Telecoms Complaints Data

Ofcom receives and monitors complaints from consumers who are dissatisfied with their experience in the communications sector. It uses this data both to take enforcement action against specific companies that are breaking existing Ofcom rules and also to highlight problem areas where new rules may be needed to protect consumers.

The chart below shows complaint trends for key areas of consumer dissatisfaction over the last 14 months.

**Mis-selling/Slamming – Fixed line**

In some instances consumers may be given incorrect or misleading information to encourage them to switch providers.

Consumers who receive false or misleading information by a phone company to convince them to switch telephone supplier have been "mis-sold" the service. Additionally if a consumer receives a bill from a company they haven't signed up to, it's possible they've been “slammed”. In other words, the new company has switched their account without first obtaining their permission. Ofcom has introduced new rules to strengthen the regulations around mis-selling.

Ofcom actively monitors compliance with these new rules through its enforcement programme and takes action against companies who do not comply with the regulations. Ofcom has previously taken enforcement action against providers who have been found to be in breach of sales and marketing rules, including fining two companies the maximum 10 per cent of their turnover.

Complaints about fixed line mis-selling/slamming can be registered here.

**Silent Calls**
The vast majority of silent calls are not made by pranksters or burglars. In fact they are simply the work of a machine, called a predictive dialler, used by call centres to phone large numbers of people in one go.

Predictive diallers are used by telemarketing firms (who phone people up to try to persuade them to buy products or services), by market research firms, by debt collection agencies and many other types of company. They work by dialling telephone numbers automatically, then connecting the customer to a call centre agent as soon as the customer answers the phone.

If all the call centre agents are busy when the customer answers the phone, there’s nobody free at the other end of the line when the customer picks up the receiver. So, as a result, the customer simply hears silence, and can be concerned or frightened as a result.

Ofcom has rules regarding the use of diallers and has an enforcement programme to make sure organisations are complying with the rules. Ofcom has taken formal enforcement action against silent and abandoned calls, and has fined companies such as Abbey National, Barclaycard and Carphone Warehouse.

Complaints about silent calls have risen since September 2009. We believe this growth is linked to greater awareness about how to complain to Ofcom through online forums, the greater prominence given to silent calls and the associated complaints form on our website. There has been no significant change in the number of telephone complaints to Ofcom on the issue and calls to BT’s Nuisance Calls Bureau have fallen over the period.

Complaints about receiving silent calls can be registered here.

Customer Services

Ofcom receives complaints about communications providers’ customer service including: queue times, no response to letters or emails, refusal to escalate complaints, quality of and rude staff and incorrect information given.

Most communications providers view customer service as a key component of their operations and will endeavour to treat their customers fairly. Ofcom’s role is to ensure that when something goes wrong consumers are able to find out easily how to make a complaint and can be assured that their provider will have appropriate processes in place to receive and handle their complaint.

Ofcom requires all providers to have a Code of Practice setting out their complaints handling procedures and to be members of an Alternative Dispute Resolution (ADR) scheme, where their customers can take disputes after 8 weeks have passed. We have recently confirmed plans to improve consumers’ awareness of ADR and ensure basic standards of complaints handling.

Advice for consumers on how to complain about their communications provider can be found here: http://consumers.ofcom.org.uk/tell-us/telecoms/.

Additional Charges

Consumers are sometimes required to pay additional amounts over and above the headline prices they expect. For example, most contracts are of a minimum length and include an
early termination charge to end a contract early. These types of charges are allowed but they must be fair.

Ofcom opened an enforcement programme on 1 April 2009 to make sure companies are complying with the law. We recently agreed with BT, Talk Talk and Virgin Media that they would reduce the charges they levy to consumers for leaving their landline (or landline plus broadband) contracts early.

Complaints about additional charges can be made by calling the Ofcom Advisory Team on 0300 123 3333.

Broadband Speeds

Many ISPs market their broadband products with headline speeds such as 'up to 8, 20 or 24 Mbit/s'. However, the vast majority of these consumers are unlikely to receive these headlines speeds which in turn can lead to dissatisfaction.

In order to provide consumers with better expectations of the type of service they are likely to receive from an ISP, Ofcom introduced a voluntary code of practice in 2008 that required suppliers to provide better information to consumers at the point of sale. The Code requires, among other things, ISPs to provide an estimate of the maximum speed a consumer is likely to receive on their line, so that they are aware that they are unlikely to receive the advertised headline speed.

Ofcom has recently strengthened the voluntary Code of Practice on broadband speeds. ISPs who sign up to the revised Code commit to give consumers a more accurate and consistent estimate of the maximum speed likely to be achievable on their line. ISPs also commit to help consumers improve their speeds and give consumers the option to leave their contracts early without penalty (within three months of signing up to the service) if they receive a maximum line speed that is significantly below the estimate they are given at point of sale and the ISP is unable to resolve the problem. The strengthened Code will cover over 90 per cent of consumers and will come into force no later than 27 July 2010.

Ofcom also publishes extensive speeds research that provides insights into the speeds actually achieved by consumers using broadband services.

Mis-selling/Slamming – Mobile

The term 'mis-selling' covers a range of misleading or aggressive sales and marketing activities including 'slamming', where customers are simply switched from one company to another without their express knowledge and consent.

Ofcom has strengthened rules on mis-selling in the mobile market and companies can be fined up to 10 per cent of their relevant turnover if they are found to be breaking the rules.

Complaints about mobile mis-selling can be made by calling the Ofcom Advisory Team on 0300 123 3333.

Broadband Migrations – Tag on line
Tag on Line is an issue that can occur for consumers who are buying broadband for the first time or have just moved into a new property. Consumers may be advised by their provider that there is a ‘tag on the line’ and that it will need to be removed before their order can be progressed. Tags can occur for a variety of reasons and, in the majority of cases, the new provider is best placed to investigate and fix the underlying cause of the Tag, on the consumer’s behalf and, if necessary, liaise directly with BT to have the Tag removed.

For guidance on how to deal with a Tag on Line complaint click here.

**Broadband Migrations – problems around Migration Authorisation Codes (MACs)**

A MAC enables a consumer to switch from one broadband provider to another with minimal disruption to the broadband service. The code consists of four letters always beginning with L followed by between seven and nine numbers, a slash, and five alphanumeric characters (e.g. LAEM1234567/1F6HT). A MAC should be given to a consumer by their current provider within five working days of a request. A MAC may not be required where consumers are being supplied with broadband in conjunction with their telephone service over a fully unbundled loop or via Virgin Media’s cable network.

To register a complaint about problems experienced in switching broadband providers call the Ofcom Advisory Team on 0300 123 3333.