

Case Summary

Mis-selling



Case Details

- A customer went for a consultation for abdominal liposuction with a sales consultant. After talking for about 5 minutes, she was told that she just had a “little flab of skin” in her abdominal area that could easily be treated with their laser lipolysis machine, which would avoid the use of invasive surgery, and that about 8 treatments would solve the problem.
- She suspected that she had more than a “little flab of skin”, but believed the sales person when she told her that she didn’t need surgery. The sales consultant went on to discuss if there were any other areas of concern, as, if she undertook multiple treatments, they could do a good deal for her. The customer discussed loose skin on her arms and neck. The sales consultant said that these could all be done by the treatment and went on to sell her twenty-four courses of treatment, eight on each area. She paid for all treatments in one go, paying 10% in cash and putting the rest on credit card.
- She undertook the first course of treatment, but on the second session, she queried why the practitioner was not treating her neck. She was informed by the technician could not use the machine on her neck, because it was too close to her thyroid gland. The sales consultant had never mentioned any risk relating to this. She was also told by the technician that she had too much fat around her abdomen for the procedure to work, so the customer decided to stop treatment on her body and switch the treatment to her face on the basis that tightening this would help her neck. She had two more treatments on her face but saw no visible improvement as she had hoped.

- The customer then stopped further treatment on her face and abdomen, but continued with the treatment to her arms. She however spoke to the sales consultant about using the remaining money she had paid to have surgical liposuction on her abdomen as she had originally intended.
- The sales consultant arranged for a consultation, however during the consultation the doctor stated that he was unable to perform the procedure due to the customer having diabetes.
- The customer consequently found out that the procedure she was sold using laser lipolysis was not suitable for the type of loose skin on her arms and that she was mis-sold the whole package. She feels that the sales person should have known the procedure was not suitable before selling it to her.
- She has subsequently complained and has been offered compensation for her arms but has yet to receive this. She has made numerous phone calls leaving numerous messages but the sales consultant has not responded.
- She has received neither the compensation nor a refund for the treatment she did not receive.

Why we can help you in cases like these:

1. It is about the sales process and not the standard of treatment.
2. The sales consultant has engaged in false promises and sold the product without ensuring it was suitable.
3. The trained staff acted appropriately in not proceeding with unnecessary treatment on the neck and abdomen. The treatment on the arms also now appears to be inappropriate and the clinic has conceded this and has offered an unspecified amount of compensation. No adverse effects or damage appears to have occurred due to this process.
4. The alternative surgical procedure rightly involved a medical assessment and did not proceed for genuine medical reasons. The sales person is not qualified to make that call.
5. The sales person has refused to engage with the customer or to explain their complaint procedure.