



OFCOM Consultation Paper – Persistent Misuse of dialling equipment

Date: 9th January 2006

Contributions: Named within the response.

Please see the responses to the question below. We are a large organisation, and have multiple business units who use outbound dialling equipment. Therefore, within the response, there are comments from each area that use the equipment. In addition, these businesses are a mix of sales type environments and also debt collections. I have indicated next to the responders name either (S) for sales or (C) for debt collection.

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?

Response –

Rob Dean – CMS (C) - We are aware of general comment in the press however we have no direct knowledge of complaints regarding silent calls.

We seek to manage our business within all regulatory guidance and are aware that Ofcom can enforce compliance.

The aspect of silent calls is one where it would help if Ofcom were to provide clarity on its interpretation of silent and abandoned calls as it is key to the policy amendments.

We would also be looking for clarity on how a nuisance call rate (namely 3% should be calculated)

Ian Scoble – Cards (C) - *We agree customers could be concerned which is why we take actions to reduce the number of silent calls.*

Kim Randal – TAS (S)- Customers are concerned, and as at present they don't know who is calling them often think it is us when it isn't. We also get complaints re 3rd parties calling on our behalf, often from the credit card base and increased bad press regarding 'nuisance calls' and fraud has also caused customers to be uneasy.

Lee Brook – UKI (S)- Yes. I believe that companies should have a sense of responsibility to ensure they provide the best level of service, and as such, should

strive to comply within the guidelines of silent calls. Companies have to ensure they remain vigilant and closely monitor the amount of lost calls, to ensure they remain within the boundaries.

Andreas Georgiou – Telephony Collections (C)- We have not as, of date, received any feedback/complaints from our customers regarding “Silent Calls”, however we are aware of recent press releases regarding “Silent Calls/Nuisance Calling”. I feel we need more clarification on what is a “Silent/Nuisance Call”, in our side of the business the customer has debt with us and therefore we have every right to do everything to try and collect that debt, would calls to collect debt rather than calls to sell a product be classed as a “Nuisance Call”? Also guidance on how the 3% is calculated would be appreciative.

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

Response –

Rob Dean – CMS (C)- We interpret this statement as meaning OFCOM will be reactive to consumer complaints raised and that the action or speed of action would be related to the volumes against any one company.

If this is correct then yes we agree.

Ian Scoble – Cards (C)- *Providing the guidelines are clear and specific. Historically they are open to interpretation.*

Where companies are excessively exceeding targets then yes action may be appropriate.

Kim Randal – TAS (S)- It makes sense to put in some administration to ensure customers feel they have a some recourse if they feel adversely affected by calls.

Lee Brook – UKI (S) - Yes. I believe that companies who persistently fall beyond the restriction boundaries should receive penalties, as consumer care should remain a priority - and perhaps by penalising them, may make the company extra vigilant in the way they approach future dialling.

Andreas Georgiou – Telephony Collections (C)- What we have understood regarding this statement is Ofcom will take action against a company dependant on how many complaints that company may receive. If we have interpreted this correctly then Yes.

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?

Response –

Rob Dean – CMS (C)-We would agree that a lower level of abandoned calls (see answer to Q1) and adherence would reduce the absolute number of calls made then cancelled by an automated system but this may not necessarily reduce the number of silent connects.

We would not wish to see the removal of an abandoned call for 72 hours or that our customers are offered the opportunity to decline calls.

Given the nature of our business of debt recovery for a Retail Bank these would seem to provide avenues for debt avoidance

Ian Scoble – Cards (C)-

- Abandoned call rate not to exceed 3%- RBSG Credit Card Centre currently operate within this.
- In the event of an abandoned call the playing of a brief information message giving details about the call. - RBSG Credit Card Centre currently call back customers immediately after a silent call/hang up which allows us the opportunity to apologise to the customer and to effectively deal with the initial reason for calling the customer. Do not disagree in principle. However, feel current procedures sufficient and Telecom's/IT development would be required
- A 72 Hour period before a number receiving an abandoned call is called again- RBSG Credit Card Centre currently call the customers back immediately and believe this to be good practice. It is important that we speak to the customer and identify ourselves as the caller. We can understand this stance with companies that do not currently operator within the guidelines, however we don't believe this measure will cure those companies whom already abuse/ignore current guidelines. This would require significant IT support to achieve within our current infrastructure. In a Collections environment a call could eliminate further charges and therefore it is in the customers best interest as well as our own that we speak as soon as possible. 72 hour between we feel is too long.
- CLI information on outbound calls enabling the customer to call back and request not to be called again- RBSG are not adverse to Caller ID however it would require Telecom's development. I can understand why we may give the customer the option not to be called again on a sales call however this would not be acceptable in an Collections environment.
- A minimum of 15-second Ring time. Agree this provides the customer enough time to answer the telephone.

Kim Randal – TAS (S)- It will give an increased level of comfort to customers, as they will be able to identify who was trying to call them.

Lee Brook – UKI (S)- The majority of the proposals are good – and would work. I am not, however, in agreement with the proposal of no further calls for a period of 72-hours, as this could cause further problems regarding policies not being set-up.

(Consumers driving around un-insured.) I believe that by this proposal going ahead, we would be doing the consumer an injustice by not informing them of the facts and could result in further anxiety being caused. Also - as a result in the proposals – it would be interesting to see how many more call centres re-locate their Outbound activity to the sub continent, where perhaps silent calls are not as well policed as in Britain. I also believe that OFCOM should impose a restriction to quantity, as well as quality, as some companies make more calls than others. But the amount of dropped calls made by the larger organisations would be far greater than those with fewer records. Also, the larger organisations would be under greater pressure to hit call targets and are likely to be less vigilant with the restrictions.

Andreas Georgiou – Telephony Collections (C)- We would agree with the 3% rate which has been advised by Ofcom, this will obviously mean less Silent calls to customers, however the nature of our business is to collect debt (debt recovery) and with Ofcom's suggestions of removing abandoned calls for 72 hours or the opportunity for customers to decline the call, this in our opinion would constitute an option for the customer to avoid our call and subsequently avoid their debt.

Q4 Are there any additional procedures which call centres could adopt to reduce

the degree of anxiety, annoyance and inconvenience caused by silent calls?

Response –

Rob Dean – CMS (C)- No – but we would request that as system change may be required to meet all the current suggested changes that a period to implement is agreed.

Ian Scoble – Cards (C)–

- Sufficient agents available to take the calls.
- 3% abandoned rate.
- Immediate call backs to those who receive a silent call.

Kim Randal – TAS (S)- Consistency of dialler usage to ensure we are all measuring abandoned the same way. Also running the diallers to be below the agreed abandoned rate to further reduce silent calls, often achieved by real time dialler management which is in place in some competitors.

Lee Brook – UKI (S) - Companies should closely monitor MI on dropped calls, to ensure that they are within the boundaries. Then – if they are close to the target – should revert to progressive dialling, to ensure they remain within the restrictions.

Andreas Georgiou – Telephony Collections (C)- No.