

Your rights and choices as a telephone customer

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What is Oftel?

The Office of Telecommunications – Oftel – is the regulator for the UK telecommunications industry. Our goal is to make sure you receive the best quality, choice and value for money for all your telephone services, including fixed and mobile services and Internet access.

Later in 2003 Oftel will be merging with other organisations to form a single regulator for the UK communications industry, the Office of Communications (Ofcom). For more information, see www.ofcom.org.uk.

What this leaflet covers

This leaflet explains:

- your rights as a telephone customer;
- what you should do if you have a complaint; and
- where you can find information to help you choose a telephone company.

Useful contact details are set out at the back of this leaflet.

Oftel has produced separate information on specific subjects, including mobile phones. See the consumer information section on our website at www.oftel.gov.uk/consumer/index.htm.

Your rights as a telephone customer

What rights do I have?

You have many rights as a telephone customer. Some rights apply only when you are dealing with BT or Kingston Communications in Hull, others apply when you are dealing with all phone companies.

You also have all the rights that everyone has under general consumer law, such as the Supply of Goods and Services Act 1982.

Do I have the right to a phone service?

Yes. It's important that every person in the UK has access to basic telephone services, so BT – or, if you live in Hull, Kingston Communications – must provide you with a fixed phone service at an affordable price. You can use this phone service to make national, international, operator and directory-enquiry calls.

Do I have any extra rights if I am older or have a disability?

Yes – phone companies must provide some extra services, which can include:

- a priority repair service if your telephone connection, whether it is fixed or mobile, stops working;
- free directory enquiries if you cannot use a phone book;
- bills in an acceptable format such as large print, Braille or audiotape;
- text relay services if you have hearing difficulties.

You should contact your phone company for further details.

In addition, Ricability, an independent research organisation, has produced a consumer guide, ***Stay in touch: a guide to telephones and services for older and disabled customers***. This explains the services offered by several phone companies and how to obtain them. For a free copy of ***Stay in touch***, contact either Ricability or Oftel's Research and Information Unit (see 'Contact details').

Do I have the right to an itemised bill?

Yes. Whether you have a mobile or fixed phone service, your phone company must provide you on request with an itemised bill (unless it is a 'pre-pay' service). But an itemised bill need not give full details, only enough information for you to check that your bill is accurate. BT and Kingston must provide basic itemised bills free of charge but other phone companies may make a reasonable charge. You can also ask not to receive an itemised bill.

What rights do I have to be in the phone book and directory enquiries?

You have the right to be included in the phone book and directory enquiries, free of charge. You may also choose to be ex-directory.

What number do I call for directory enquiries?

In the past most consumers could only use their telephone company's directory enquiry service. Now Oftel has introduced new '118XXX' numbers to give consumers a real choice. The old numbers (192 for national enquiries and 153 for international enquiries) are no longer in use. The new numbers, which are all 6-digits long and start with '118', offer a range of extra services. These include:

- 'call completion', which connects you straight away to the number you want;
- searches by business category such as 'taxi firms' or 'plumbers' in addition to regular searches by a particular name.

There is also a wider range of price types, for example some companies charge a single fee for a single search, whilst others charge on a pence per minute basis so you can make as many enquiries as you like.

A list of the new services is available at www.newdirectoryenquiries.com and OfTel has produced a useful guide - see www.oftel.gov.uk/consumer/index.htm.

Can I keep my number when I change phone companies?

Yes, but there may be a charge.

If you change your address, you will need to check whether you are able to keep the same landline (fixed service) number.

There is more information on mobile phones in OfTel's consumer guide, ***Getting the best deal from your mobile phone service***. Ask our Research and Information Unit for a copy (see 'Contact details') or see our website at www.oftel.gov.uk/consumer/index.htm.

Can I prevent calls being made from my phone?

Yes. Most phone companies let you bar certain types of calls being made from your phone. This can prevent people making expensive and unauthorised calls, such as international or premium-rate calls, from your phone.

Can I stop unwanted sales calls to my phone?

Yes. You can register free of charge with the Telephone Preference Service (TPS) – see 'Contact details'. If you are registered, the TPS prohibits companies and other organisations from making uninvited phone calls to you to market or promote their goods or services.

As a residential consumer you should not receive uninvited marketing faxes. If you do, you should contact the Information Commissioner. For added peace of mind, you can also register free of charge with the Fax Preference Service – this works in a similar way to the TPS (see 'Contact details').

Should a company give me a contract?

Yes. You have a right to a contract for your phone service that includes at least:

- the time it takes to connect the service at the start of your contract;
- the types of maintenance service offered;
- compensation or refund arrangements (or both) if the standard of service is not met;
- a summary of the procedures for resolving disputes; and

- information on the quality of service offered.

Under the Unfair Terms in Consumer Contracts Regulations 1999, all contract terms must be fair. OfTel may investigate and decide whether a contract term appears to be unfair if we receive a number of complaints on a particular subject.

Can I find out the number of someone who has called me?

Yes. A service called 'calling line identification' (CLI) allows you to find out the number of the caller from a display screen or by dialling a short code (usually 1471) after receiving a call. However, CLI does not reveal a caller's phone number if the caller has chosen to withhold it. You can arrange with your phone company to reject any calls from people who withhold their number.

Anyone that you phone can normally find out the number you are calling from. You can prevent this, usually by dialling 141 in front of the number you want.

How to complain about your telephone service

What should I do first?

If you have a complaint, you should first raise the issue with your phone company and try to sort out the matter with them. But before you contact them, be clear about what exactly your complaint is and what you want done.

It is helpful to keep a proper record of your complaint that lists:

- the date and time you spoke to your phone company;
- who you spoke to; and
- what they said or promised to do.

You should also:

- ask your phone company when you can expect your complaint to be answered or resolved (or both);
- keep copies of all correspondence; and
- check your conditions of service or contract with your phone company.

What if I don't get the answer I want?

First, give your phone company a chance to sort out your complaint.

If you feel you have been dealt with poorly or unreasonably, you can ask for your complaint to go to a higher level. Many companies have high-level teams which deal with customer complaints that cannot be sorted out in the first instance.

If you are still dissatisfied, you can contact OfTel for advice. We have to consider any complaint or enquiry about telecommunications services supplied in the UK.

However, we do not have to deal with complaints or enquiries that appear to be frivolous.

Who do I contact at Oftel with a complaint or enquiry?

If you live in England, Scotland or Wales, please contact Oftel's Consumer Representation Section (lo-call rate number: 0845 714 5000).

A separate team is responsible for considering complaints from consumers living in Northern Ireland (lo-call rate number: 0845 714 5000).
See 'Contact details' for postal and e-mail addresses.

Please note that all the above contact details will be changing in late 2003 when Oftel is replaced by Ofcom.

How will you help me?

Our skilled teams can handle your complaint or enquiry by phone, fax, letter, e-mail or textphone.

We may not have the powers to decide who is right or wrong, or to direct your phone company to take a particular course of action, but we will try to help you and your phone company reach a solution that suits both sides. If we have legal powers to act, we may use them. We cannot award compensation to consumers – but a separate organisation called the Office of the Telecommunications Ombudsman can (see '**What if I still cannot sort out my dispute**' below).

Our website has lots of information on complaints and includes answers to frequently asked questions.

Sometimes it may be more appropriate for you to follow up your complaint with another organisation. For example, your local trading standards office may be better able to help if you feel that you have not received the services you were promised. You can find your nearest trading standards office by using the website www.tradingstandards.gov.uk or by looking in your phone book. Or if your complaint relates to premium-rate services, the premium-rate regulator ICSTIS may be able to sort out your complaint (see 'Contact details').

What if I still cannot sort out my dispute?

The telecoms industry has set up an ombudsman scheme to resolve disputes between telephone companies and residential or small business customers. If your phone company is a member of the scheme, the Office of the Telecommunications Ombudsman (Otel) will investigate your complaint. Otel provides a free and independent service and, where a complaint is justified, can award up to £5,000 compensation. For more information, contact Otel on 0845 050 1614 or see www.otelo.org.uk.

Alternatively, several phone companies offer their own arbitration or mediation schemes.

You also have the option of court action. For example, the small claims court can handle claims of up to £5,000. You can ask your local county court about the small claims court.

Is there any more information on complaints?

Oftel publishes a range of information on complaints.

Every month we publish the top ten topics that consumers complain to us about. You can find this on our website.

We also publish more detailed information on the complaints we receive. This shows the number of complaints per 1,000 customers for fixed, Internet and mobile phone companies. You can find this information and more on the consumer information section on our website at www.oftel.gov.uk/consumer/index.

How to choose the right telephone company

How do I go about choosing a phone company?

Everyone in the UK has a choice of phone company. As an independent, impartial regulator, Oftel cannot list the 'cheapest' phone companies or the ones that provide the 'best' all-round service. But we can point you to useful sources of information, such as websites, and suggest things to consider before you choose a phone company.

These things include:

- the cost of the service;
- the quality of the service; and
- what services are available.

Your needs may differ from other people's. For example, reliability may be more important to you than cost. Or you may want the cheapest possible option and not worry if the quality is not as good. Or, you may want to have your TV and phone services on one bill.

How can I work out the price?

You need to take account of:

- the line rental;
- the cost of calls;
- discount packages;
- how many calls you make;
- what types of calls you make (local, national, international or Internet); and
- when you make your calls.

When choosing a mobile phone, there are a number of shops and websites that can give you advice on prices. Your most important choice will be whether you want:

- a prepay service (where you buy vouchers or use a credit or debit card to pay for your calls before you make them); or
- a contract service (where you get a bill for calls and line rental).

How do I compare prices?

The Internet is a good source of information if you want to see how much you could be paying with another phone company. See our website at www.oftel.gov.uk/consumer/for/price_compare/index.htm to find out which websites we believe provide impartial, accurate and up-to-date price comparisons.

You can also contact mobile phone retailers directly and ask for information on tariff packages. Before signing a contract, remember to check the actual price with the phone company you intend to use.

How can I find out about quality of service?

The Telecommunications Industry Forum, with support from OfTel and consumer groups, publishes a quality of service guide *How well did your telephone company do?* You can get this free of charge as a leaflet from your library or OfTel's Research and Information Unit (see 'Contact details') or find it on the Internet at www.cpi.org.uk.

The mobile phone companies carry out a survey on the percentage of calls successfully connected and completed in every UK region. We publish the results on our website at www.oftel.gov.uk.

You can also find out which companies we've received the most complaints about on our website at www.oftel.gov.uk/consumer/index.htm.

What services are available?

The easiest way to find out about each company's services is to get details from those that operate in your area. They will be happy to send you information. If you are unsure which companies are in your area, use the information sources mentioned under 'How do I compare prices?' above.

How do I choose the best phone company for me?

You can choose between several types of phone company, including direct access, indirect access, 'Calls and Access', carrier pre-selection and mobile phone companies.

What is a direct access phone company?

It connects directly to your phone by wire, cable or radio link. You pay for line rental, the cost of the calls you make and the services you use.

BT is a direct access company and is available everywhere in the country except for Hull, where Kingston Communications is the main direct access phone company.

Cable companies can provide TV as well as phone services. Over half the homes in the UK can connect to cable companies but you may need a new line installed before doing so.

With Calls and Access companies, you do not need a new line installed. They use BT's network but you only receive a bill from your chosen company.

What is an indirect access company?

You may also be able to use an indirect access phone company to get cheaper calls. Your calls pass over its network and it bills you for them, but you still have to pay line rental to your direct access company.

With some indirect access companies, you dial a short code to route your calls before dialling the number you want. Others will give you an autodialler – a box that automatically routes your call without the need to dial the short code.

What is carrier pre-selection?

This is similar to indirect access, but instead of having to dial a code or use an autodialler, your calls automatically go over the carrier pre-selection (CPS) company's network.

You will need to choose what type of calls you want routed over their network, for instance 'national', 'international' or 'all calls'. You can, however, override the CPS company at any time. As with indirect access services, you will still need to pay line rental to your direct access company.

Oftel has produced a consumer guide to CPS – see the consumer information section on our website at www.oftel.gov.uk/consumer/index.htm.

What about mobile phones?

You can buy a mobile phone service from phone companies that own their own networks, or from those that use other companies' networks. For more information on mobile phones, see the consumer information section on our website at www.oftel.gov.uk/consumer/index.htm.

Contact details

Contacts at Oftel:

Our address

Oftel
50 Ludgate Hill
London
EC4M 7JJ

Our website

www.oftel.gov.uk

Research and Information Unit

Phone: 020 7634 8761 Fax: 020 7634 8946

e-mail: infocent@oftel.gov.uk

If you have a complaint

- in England, Scotland and Wales

Consumer Representation Section

Lo-call rate number: 0845 714 5000

Phone: 020 7634 8888

Fax: 020 7634 8845

Textphone: 020 7634 5370

e-mail: advice@oftel.gov.uk

web form: http://www.oftel.gov.uk/consumer/advice/contact_usindex.htm

- in Northern Ireland

NIACT Secretariat

22 Great Victoria Street

Belfast

BT2 7QA

Lo-call rate number: 0845 714 5000

Fax: 028 9024 7024

e-mail: niact@acts.org.uk

Important note: all of the above contact details will be changing in late 2003 when Oftel is replaced by Ofcom.

Other useful organisations:

Fax Preference Scheme

DMA House

70 Margaret Street

London

W1W 8SS

phone: 0845 070 0702

fax: 0845 070 0705

e-mail: fps@dma.org.uk

www.fpsonline.org.uk

Independent Committee for the Supervision of Standards of Telephone Information Services (ICSTIS)

Complaints about premium-rate services or about the content of, or advertisements for, directory enquiries services

Phone: 0800 500212

www.icstis.org.uk

Independent Television Commission

Content of TV programmes and licensing of TV companies

Phone: 020 7255 3000

www.itc.org.uk

Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Phone: 01625 545745

e-mail: data@protection.gov.uk

www.dataprotection.gov.uk

National Radiological Protection Board

Health issues concerning mobile phones

Phone: 01235 831600

www.nrpb.org.uk

Ricability

30 Angel Gate

City Road

London EC1V 2PT

Phone: 020 7427 2460

Textphone: 020 7427 2469

e-mail: mail@ricability.org.uk

www.ricability.org.uk

Telephone Preference Scheme

DMA House

70 Margaret Street

London

W1W 8SS

phone: 0845 070 0707

fax: 0845 070 0706

e-mail: tps@dma.org.uk

www.tpsonline.org.uk

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This leaflet is also available in large print and in Braille.

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