



OFCOM consultation on the persistent misuse of an electronic communications network or electronic communications service.

Response by E.ON UK

E.ON UK, through our Powergen brand, is the second largest electricity and gas supplier to domestic customers in the UK.

We welcome the statement of policy; though believe there is potential for confusion due to the lack of precision on the definition of abandoned calls.

Our view is that, a silent *abandoned* call is where a consumer **answers** the phone and there is no call centre agent at the other end therefore the call is terminated. This is contrasted to an abandoned call due to **no answer** which is where the dialler rings a customer for a set time (i.e. 20 seconds) and if there is no response the call is terminated.

Our Customer Service activities predominantly use preview and progressive diallers to facilitate our agents calling customers and as the call is instigated by the agent there is no possibility of a silent call occurring. The call may however be abandoned if the customer fails to answer after a set time.

Predictive diallers are used for the entire Sales activity and a small proportion of our Customer Service activity and therefore pose the risk of both silent calls and abandoned calls due to no answer.

OFCOM Consultation Questions

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?

Yes, we accept OFCOM's research findings and also have our own personal experiences of the inconvenience caused by silent calls.



However, we do not believe that no answer *abandoned* calls cause the same level of concern. They are most likely due to the customer not being at home, or wanting to answer the phone. Do OFCOM mean, in Para 5.14 that consumers receive 5.7 abandoned calls a month due to no answer or silent *abandoned* calls?

We agree that OFCOM should consider enforcement action against companies that do not have a robust process in place to ensure that silent calls are kept to an accepted minimum or repeatedly exceed universally agreed thresholds. Individually and collectively companies, working with OFCOM, will need the opportunity to investigate business viability and the financial implications of any proposed changes.

However, we do not consider the eradication of silent calls to be a plausible solution as it is impossible for a predictive dialler to achieve this goal due to its very nature. To do so would mean restricting the dialler's mode to preview or progressive solely thus making predictive diallers redundant. However, we do agree there should be a recognised threshold to which companies are monitored.

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

We agree with OFCOM's enforcement approach in taking action against companies that do not take a reasonable and responsible approach in this area providing a defined set of standard procedures are universally agreed.

We believe that it is integral for OFCOM to clearly state the investigative process if a complaint is received in conjunction with clear guidelines regarding the consultation process and the subsequent sanctions if the complaint is upheld

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.



We would appreciate clarification of the proposals in 5.16.

- All references should be to silent calls rather than abandoned calls due to no answer. For instance, the 3% target can only be of silent *abandoned* calls – we have little control over the number of calls which are unanswered. It is impracticable to leave a recorded message on an answerphone – some diallers may not be able to distinguish this from a consumer answering the phone.
- Data Protection may prevent the recorded message providing details of a customer service call.
- The offer to bar further calls would only apply to unsolicited sales calls

We agree that if the customer does receive an abandoned customer service call, we should continue with our current practice of ensuring that the customer is rung back by a 'live' operator.

We do not see a need to bar an outbound call from being used for marketing.

We believe that on the occasions when a silent call is made, the customer may consider the call an inconvenience rather than a cause for anxiety or stress. When the customer contacts us it is likely that they may request to be added to the in-house suppression list, but some will accept an apology for a silent call, acknowledge that it is unlikely to be repeated and then be interested in the purpose of the call.

It is also possible that the recorded message and invitation to call back may cause more irritation to the customer than a silent call.

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

No