

Reference: 612844

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Freedom of Information: Right to know request

Thank you for your request for information where you asked about mis-selling complaints.

This was received by Ofcom on 4 September and it has been considered under the Freedom of Information Act 2000 ("the Act").

You asked:

Please can you provide details of the number of complaints you have received about the mis-selling of phone, telecom or internet service over the last three years.

Please break this down by company and, if possible, give the date and brief details of each complaint (excluding anything which may identify the complainant).

Ofcom publishes quarterly data relating generally to a wide range of complaints against the largest telecoms providers, including pay-TV providers. You can find this here:

<https://www.ofcom.org.uk/research-and-data/multi-sector-research/telecoms-complaints-data>.

Ofcom takes mis-selling extremely seriously and has strict rules to protect consumers. Our mis-selling rules were first introduced in 2010¹ and were further strengthened in 2014 and 2015. As a result, we have seen a significant decrease in mis-selling complaints² during that period. Falling from a peak of around 1,000 per month in June 2010, we now receive a monthly average of 336 complaints about mis-selling of fixed line, internet, mobile and bundled services.

These complaints help us to identify and punish companies who mis-sell their services to consumers; we have taken enforcement action against a number of providers including Supatel, Unicom and True Telecom. All enforcement action carried out by Ofcom is available in our Competition and Consumer Enforcement Bulletin: <https://www.ofcom.org.uk/about-ofcom/latest/bulletins/competition-bulletins>.

We are unable to provide details of the company and any detail about each complaint as this is exempt from disclosure under section 44 of the Act. Under this section, information which relates to

¹ <https://www.ofcom.org.uk/about-ofcom/latest/media/media-releases/2010/new-rules-to-stamp-out-landline-mis-selling-come-into-force>

² https://www.ofcom.org.uk/_data/assets/pdf_file/0033/81789/ofcom_annual_report_2015-2016.pdf at p.36

a business (e.g. telecoms providers) is exempt from disclosure since it was shared with us under our regulatory powers, and another enactment prohibits such disclosure (i.e. section 393(1) Communications Act 2003). Section 44 is an absolute exemption under the Act and does not require a public interest test.

If you have any queries, then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Jerin John

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Jacqui Gregory
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF