) the traders which appear on TRPs. These platforms, services and traders may, however, be subject to their own obligations under consumer protection law, and some principles in this advice may therefore also be relevant to them. When a business is considering whether it is a TRP it should interpret the definition broadly and in the round, taking into account all its marketing and activities, to ensure it stays on the right side of the law.
6. The advice is not specifically aimed at 'standards bodies'.⁷ Standards bodies are organisations that set quality and consumer protection standards, certify or accredit businesses against those standards, and monitor compliance by businesses. They ensure that accredited businesses are competent to carry out work, treat consumers fairly, and provide mechanisms for people to seek redress if things go wrong.⁸ However, to the extent standard bodies offer a service that is within the definition of TRP in paragraph 4, then this service will fall within the scope of the Compliance Advice, without prejudice to other obligations these entities may be subject to as 'standard bodies'.

Why have we developed the advice?

7. The advice presented here has been developed from a clear recognition of the significant roles TRPs play in facilitating consumer transactions and increasing consumers' trust in traders. Following our review⁹, we have identified several concerns regarding the practices of TRPs, prompting the need for practical solutions to help them comply with their legal obligations and to enhance consumer protection.

⁷ In the field of green heating, solar products and insulation, the CMA has produced separate 'good practice principles' for relevant standards bodies.

⁸ Standard bodies must comply with consumer protection laws.

⁹ We gathered evidence from UK Local Authority Trading Standards Services, directly and through the NTS, SCOTSS and NI TSS, [Citizens Advice Consumer Service](#) (covering England and Wales), [Advice Direct Scotland](#), Northern Ireland's [Consumerline](#)], our own research into TRP websites, and a consumer survey.

8. With a considerable number of consumers using TRPs to connect with UK traders, often to undertake high-value jobs, the effective functioning of these platforms is critical. A high number of complaints have been registered against traders appearing on TRPs.¹⁰
9. While TRPs can be used across the economy, they are very common in relation to building and home improvements. In the most recent Consumer Protection Study, the Department for Business, Energy & Industrial Strategy (**BEIS**), now the Department for Business and Trade, found that around 2.75% of the adult population had suffered detriment in this sector between April 2020 and April 2022, and the total detriment was put at £1.4 billion. These estimates suggest that up to 775,500 households annually experience consumer detriment, with an average loss per household of £1,805.¹¹ Vulnerable consumers may also be particularly susceptible to bad practices.¹² The services offered by traders on these TRPs are also becoming increasingly important in the rollout of greener and more efficient home heating solutions.
10. For consumers, a well-functioning TRP sector streamlines the search process, allowing them to access a diverse pool of vetted traders with ease and benefit from high standards of service. Consumers, including those in a vulnerable position, are only protected and empowered to make informed decisions if they can trust the claims made by TRPs and their vetting processes, and can rely on an appropriate complaints process and trustworthy consumer reviews.
11. For traders, participation in a well-functioning TRP offers opportunities to showcase their services to a broader audience and gain credibility through positive consumer feedback. If consumer trust in these platforms, and in traders that use them, is eroded this benefit is at risk and fair dealing businesses in these schemes will lose out on potential custom. By meeting the necessary requirements to join and remain in the marketplace on a level playing field, traders can access additional business opportunities and establish themselves as reputable service providers in their respective fields, which benefits the overall economy. If consumers feel confident using TRPs, that can also increase the number of leads that traders receive.

¹⁰ For example, there were more than 2100 complaints against traders that use TRPs recorded on the Citizen Advice database for the period between 1 March 2021 and 31 October 2021.

¹¹ BEIS, [Consumer Protection Study 2022](#), April 2022. 25% of adults bought home or garden repair/maintenance/improvement services and 11% of them suffered detriment. The total detriment for all individuals affected amounted to £1.4 billion. The figure for 'households affected' is an indicative estimation based on our further analysis of CPS data that has been placed in the public domain. The level of precision in the published data does not permit a more robust calculation.

¹² The Consumer Protection from Unfair Trading Regulations 2008, for example, offer protection to consumers who may be particularly vulnerable to commercial practices because of age, infirmity or credulity.

12. Based on the evidence we have seen, we identified concerns around:
- (a) TRPs making misleading claims or creating a misleading impression that the trader can be trusted, when in fact the TRP does not vet, monitor or intervene to address complaints, sanction poor performance or appropriately tackle fake reviews;
 - (b) TRPs not having appropriate and effective vetting and verification processes;
 - (c) TRPs not having effective and accessible complaints processes, including an appropriate record-keeping and complaints review procedure in order to identify patterns of poor trader standards or behaviour;
 - (d) TRPs not dealing effectively with problematic traders and sanctioning them appropriately; and
 - (e) TRPs not taking appropriate steps to ensure that they do not display misleading or fake reviews.
13. We have, therefore, looked at the practices of TRPs and developed a set of compliance principles to assist the sector. The purpose of these principles is to provide practical advice to help TRPs understand and fulfil their legal obligations and maintain a fair and transparent trading environment when presenting and supplying their services to consumers in the UK.
14. It is important to recognise that there are various types of platforms, and the specific requirements for each platform which enable it to remain compliant with the law may vary. Consequently, whether a TRP is complying with the law will depend on the specific facts of each case.¹³ Nonetheless, in the CMA's view, adopting these principles should help TRPs stay on the right side of the law and reduce their risk of facing enforcement action.

What law applies?

15. The relevant consumer protection law on which the principles are based is, at the time of publication, the [Consumer Protection from Unfair Trading Regulations 2008](#) (the **CPRs**).¹⁴ The CPRs prohibit TRPs from engaging in misleading and unfair practices connected with the promotion and sale of

¹³ Only a court can rule on whether a practice is unlawful. See paragraph 18 in relation to CMA's enforcement powers after the Digital Markets, Competition and Consumers Act comes into force.

¹⁴ While this advice is focused on the CPRs, TRPs are also subject to other consumer protection laws and must ensure that they comply with all their legal obligations to consumers.

goods and services. Amongst other things, these prohibitions mean TRPs must not mislead consumers by action or omission. They also mean TRPs must not distort the decisions consumers make by failing to act honestly and in good faith.

16. TRPs' operations involve making representations to consumers – expressly or by implication – that the traders on their platforms are of a certain standard and are trustworthy, reliable and suitable, and that, on an ongoing basis, they warrant that status and their place on the platform.¹⁵ That requires TRPs to take steps and adopt practices to ensure that is the case. If not, they risk breaching the CPRs.
17. The CPRs are being repealed and replaced by the provisions of the Digital Markets, Competition and Consumers Act 2024 (**DMCC Act**).¹⁶ Whilst the DMCC Act will replace the CPRs with new provisions on unfair commercial practices, those new provisions maintain much of the scope and effect of the CPRs. We do not therefore expect that the DMCC Act coming into force will significantly impact the substance of this advice.
18. Businesses which do not comply with consumer protection law risk enforcement action by the CMA or Local Authority Trading Standards Services.¹⁷ This could include taking a business to court to stop them breaking the law and seeking compensation for consumers. In some cases, businesses could also face criminal prosecution. In addition, the DMCC Act will give the CMA powers to determine itself whether consumer law breaches have occurred and the ability to impose monetary penalties and order firms to pay compensation to affected consumers. It will also give the courts the power to impose penalties in civil cases brought by Trading Standards Services.

¹⁵ These are commercial practices that fall within the scope of the CPRs even where the TRP does not itself directly contract with consumers.

¹⁶ See the final version of the DMCC Act here: [Digital Markets, Competition and Consumers Act 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk), which received Royal Assent and became law on 24 May 2024, but is yet to come into force.

¹⁷ See [Consumer protection: enforcement guidance \(CMA58\)](#) for more information about the CMA's functions and powers to enforce consumer protection law. In England, Wales and Scotland each Upper Tier Local Authority (all Unitary Councils and in 2 tier areas the County Council) has its own Trading Standards Service. In Northern Ireland it is delivered by Trading Standards Northern Ireland, a government department. Trading Standards Services deliver consumer protection, business advice and support. They enforce a wide range of legislation in relation to all goods and services that we buy, hire and sell. Key areas of work include fair trading, product safety, under-age sales, mass marketing scams, doorstep crime, illicit tobacco, intellectual property crime (trademarks and counterfeiting), animal health & welfare, food safety, feed hygiene, metrology, consumer credit, estate agency and lettings agency work.

What does the advice cover?

19. There are six compliance principles set out in this advice.¹⁸ The principles cover the following areas:
 - (a) Representations made by TRPs to consumers;
 - (b) Vetting practices;
 - (c) Complaints processes;
 - (d) Monitoring activities;
 - (e) Investigations and sanctions; and
 - (f) The collection, moderation and publication of consumer reviews.
20. Under each principle, we:
 - (a) Define any relevant terms and concepts;
 - (b) Explain why TRPs would be expected to uphold the principle; and
 - (c) Provide examples of practices that are more likely to uphold the principle and those that would be unlikely to do so. These examples are not intended to be exhaustive. We recognise that there may be different ways to meet the principles.
21. The compliance advice applies to practices on any channel, including websites, apps, social media, online adverts (such as sponsored ads), posters, and sales brochures.
22. The principles do not cover every legal requirement that TRPs must comply with. You should check that your practices are in line with all relevant requirements of consumer protection law and any other legislation relevant to your services.
23. Examples of other related advice that TRPs should be aware of, are:
 - (a) [Advice for businesses](#) published by the CMA on online reviews and endorsements, which sets out that businesses must ensure that they have appropriate systems and processes in place to check that any

¹⁸ We would also expect that TRPs would comply with them by, amongst other things, making appropriate contractual arrangements with the traders they host or list.

customer reviews or testimonials they publish about their products are genuine.¹⁹

- (b) [Business Companion](#) - trading standards law explained. This provides information for businesses on Trading Standards and consumer protection legislation.
- (c) The Advertising Standards Authority, which administers the [Code of Non-broadcast Advertising and Direct and Promotional Marketing](#) (the CAP) and the [Code of Broadcast Advertising](#) (BCAP). Together those codes cover claims businesses make on their website, social media and other marketing channels, as well as advertisements on radio and television services. The ASA can take action against businesses to require you to remove or change your claims if you breach its rules.

24. This is a non-exhaustive list. There may be other relevant general or sector-specific guidance you need to consider. The principles in this advice are, in the CMA's view, consistent with your obligations under general consumer protection law.

What should you do now?

25. We are calling on all TRPs to observe these compliance principles by:

- (a) Reviewing their current practices;
- (b) Considering how the principles apply to them and how they can best uphold them; and
- (c) Implementing, as soon as possible, any changes needed to comply with the principles.

26. While this advice offers a framework for compliance, it is important to recognise that not all businesses will fit neatly into the scenarios or examples presented. Each TRP operates differently based on its size, business model, and the specific services it offers to consumers. Therefore, businesses should carefully evaluate how the principles outlined in this advice apply to their own particular platform and operations. Although the specific practices adopted by different TRPs may vary, TRPs should ensure that they take into account all of the principles set out in this advice to reflect their obligations under consumer law. The aim of these principles is to deliver a high level of

¹⁹ The DMCC Act lists fake reviews as a commercial practice which is in all circumstances considered unfair.

protection for consumers, and we consider that they should be interpreted accordingly (including the definition of a TRP).

27. If in doubt, you should consider seeking independent legal advice on the interpretation and application of consumer protection law to your practices. You can also speak to your Local Authority Trading Standards Service (for example, as part of a primary authority relationship).²⁰

²⁰ Sectors with approved Consumer Codes may have Primary Authority arrangements in place. Primary Authority is a statutory scheme based on legal partnerships between businesses and individual local authorities and / or fire and rescue authorities. It is a means for businesses to receive assured and tailored advice on meeting environmental health, trading standards or fire safety regulations through a single point of contact. Businesses can set up their own partnership or belong to a trade association (or other type of group) with an existing partnership (see [Primary Authority Overview](#), published by the Office for Product Safety and Standards).

Principle 1: Representations made by TRPs to consumers

28. Your representations about your service and the traders on your platform should be clear and accurate, and must not mislead consumers, including in relation to the actions taken to ensure the quality of traders that appear on the platform.
29. By 'representations', we mean claims that **you make** or impressions (explicit or implicit) that **you give** on your platform²¹ or in your advertising to consumers.²² The representations may be about your consumer-facing service²³ or the quality, reliability or suitability of the traders that appear on your platform.
30. You are responsible for this content, and consumers should be able to trust it. Consumers can make decisions based on what you say (or do not say) or the impressions you create. You must, therefore, take care to ensure that the information presented to consumers about the service you offer them is true, complete and clear. You must also not deceive consumers even if what you say is true.
31. **Examples of practices that are more likely to uphold this principle include:**
 - (a) Ensuring that you have a sound basis for all claims or impressions you make to consumers as to the quality, reliability or suitability of the traders appearing on your platform. For example, that you can justify descriptions such as 'trusted', 'approved', 'reliable', 'checked', 'expert' and 'guaranteed'.
 - (b) If you claim or give the impression that traders in your platform are reliable or suitable for a particular job, requiring traders to provide: (i)

²¹ For example, on a webpage, in a pop-up box or in terms and conditions.

²² For example, in media advertisements (including social media), direct marketing, or sponsored posts on search engines.

²³ Your consumer-facing service includes your matchmaking (ie how you introduce traders and consumers to each other), your complaints process, and, as applicable, any additional features/protections that your service offers to consumers.

evidence of their track record of being reliable and able to provide a quality service, or (ii) evidence of their reliability and quality.

- (c) Ensuring that your representations to consumers about the existence and operation of your consumer-facing services are:
 - (i) easy for consumers to find and understand;
 - (ii) truthful and accurate; and
 - (iii) do not omit or hide important relevant information.

This includes ensuring that the descriptions of your vetting and monitoring practices, as well as about your complaints and sanctions processes, are clear and accurate.

- (d) If applicable, clearly state when and how commercial relationships have affected whether and how traders are presented to consumers and ensure all advertising is clearly identifiable.
- (e) If your platform holds deposits and/or offers guarantees (eg refunds up to a certain amount when things go wrong), ensuring that:
 - (i) the terms under which these deposits are held are fair and transparent (and that deposits are held securely); and
 - (ii) the conditions under which a consumer will be able to make a claim under any guarantee or financial protection are fair and communicated to the consumer in a prominent and clear way.

32. Examples of practices that are unlikely to uphold this principle include:

- (a) Telling consumers, or giving them the impression, that the traders on your platform are 'trusted', 'reliable', 'approved' or 'checked' (or somehow better than traders not on your platform), or 'suitable' or 'best' for a particular job, without having support for saying or suggesting this (because, for example, you have not checked them or assessed properly that they are trustworthy and are likely to be reliable).²⁴
- (b) Making false or deceptive statements creating misleading impressions about the existence and/or effectiveness of your:

²⁴ See principle 2.

- (i) Vetting practices, eg saying you carry out screening checks on new joiners when in fact you do not, or they are carried out with a lack of reasonable care and skill;
 - (ii) Complaints process(es), eg saying you treat complaints seriously and deal with them promptly when this is not true;
 - (iii) Monitoring processes, eg saying you look at every one-star review that is posted on your platform when you do not;
 - (iv) Investigation and sanctions processes,²⁵ eg saying you remove all under-performing or misbehaving traders²⁶ from your platform when this is not true;
 - (v) Processes for collection, moderation or publication of online reviews and identification of fake reviews, eg saying reviews are 'verified' when this is not the case.
- (c) Failing prominently to inform consumers that, for example, the fees or the amount of commission paid by a trader affected the way its services were displayed to consumers;
- (d) Omitting or hiding²⁷ important information, such as significant limitations on the design or operation of your platform. For example, not explaining clearly and prominently:
- (i) Any limitations on the circumstances in which traders may be removed from your platform;
 - (ii) Any exclusions or limitations that apply to additional features or protections that you offer (eg vetting process, guarantees²⁸ or deposit protections that exclude certain traders or require that claims must be made within a fixed time period).

²⁵ By 'sanction', we mean any action taken by you against a trader on your platform in response to a finding that that the trader's standards fell below an acceptable level.

²⁶ Traders who do not comply with the requirements of the scheme or relevant Code of Practice.

²⁷ For example, only including this information on webpages that are not easily accessible (eg many clicks away or in an obscure or counterintuitive location).

²⁸ For example, redress when a trader falls short of the required standards.

Principle 2: Vetting practices

33. You must have in place appropriate processes and adopt the necessary practices to vet traders effectively.
34. By 'vetting practices', we mean the checks that you carry out on a trader when it wishes to join your platform. As a TRP, you will be representing, expressly or by implication, that the traders meet certain standards of quality, reliability or suitability. So that you do not mislead consumers, you must perform checks to make sure traders meet the standards claimed or implied before you allow them to join.²⁹
35. Consumers can expect you to have taken appropriate and effective steps to reduce the risk of you introducing them to poor quality, unreliable or unsuitable traders. The checks you make should help you do this. They should also help you to identify fake or impersonated traders, unqualified traders,³⁰ traders that you previously expelled from your platform, or traders convicted of offences which, taking a risk-based approach, you reasonably consider make them unsuitable to be listed on a platform which represents that those appearing on it can be trusted.
36. The range of checks you conduct to this effect can include: (i) requiring traders to provide relevant documentary evidence and information, and carefully and seriously examining it to ensure it is in order; (ii) requiring traders to make contractually binding declarations, and (iii) where necessary, verifying information with third parties to ensure the accuracy of objective representations made by traders on your platform about their services, their certifications, affiliations and guarantees offered to consumers.^{31, 32}
37. In relation to traders that are already listed on your platform, you should have regard to this principle when conducting future checks as part of the ongoing monitoring referred to in principle 5 of this advice.

²⁹ The TRP will need to ensure these principles apply to all traders listed on its platform, including those traders vetted by third-parties.

³⁰ That is, where a qualification or accreditation is a legal requirement in order to carry out the trade (eg Gas Safe).

³¹ Principle 4 requires TRPs to, with appropriate regularity, revisit vetting checks.

³² Examples of the minimum checks that a TRP should carry out – or go beyond – to comply with this principle include, verifying the trader's business address and identification and checking the trader has relevant competencies through a competent body scheme.

38. Examples of practices that are more likely to uphold this principle include:

- (a) Ensuring that what you do when vetting traders is consistent with what you have told consumers you do and matches the impressions you create about the quality, reliability and suitability of the traders you host (eg in your advertising to them or on your website). For example:
 - (i) If you give the impression that the traders in your platform are the 'best' trader for a certain job, your checks should help you identify traders that meet those descriptions and merit a place on your platform.
 - (ii) If you give the impression that the traders on your platform are reliable or suitable traders for a particular job, your vetting process should ensure that you have evidence that a trader has a proven track record of being reliable and able to provide a quality service for the job in question; or other evidence of their reliability and quality.
- (b) Taking reasonable steps to establish that the trader is the company or person they say they are. For example, requesting proof of identification and business address, inspecting document(s) and, where something in the documents submitted raises suspicions, or if the information provided is incomplete, following up (eg by asking the trader for more information or by verifying information with an independent source).
- (c) Adopting appropriate steps – taking a risk-based approach – to ensure that traders are suitable to appear on your platform (including, carrying out criminal records checks where appropriate).
- (d) Checking that the trader is not a business (or person) that you previously expelled from your platform (for example, for a serious breach of your rules or because they posed a significant risk of harm to consumers).³³
- (e) Checking that the trader meets the requirements that you set for traders to join your platform. For example, if traders must belong to a trade association, have a minimum period of trading history, and/or

³³ When retaining any information about traders you should also be mindful of the need to comply with data protection law which relates to the processing and retention of personal data.

have public liability insurance cover, you should carry out appropriate checks to establish that they meet these requirements.³⁴

- (f) Checking the accuracy of a trader's claims about its certifications, licences, registrations, and/or affiliations to relevant organisations: (i) where these are required by law in order to enable the trader to perform certain jobs; and/or (ii) where conducting a task without them would pose a safety risk to consumers. These checks should include:
 - (i) requesting relevant certificates, licences, and confirmations of registrations/affiliations, and any other relevant documents from the trader;
 - (ii) inspecting them and making any necessary further enquiries if the information and documents you have gathered raises any concerns about their authenticity and completeness.³⁵

For this purpose, you must keep an updated list of the certifications and registrations that traders must have, by law, in order to carry out certain jobs so that you can cross-check traders' claims that they can undertake that work against the required qualifications.

- (g) Having the necessary processes in place to ensure that the claims that traders make on your platform about themselves (eg claims about membership of a professional trading body, experience, geographic location) are not misleading.
- (h) Ensuring that any guarantees or warranties offered by the trader on your platform are accurately represented.
- (i) Ensuring the traders that join your platform have effective processes in place to check that:
 - (i) any entity that undertakes the work on their behalf (eg sub-contractor, employee or partner) also meets your minimum vetting requirements (see (b), (c) and (d) above); and

³⁴ For example, by asking for relevant evidence, reviewing it and, when necessary and proportionate, verifying the key details with an independent source (eg when it is straightforward to do so, required for consistency with your representations, or where you have spotted a material discrepancy).

³⁵ For example, where the qualification or certification is a legal requirement to carry out a trade, or where you spot an obvious major discrepancy (eg the trader's name on the certificate does not match with the name in the proof of identification provided by that trader).

- (ii) any claims the trader makes (see (e), (f) and (h) above) are also accurate in relation to any entity that undertakes the work on its behalf (eg subcontractor or employee).
- (j) Ensuring that you have an effective process, and sufficient resources and expertise (eg enough suitably trained staff) to carry out vetting checks effectively.
- (k) Not allowing the trader onto the platform until these checks are complete.

39. Examples of practices that are unlikely to uphold this principle include:

- (a) Not having a process to determine which traders are allowed on the platform and which are not.
- (b) Not carrying out any checks on traders joining your platform.
- (c) Allowing traders you have previously expelled to rejoin your platform without any effective safeguards in place to stop them.³⁶
- (d) Not asking for the evidence you need to conduct effective checks or requesting it but then just filing documents without considering them at all or having given them only a cursory review and without acting on any noticeable inconsistencies.

Principle 3: Complaints process

- 40. You should have an accessible, transparent and effective complaints process.
- 41. By 'complaints', we mean any expression of dissatisfaction made to you by a consumer,³⁷ whether in a formal complaint or informal feedback, about their experience with (a) your service, and/or (b) a trader in your platform. It can also mean concerns that others – eg other traders, Local Authority Trading Standards Services or other enforcers – bring to your attention about traders on your platform.
- 42. Operating as a TRP involves representing³⁸ that the traders whose services are on offer merit their place on the platform on an ongoing basis. That means it is important that you have processes in place to identify those traders who

³⁶ You should check your records about the trader requesting to join your platform (see paragraph 55 (e) (iv)).

³⁷ Or any entity or employee acting on behalf of the consumer.

³⁸ This is either expressly or by implication or impression.

do not deserve that status (eg because of their quality, reliability or suitability). This includes complaints processes that help you identify those traders.

43. You should have processes in place, that are easy to find and accessible, so that:
- (a) People can submit their complaints;
 - (b) You can promptly, professionally and fairly consider them; and
 - (c) As necessary, you act upon them promptly and effectively.³⁹
44. Principle 3 covers the processes you should have in place to receive, and give initial consideration to, complaints and other feedback. The actions (if any) to be taken following this, eg investigation and sanctions, is covered under Principle 5. Online consumer reviews are the subject of Principle 6.
45. **Examples of practices that are more likely to uphold this principle include:**
- (a) Having a complaints process in place so that consumers can submit complaints to you about traders listed on your platform and your platform's services.
 - (b) Ensuring that how your complaints processes work in practice are consistent with how you have explained them to consumers⁴⁰ (eg in your advertising to them or on your website).
 - (c) Making clear whether you offer a dispute resolution service, and if so ensuring that this service deals fairly with both the consumer's and trader's claims. You should also be clear about what this service involves and about when and how consumers can access it.
 - (d) Ensuring that the complaints procedure for consumers is:
 - (i) Easy for them to find on your website and/or app, eg clearly signposted and simple to navigate to, and providing a dedicated section within the platform's settings or help centre where

³⁹ This does **not** necessarily mean you are expected to be involved in resolving consumers' individual disputes with traders about the work they have done (unless you have told consumers that this is something you will do). Rather, the focus is on ensuring that, when put on notice of information that may indicate a risk of harm to consumers who may use your service, or that a trader is not of the quality, reliability or suitability suggested by the service you offer, you do not disregard that information but act appropriately on it, so that only traders who merit a place on your platform remain on it.

⁴⁰ It would be useful, as best practice, if you collected and publish data about the complaints you received in relation to the traders on your platform, including the main reason for the complaints, the outcome and duration of complaint process from the submission of the complaint until the complaint was closed.

consumers can easily access information on how to submit a complaint;

- (ii) Easy for them to understand, so they know how to complain and what to expect thereafter; and
 - (iii) Easy for them to use, offering a choice of reporting channels (eg online form, email, phone, post) since some consumers may have difficulty with particular channels.
- (e) Allowing a consumer to provide feedback in the way most comfortable to them, whether as a formal complaint or more informally.
 - (f) Ensuring that the information required from a complainant to submit a complaint, and during the complaints process, is not unduly or unnecessarily burdensome.
 - (g) Ensuring that your complaints process for consumers to report issues is clearly distinct from your online reviews process for consumers to post opinions and/or experiences of a trader on your platform.
 - (h) Considering complaints professionally, fairly, and in a timely manner (taking into account factors such as the seriousness or complexity of the issue, and whether the consumer was in a vulnerable position) and ensuring that your staff follow the complaints process correctly.
 - (i) Responding in a timely and reasoned way to complaints, including when no further action is being taken following the complaint.
 - (j) Ensuring that any steps you take in response to complaints are consistent with the steps you have told consumers you would take and with your policy.
 - (k) When a consumer's complaint to a TRP concerns a trader that is uncontactable or unresponsive:⁴¹
 - (i) Taking the necessary actions to ensure that both consumer and trader have the right contact information to communicate with each other in the first place;⁴² and

⁴¹ Part of being a reliable, quality trader which has a place on a TRP is that the trader should offer good standards of customer service. That includes being contactable by consumers who are dissatisfied with work the trader does for them.

⁴² You should have on file the trader's correct contact information as part of your early checks and ongoing monitoring.

- (ii) Advising about what the consumer can do next if the issue remains unresolved.

46. Examples of practices that are unlikely to uphold this principle include:

- (a) Making claims about your complaints process(es) that are not true, for example saying you have a complaints procedure or a dispute resolution process when in fact:
 - (i) This is not the case; or
 - (ii) You have one, but it is ineffective in practice, design or operation.
- (b) Having no processes at all that would enable you to consider complaints and decide on the appropriate action (if any) in a timely and professional manner or having processes that are ineffective in practice.
- (c) Making it hard for people to use your complaints process, for example by:
 - (i) Failing to publicise it, or making it hard to find on your website or app (eg by not clearly flagging its existence to consumers or signposting them to it);
 - (ii) Not clearly and prominently explaining how people can contact you;
 - (iii) Not including the correct contact details;
 - (iv) Materially restricting the communication channels that people can use to submit a complaint or making the submission of a complaint unduly difficult or burdensome; or
 - (v) Unreasonably limiting the times when phones will be staffed or online forms or email inboxes will be checked.
- (d) Placing unreasonable conditions or barriers on the complainant, for example:
 - (i) Only permitting complaints to be made using your own website or app, and barring complaints about a trader on your platform through other means;

- (ii) Requiring complaints to be only, or additionally, submitted as online reviews;
 - (iii) Requiring the complainant to fill in an onerous form or take unnecessary additional steps (eg having to answer numerous unnecessary questions on an online form before being able to provide details about the actual complaint); or
 - (iv) Only allowing complaints to be submitted where contracts have been agreed or jobs have been completed, or in a narrow time frame following completion of the work.
- (e) Ignoring consumers who have reached out to you because they have found the trader to be uncontactable or unwilling to talk to them about their complaint regarding the trader's work or behaviour.

Principle 4: Monitoring activities

47. You should monitor the performance of traders on your platform and your monitoring activities should be appropriate and effective.
48. By 'monitoring activities', we mean further checks that you carry out on traders after they have joined, and while they remain on, your platform. These activities could include:
- (a) Tracking poor reviews from a high⁴³ number of consumers and consistent negative ratings or comments posted to your platform in relation to a trader;
 - (b) Repeating or revisiting periodically the checks that you carried out on traders when they joined your platform;
 - (c) Any other monitoring activities that you do.
49. You should use your reasonable judgement to decide when it is necessary to repeat vetting checks and what checks need to be repeated, taking a risk-based approach.

⁴³ Whether high in absolute terms or as a proportion of the total number of reviews of a trader.

50. This principle is another reflection that TRPs represent to consumers that traders on their platforms can be trusted to provide the services they advertise. Consumers will therefore expect TRPs to monitor traders' conduct in ways that match the representations TRPs make (expressly or by implication) about the quality, reliability or suitability of traders listed on their platforms. This means that TRPs must regularly monitor whether a trader merits their continued presence on the platform and give proper consideration to any concerns identified in relation to these traders to determine whether any further action is required.
51. Principle 4 covers your monitoring activities. The actions (if any) to be taken as a result, eg investigation and sanctions, is covered under Principle 5.
52. **Examples of practices that are more likely to uphold this principle include:**
- (a) Ensuring that your monitoring activities are consistent with those you have described to consumers (eg in your advertising to them or on your website). This includes ensuring that any additional monitoring you tell consumers you do is done in practice.
 - (b) Tracking poor reviews from a significant number of consumers and consistent negative ratings or comments in relation to a trader, for example by:
 - (i) Setting a trigger, so you are alerted when a trader receives poor reviews, such as a certain proportion of negative reviews or a minimum number; and
 - (ii) Once alerted, considering what negative reviewers are saying about the trader and whether any serious or repeat issues merit further action on your part.
 - (c) Repeating or revisiting the appropriate vetting checks, taking a risk-based approach, regularly enough to ensure consumers can be confident that the traders on your platform are as good and reliable as you say they are. You could do that, for example, by:
 - (i) Requiring traders to sign up to your platform for fixed periods and, at the end of each period, update and / or confirm the information that forms part of your vetting checks; and
 - (ii) Requiring traders, as a condition of appearing on your platform, to update you should anything significant change (eg new

business address, loss of certification, offer of new services) during their period of membership.

- (d) Having internal systems that allow findings from your monitoring activities to be retained for future reference.
- (e) Where monitoring activities find issues with traders on your platform, taking timely and effective follow-up action.

53. Examples of practices that are unlikely to uphold this principle include:

- (a) Where you do not monitor negative consumer reviews on your platform, or where you check those negative reviews but ignore serious or repeated allegations of a trader's low standards – whether poor workmanship, poor consumer service, or misconduct – and do not take appropriate follow-up action.⁴⁴
- (b) Where you redo vetting checks and find a trader no longer meets the necessary requirements to be allowed on your platform, ignoring the findings and not taking appropriate follow-up action.⁴⁵

Principle 5: Investigations and sanctions

- 54. You should act effectively on issues that come to your attention via your complaints process(es) and monitoring activities. This includes having a suitable and transparent sanctions policy and operating timely and effective investigation and sanction processes. It also involves cooperating fully and promptly with enforcement authorities.
- 55. By 'act', we mean taking appropriate and effective steps when you are put on notice of, or you identify yourself, a potential issue with a trader on your platform.⁴⁶ These steps include logging the information (so you have a

⁴⁴ Appropriate follow-up action might mean initiating an investigation or applying sanctions against the trader. See Principle 5.

⁴⁵ Appropriate follow-up action might include blocking services to the trader until it meets the requirements once more.

⁴⁶ As with Principle 3, this does **not** necessarily mean you are expected to be involved in resolving consumers' individual disputes with traders about the work they have done (unless you have told consumers that this is something you will do). Again, the focus is on ensuring that, when put on notice of information that may indicate a risk of harm to consumers who may use your service, or that a trader is not of the quality, reliability or suitability suggested by the service you offer, you act appropriately on it.

record); assessing it;⁴⁷ if necessary, investigating the matter further;⁴⁸ and, if warranted, imposing sanctions against the trader.⁴⁹ We would expect where a trader fails to meet the standards which warrant their trusted status, that trader should be required quickly to improve or be removed from your platform.

56. This principle follows on from the previous ones. To maintain that a trader is of the standards of quality, reliability and suitability to be on your platform, you need to go beyond only vetting them when they join and need to monitor their performance on an ongoing basis and take appropriate action where a trader falls short of the required standards.
57. The principle requires that you will act on, rather than disregard, information that comes to your attention suggesting a trader has caused harm to consumers or may pose a risk to others. Consumers will expect you to take reasonable steps to ascertain whether further action is required and, where you find the trader has committed a serious breach of your rules or poses a significant risk to consumers who use your platform, to remove the trader. If you do not, your express or implied representations about the trader's quality, reliability and suitability are likely to be misleading.
58. To comply with this principle, your investigation process and the sanctions you apply should be conducted and determined in an unbiased way.
59. Having effective monitoring activities also means you should cooperate, fully and in a timely manner, with law enforcement authorities, including when an authority makes a lawful request about a trader on your platform, using its investigation or enforcement powers.
60. **Examples of practices that are more likely to uphold this principle include:**
 - (a) Ensuring that what you do when investigating or taking action against traders is consistent with what you have told consumers you do (eg in your advertising to them or on your website).

⁴⁷ Your assessment would consider such things as: the quality of the complainant's evidence; the seriousness of the allegations (eg risk to life and limb, damage to property, cost to put right, criminal activity); whether other people have made the same or similar complaints (including in online reviews published on the trader's account on your platform); whether the complainant or the harmed person is a vulnerable consumer; the trader's side of the story; and any other relevant information that you may hold.

⁴⁸ Investigating the matter further may include (depending on the nature of the complaint): asking for more information from the complainant, the trader or both; revisiting checks that you undertook when the trader joined your platform; and/or looking at other relevant information that you hold about the trader (eg other complaints and feedback sent to you, or online reviews that consumers have left on your platform for other consumers).

⁴⁹ Sanctions against a trader may include you: placing the trader on a watch list, issuing it with a written warning, placing an alert on its public profile on your platform, restricting its use of your services (eg until the issues underlying the concerns have been addressed) or expelling it from your platform.

- (b) Having an effective, fair and unbiased investigation and sanctions policy and process which enables you to assess information in a timely way and fairly determine what follow-up action, including sanctions (if any), is merited. This includes prioritising higher risk cases.
- (c) Keeping sufficient records of complaints, previous sanctions and other information in relation to traders in your platform,⁵⁰ so you can identify potential patterns of repeat behaviour that should be taken into account when considering a potential sanction, eg poor workmanship, poor consumer service or misconduct.⁵¹
- (d) Where your assessment suggests potentially serious misconduct or a pattern of repeat behaviour that falls short of the standards you represent, expressly or by implication, that consumers can expect of a trader on your platform, carrying out more in-depth investigations promptly and effectively and suspending the trader under investigation from using the platform until the investigation is concluded.⁵²
- (e) Having a straightforward process to receive and respond promptly to investigative enquiries from enforcement bodies such as Trading Standards Services, including swiftly providing enforcement authorities with information about traders under investigation who are or were listed on your platform, including: (i) their identity and contact details; (ii) complaints received about the trader; and (iii) any sanctions applied.
- (f) Where you find that a trader has fallen short of acceptable standards, operating timely and effective processes to sanction them, including:
 - (i) Applying appropriate sanctions against these traders, up to and including expulsion from your platform;⁵³
 - (ii) Where a trader is expelled, removing it promptly from any public directory of traders that you publish (eg on your website)

⁵⁰ When retaining any information about traders you should also be mindful of the need to comply with data protection law which relates to the processing and retention of personal data.

⁵¹ It would be useful and best practice if you collected and published data about the sanctions you impose on the traders in your platform, including the type of sanction and the reason for the sanction.

⁵² Where you have concerns with a trader (eg as a result of consistent poor reviews from consumers, or serious performance issues you become aware as part of your monitoring obligations), it would be useful as best practice if you could share your concerns with the relevant Local Authority Trading Standards Service, for England, Scotland and Wales please see [here](#), and for Northern Ireland

⁵³ It will help traders on your platform if you make clear (eg in your rules or terms and conditions) that traders found by you to have harmed consumers or to pose a significant risk to other consumers will be expelled from your platform.

and from your internal systems (so it cannot compete for further job leads on your platform);

- (iii) Having measures in place to detect and prevent expelled (or former) members from using your logo to promote themselves; and
- (iv) Keeping an adequate record so you can take reasonable steps to spot the same trader attempting to rejoin your platform at a later date.

61. Examples of practices that are unlikely to uphold this principle include:

- (a) When put on notice (or otherwise becoming aware) that there are potentially serious issues with a trader on your platform (including a repeat pattern of problematic behaviour), not acting adequately or at all.
- (b) Considering complaints or carrying out investigations in an untimely manner or with unnecessary delay.
- (c) Not keeping records of complaints or other feedback about traders on your platform, or not retaining them for a reasonable length of time.
- (d) Not applying suitable sanctions. For example, not expelling that trader from your platform where you find a trader has consistently provided a very poor level of service or engaged in serious misconduct (eg pressure selling, threatening behaviour, or taking payments but not finishing work).
- (e) Not cooperating with requests from enforcement bodies such as Trading Standards in a thorough and prompt manner or making it overly burdensome for such bodies to obtain information.

Principle 6: Collection, moderation and publication of consumer online reviews

62. If you display consumer reviews and/or ratings of traders on your platform (or make them accessible from your platform) you should adopt effective,

transparent and impartial practices for the collection, moderation and publication of online consumer reviews.^{54, 55}

63. By 'online reviews' we mean reviews (eg evaluations, comments, or feedback) that are published on, or accessible from, your platform conveying a person's opinion on and/or experience of a trader.
64. The way you collect, moderate and publish reviews needs to be such that consumers can take informed decisions when using your platform. TRPs who publish or provide access to online reviews have a responsibility under consumer law to prevent fake and misleading reviews from affecting consumers' decisions. You must therefore take appropriate steps to address the risks linked to:
 - (a) The submission or commissioning of fake reviews;
 - (b) The submission or commissioning of incentivised reviews;⁵⁶
 - (c) The publication of reviews in a misleading way, including the suppression of genuine negative reviews.
65. If not, reviews on your platform can mislead consumers by providing a false or misleading impression of a trader's overall performance. This will be the case with: (i) fake positive reviews which enhance a trader's apparent performance by increasing their rating and review count; (ii) fake negative reviews (posted, for example by competitors) which would make a trader's performance appear worse by lowering their rating; and (iii) incentivised reviews which are not clearly and prominently identified as such and distinguished from other reviews, since consumers will not know that the reviewer has been rewarded for their comments.
66. Upholding this principle is important for maintaining the integrity of your online review system and ensuring that consumers can make informed decisions when using your platform to find a trader. By doing so, you also enhance user

⁵⁴ We do not consider that TRPs have to feature such reviews or ratings, and this principle is specifically tailored for those platforms that choose to incorporate them.

⁵⁵ The CPRs currently contain a list of explicit 'banned practices' that are considered unfair under consumer protection law in all circumstances, regardless of their impact on consumers. The DMCC Act, as approved by the UK Parliament on 23 May 2024, adds new practices concerning the collection, moderation, and publication of online consumer reviews to ensure consumers obtain a true and impartial understanding of how other consumers assess a trader's performance. The DMCC Act will replace the CPRs once it enters into force. The CMA will publish guidance to explain the application of the new practices and what traders should do to comply. To the extent that the expected new guidance conflicts with this principle, TRPs will be expected to apply the new guidance.

⁵⁶ Incentivised reviews are any review for which a person has received (or will receive) any form of incentive or reward – including money, commissions, discounts, leases or loans free of charge or in more favourable terms than those offered to the general public, free products or gifts of any products – and goes on to review a trader in connection with that incentive.

trust in your platform and foster a transparent and reliable environment for online transactions.

67. Your platform is subject to this principle even when it displays or refers to reviews originally published on other platforms or outsources the process of moderation of online reviews to a third-party.

68. **Examples of practices that are more likely to uphold this principle include:**

Collection of reviews

- (a) Ensuring there is an easily accessible mechanism for consumers publicly to post opinions and/or experiences of a trader, distinct from your complaints procedure (see Principle 3).
- (b) Taking appropriate measures to sanction a trader (see Principle 5) that dissuades consumers from posting negative reviews or otherwise tries to prevent such reviews from being posted.⁵⁷

Moderation of reviews

- (c) Ensuring moderation processes are consistent with what you have communicated to consumers (eg in your advertising to them or on your website).
- (d) Assessing negative reviews against objective criteria which do not suppress or alter genuine negative ones but weed out those references that are vexatious or offensive.
- (e) Maintaining processes and sufficient capability to moderate consumer reviews promptly and effectively (eg having suitably trained staff in sufficient numbers).

Approach to fake and misleading reviews

- (f) Ensuring that the steps you take to address fake and misleading reviews are consistent with those that you have described to consumers (eg in your advertising to them or on your website).

⁵⁷ An TRP could become aware of instances where traders dissuade consumers from posting negative reviews or otherwise attempt to eliminate such reviews, through their complaints and monitoring procedure.

- (g) Taking such steps as are appropriate to prevent the publication of fake and misleading reviews, to remove them and prevent them from affecting consumers' decision making. These steps include:
- (i) Conducting regular risk assessments. You should take an evidence-led approach to assessing the risks of harm to consumers' decision-making arising from review-related content and activity. You should then take appropriate and prompt action to address any issues identified.
 - (ii) Developing and using appropriate proactive measures to identify and address fake or misleading reviews and their impact on other online content. You should take steps proactively to identify, investigate and respond to fake or misleading reviews (whether before or after publication on your platform). For example:
 - i. Conducting regular checks on a representative sample of reviews across the platform and/or monitoring suspicious patterns or trends of behaviour. You can do these checks manually (that is, reading a sample of reviews and looking for suspicious content) and/or with software designed to spot content or patterns that may indicate a fake review.
 - ii. Providing clear and accessible ways for users to report suspicious content or activity. These mechanisms should be easy to find and use, allowing users to report issues like fake reviews or suspicious accounts for further investigation.
- Ultimately, the steps you take should be determined by the nature of the risks posed to consumers by the website/platform and the need to prevent consumer harm.
- (h) Having appropriate sanctions in place to stop traders and other third parties from engaging in any fake or misleading review-related activity. Sanctions should be effective to deter them from submitting, procuring or otherwise arranging fake and misleading reviews for publication on the platform.
- (i) Conducting regular internal reviews to assess how effective the processes in place are in tackling fake reviews and addressing any shortfalls identified.

- (j) If your platform publishes incentivised reviews, ensuring that they are clearly and prominently labelled so that consumers are aware of the existence of the incentive and can determine the weight they should place on the review. You should treat incentivised reviews differently from other reviews on your platform e.g. they should not be counted towards a trader's overall rating or ranking, so that they do not mislead consumers.
- (k) If your platform does not allow incentivised reviews, ensuring that you take such steps as are necessary to prevent their publication in the first place. This includes having appropriate processes in place to investigate and sanction traders who offer incentives to reviewers in breach of your policy.⁵⁸

Publication of reviews

- (l) Subject to taking the necessary steps to prevent fake and misleading reviews, publishing reviews promptly once submitted, even if a review is disputed by the trader.
- (m) Disclosing information that allows consumers to know if several reviews were submitted by the same reviewer including about the same trader, and what range of ratings they have given (so consumers can form their own judgement about the reviewer's authenticity and what weight to place on their opinion);
- (n) Where your processes have identified a potentially fake or misleading review which requires further investigation, the review should be flagged as being potentially fake or misleading until such time your investigation is completed. The investigation should be conducted promptly to ensure timely resolution and to maintain trust in the platform
- (o) Promptly removing fake or misleading reviews (including incentivised reviews if those are not allowed in your platform) when identified.
- (p) Having removed fake or misleading reviews, taking action to reverse or remedy any effects of their presence before they were removed eg correcting total review counts, overall ratings, rankings and number/type of endorsements.

⁵⁸ See also Principle 5 concerning sanctions against traders more generally

- (q) Clearly and prominently disclosing any commercial relationships you have with any traders which appear on your platform.
- (r) If your platform has, or introduces, a verification system intended to identify consumers who submit reviews as having purchased a service from a trader on your platform, ensuring that such verification is established promptly and accurately, and any publicly viewable label attached to that consumer's review (eg 'verified consumer') is applied correctly.

69. **Examples of practices that are unlikely to uphold this principle include:**

Collection of reviews

- (a) Using platform layouts whose design hinders or delays the submission of consumer reviews. While certain pre-submission checks may be necessary to maintain the integrity of the review system, you should ensure that these checks do not unreasonably delay the submission of genuine reviews.
- (b) Having policies that prevent or discourage consumers from promptly submitting a review (eg only allowing consumers to post reviews after paying the trader or only after a complaints process has been completed).

Moderation of reviews

- (c) Assessing disputed negative reviews unfairly or displaying them in a biased manner.
- (d) Assigning disproportionate weight to positive reviews compared to negative reviews when calculating a trader's overall rating eg giving greater significance to ratings of 4 or 5 on a scale of 1-5, thereby potentially misleading consumers about the true performance of the trader.

Approach to fake and misleading reviews

- (e) Failing to follow the steps that you have publicly told consumers you take to address fake and misleading reviews.
- (f) Failing to take appropriate steps to prevent the publication of fake and misleading reviews.

- (g) If your platform publishes incentivised reviews, failing to take such steps as are necessary to ensure that they are clearly and prominently labelled and treated differently to other reviews eg not counting the review towards a trader's overall rating or ranking.
- (h) If your platform does not allow incentivised reviews, failing to take such steps as are necessary to prevent their publication in the first place.
- (i) Failing to sanction (at all or appropriately) traders who, directly or indirectly, have engaged in or are connected with any fake or misleading review related activity.

Publication of reviews

- (j) When fake reviews are identified, failing to remove them promptly and to reverse or remedy any effects of their presence before they were removed.
- (k) If your platform does not allow incentivised reviews and those are posted, failing promptly to identify and remove them, and failing to take actions to reverse or remedy any effects of their presence before they were removed.
- (l) Offering traders direct control over deleting or editing negative reviews without moderation.
- (m) Editing or removing reviews yourself or allowing others to do so, with the exception of editing or removing offensive language; eg swearing, abusive language or defamatory remarks. Reviews must otherwise remain unaltered so as to reflect consumers' genuine experiences.
- (n) Displaying or ranking negative reviews on your platform in a way liable to create a bias in favour of positive reviews (eg displaying positive reviews more prominently than negative reviews, without being clear about the criteria used to rank reviews, hiding negative reviews or making those reviews difficult to access).