

November 2005



Continuum Ltd

Response to Ofcom Report on Statement of policy on the persistent misuse of an electronic communications network or electronic communications service Published 31 Oct 2005

Response by Stephen White, Director, Continuum Ltd

November 2005

November 2005

Introduction

This document outlines the Continum Group (and its subsidiaries, Continum Ltd, 4Business Calls Ltd, Xempower Ltd and Quasar Studios Ltd) response to the OfCom consultation report on:-

- Statement of policy on the persistent misuse of an electronic communications network or electronic communications service Published 31 Oct 2005.

In particular our response is focused on the following section :-

- 5.20 Another type of silent call arises from the practice of number-scanning (also known as ‘pinging’) where calls are made to find out which telephone numbers, out of a range of numbers, are in service or not. As soon as a tone is received which establishes the status of a particular number the call is terminated. This activity is carried out in order to develop lists of active telephone numbers. As well as the inconvenience that may be caused to the recipient of an abruptly terminated call such behavior is detrimental to consumers in general by adding to network congestion without generating any revenue for providers. In a worst-case scenario high-volume number-scanning could overload either the originating or terminating local exchange thus depriving subscribers connected to that exchange of the ability to make or receive any calls at all.

How it will affect us and our customers

- **Loss of Business** – A number of our customers use our Number:Washer product to clean their existing customer databases. The software dials each number in turn to check which number is active or inactive and leaves a missed call. Section 5.20 refers to this as number scanning and if Ofcom restricts the usage in the UK then a fundamental part of both our business and that of our customers will be lost.
- **Loss of employment** – As the Number:Washer is used by list managers / call centres who work on low margins then it will be inevitable that the reduction of pre washing numbers will increase the costs of operating such call centres which ultimately will lead to loss of employment.

November 2005

Our Views

Removing the use of number scanning will have both a detrimental effect on our business and that of our customers.

Checking to see if numbers are active or inactive is a fundamental part of any call centre, list manager business and to remove the tools that will aid this investigation would only move the problem. Companies would start to use foreign companies situated "off shore" to carry out the number scanning with a resultant loss of revenue to the UK economy and an increase in unemployment. .

Our proposal would be for Ofcom to enforce that companies doing number scanning have to leave a CLI for the missed call with the potential call back from the customer returning to either a pre recorded message from the company undertaking the scanning, or to a live call centre agent.

Answers to the questions in Annex 3

- Q1 Do you agree that consumers are concerned by silent calls and that Ofcom is right to take enforcement action against the companies that make them?

Answer – I believe that there are a proportion of consumers who are concerned with silent calls and there are a proportion of consumers who see them as an annoyance. I believe that there should be measures in place to control the number of silent calls but must balance the minority of consumers who are concerned with the potential loss of employment and additional costs that will occur with the introduction of tight legislation. The call centre industry is already facing the loss of business to off shore call centres and with the introduction of further regulation the loss of business would only increase and move to foreign countries who could easily flout the UK laws.

- Q2 Do you agree with Ofcom's proposed approach to taking enforcement action, guided by a sense of administrative priority?

Answer – I don't understand the question ?

- Q3 Do you agree that the range of procedures proposed in the statement will be effective in reducing the degree of anxiety, annoyance and inconvenience caused by silent calls?

Answer – I believe that additional investigation must be completed in to the adverse costs of imposing the proposals outlined in the statement on call centres. The result could be an increase in off shore call centres with a loss in UK employment and a

November 2005

potential increase in silent calls (from the off shore call centres) that could not be policed. .

- Q4 Are there any additional procedures which call centres could adopt to reduce the degree of anxiety, annoyance and inconvenience caused by silent calls?

Answer – The anxiety of missed calls made by products like Number:Washer can be reduced by leaving contactable CLI's. Consumers can call back missed numbers to be presented with a recorded message or to speak to a live agent.

Contact Details

Stephen White
Director

Mob: 07967 333 111
Steve.white@continum.co.uk

Continum Ltd
Suite1
J2 Business Park
Bridge Hall Lane
Bury
Lancs
BL9 7NY

Tel : 0845 408 1750
Fax: 0845 408 1751