Section 1

Executive summary

1.1 Ofcom’s primary duty is to further the interests of citizens and consumers, where appropriate by promoting competition. In doing so we must have regard to the interests of consumers in terms of price, quality of service and value for money. Consumer information plays a critical role in promoting effective competition across these dimensions and the absence of key information can lead to poor purchasing decisions and inhibit switching.

1.2 On average, Ofcom receives over 300 telecoms complaints a day from consumers. Such complaints are likely to be made where a consumer has been unable to resolve an issue with their provider to their satisfaction. We keep a record of these complaints by service and by provider, and believe that such information is useful for consumers; for example, this data may be relevant to those considering a new service or provider. We note that provider-specific information is also available to guide consumers in areas such as financial services and energy. However, as one of the few regulators that collects its own complaints data, we believe we are the only regulator to publish data of this nature.

1.3 This is the fifth edition of what is a developing series of quarterly complaints publications. The scope of the current report has changed to include complaints made about Pay TV services. This will represent a change from previous publications which included data on mobile, fixed line and fixed broadband services only. As stated on previous occasions, we will continue to consider ways in which the report can be further developed, for example, to enable us to publish more detailed data or data covering a larger number of providers.

1.4 There are a number of important limitations that apply to the information we are publishing in this edition, in particular:

- The data only covers complaints that consumers have chosen to report to Ofcom, and does not represent complaints consumers may have made directly to their providers. As such it will only provide a partial picture of complaints relating to any provider.

- The complaints data reflects the views of consumers as reported to Ofcom. Ofcom has sought to ensure that its data is sound but has not checked the veracity of individual complaints.

- Contact with Ofcom may reflect the relative quality of complaints handling services, as well as the quality of service received. Given this, companies with poor complaints handling processes may feature more prominently than those with good complaints handling processes.

- Ofcom may see spikes in call volumes from customers of certain providers when we publicise certain types of enforcement action, e.g. investigations, fines etc.

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2 The first four editions can be found here: [http://stakeholders.ofcom.org.uk/market-data-research/telecoms-research/complaints/?a=0](http://stakeholders.ofcom.org.uk/market-data-research/telecoms-research/complaints/?a=0)
1.5 We previously published data for the period October 2010 to December 2011. We have now added data for the period January to March 2012. The data published here for telecoms complaints covers the full period from October 2010 to March 2012. For Pay TV complaints, this report covers a six month period from October 2011. The next publication will include data for the period April to June 2012, and is expected to be published towards the end of September 2012.

1.6 The complaints data in this report has been displayed both by month and by quarter. We believe there is clear benefit to consumers in publishing complaints using both of these formats. Monthly reporting provides an indication of how providers are performing over a short time period; however, this data will be sensitive to particular issues arising within that time period, e.g. price or contract changes. This means the data tends to be more volatile as an individual problem or changes in commercial practice by the provider can lead to a significant increase in complaints across what is a relatively short period of time. The quarterly data is likely to provide a more balanced representation of a provider’s overall performance as the volatility will be smoothed over a longer time period.

1.7 Consumers should therefore consider both sets of data carefully when comparing providers’ performance. This publication includes complaints data for providers with a market share of 4% or above.\(^3\) Given the variation in size of provider, we are publishing complaints as a proportion of subscribers to put the complaint numbers into the correct context\(^4\), and help ensure the data is meaningful for consumers. The main findings by provider and by service, for the current reporting period (Q1 2012), are as follows:

- **Fixed line telephony**: The providers covered here are: BT Retail, Sky, TalkTalk Group and Virgin Media. TalkTalk Group still generates the highest number of complaints. These complaints continue to focus on billing and customer service issues. Ofcom continues to receive fewer complaints about Virgin Media than the other three main fixed line providers.

- **Fixed broadband**: The providers covered here are BT Retail, Sky, TalkTalk Group, Virgin Media and Orange Home. Ofcom received fewer complaints about Sky than the other broadband providers. TalkTalk Group continue to generate most complaints, focussing on issues around line faults and other service issues.

- **Mobile telephony** (excluding mobile broadband datacards and dongles): Overall, mobile complaint levels are much lower than for fixed line telephony and fixed broadband services. The providers covered here are 3UK, O2, Orange, T-Mobile, Vodafone and Virgin Mobile. Ofcom received fewer complaints over the period in question about O2 compared with the other five providers, while it received the most complaints about Three. The complaints against Three appear to have been driven by complaints relating to disputed charges and customer service issues.

- **Pay TV services**: Overall, Pay TV complaint levels are much lower than for fixed line telephony and fixed broadband services. The providers covered here are Sky, BT Vision, and Virgin Media. Ofcom received fewest complaints over the period in question about Sky compared with the other two providers, while it

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\(^3\) As well as having at least a 4% market share, providers must also generate at least 30 complaints per month.

\(^4\) Complaints are displayed per 1000 customers. This enables the providers to be compared on a like-for-like basis.
received the most complaints about BT Vision. Complaints about BT Vision were partly driven by issues related to their sales processes and problems with billing.
Section 2

Introduction

Background

2.1 Consumers’ overall level of satisfaction with communications services is around 90%.5 Where concerns arise, consumers typically raise their complaint with their provider in the first instance.6 If the provider is not able to resolve the complaint within eight weeks, the consumer can make an application to an independent Alternative Dispute Resolution (ADR) scheme, which can examine the complaint and reach a judgement on the issue.7

2.2 In addition, some consumers choose to contact Ofcom, as the regulator of communications services. On average, we receive around 300 consumer complaints a day. While we do not resolve individual complaints, we offer advice on how best to resolve the issue and use the data to inform policy and enforcement actions and related monitoring activities.

Why publish provider-specific complaints?

2.3 Ofcom has for some time now published telecoms complaints data by key issue in our Telecoms Complaints Bulletins8 and Consumer Experience reports.9 These show the monthly complaints that Ofcom receives in areas such as mis-selling, silent calls and broadband speeds.

2.4 In April, September and December of 2011 and in March 2012, we published quarterly Ofcom complaints data by provider. In July 2010, and July and November 2011, we also published research on customer service satisfaction on a provider-specific basis.10

2.5 This will be the first time that we have published complaints data on Pay TV. We have for some time captured this data alongside other services, however they have not been as numerous as those complaints logged against telecoms providers. In the last two quarters we have consistently received the levels of complaints about the three largest Pay-TV providers (Sky, Virgin Media and BT Vision) required to meet the thresholds for publication explained in paragraph 4.4. As mentioned previously, it has been our aim to review the scope of the complaints publication and we now consider it an appropriate time to start to publish this data.

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5Source: Ofcom switching tracker, July to August 2011.
6 This has been found in research, including for example that carried out for the 2008 Consumer Complaints Review, which drew on research carried out in 2006, available at http://stakeholders.ofcom.org.uk/binaries/consultations/alt_dis_res/research.pdf
7 Ofcom requires all CPs to be a member of an approved ADR scheme. Ofcom recently carried out a Review of Consumer Complaints Procedures. The statement is available at http://stakeholders.ofcom.org.uk/binaries/consultations/complaints_procedures/statement/statement.pdf
8 Available at http://stakeholders.ofcom.org.uk/enforcement/telecoms-complaints-bulletin/
10 http://stakeholders.ofcom.org.uk/binaries/research/telecoms-research/customer-service.pdf
2.6 The publication of performance data like this is consistent with our statutory commitment to transparency and our obligations as a public authority. Moreover, it is in line with our principal duty to further the interests of citizens and consumers, where appropriate by promoting competition. Consumer information plays a critical role in ensuring that competitive communications markets work for consumers. The absence of key information can lead to poor purchasing decisions. Therefore, if key information is not readily available, or is presented in an overly complex way, there may be a case for Ofcom to intervene in the interests of consumers.

2.7 We recognise that there is no single source of information that can give consumers a full picture of the relative performance of different providers. In addition, different service features will matter more for some consumers than for others. Ofcom research suggests that, for many consumers, comparative price and network performance information is of primary importance. In light of this, much of our focus to date has been on improving the information available to consumers in these areas. Examples include publication of broadband speeds research and our scheme for accrediting price comparison sites.

2.8 However, our research has also suggested that at least a fifth of consumers in each market would be likely to use information comparing complaints. Those consumers who are actively considering switching provider are most likely to say they would use such information. In addition, publication of provider-specific complaints data may act as an incentive for providers to improve their performance. Similar information is also available to guide consumers in a number of other sectors, in particular financial services and energy sectors.

2.9 While our complaints data has a number of important limitations, we believe that this data, along with other information, can be informative for consumers when seeking to compare providers. We observe that this data may be of interest to intermediaries such as consumer groups, journalists and price comparison sites who look to advise consumers.

2.10 This transparent approach is consistent with the Government’s consumer empowerment strategy, which argues that publishing complaints data is “a good way of encouraging businesses to improve their performance without the need for heavy-handed legislation, as no company wants to be last in an indicator of performance or customer satisfaction.”

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11 In line with Section 26 of the Communications Act 2003, Ofcom may arrange for the publication of information and advice for consumers.
12 Available at http://stakeholders.ofcom.org.uk/market-data-research/telecoms-research/broadband-speeds/main/
13 See http://stakeholders.ofcom.org.uk/consultations/ocp/statement/pricescheme/?a=0
15 See the responses of key consumer groups to Ofcom’s consultation on complaints handling procedures at http://stakeholders.ofcom.org.uk/consultations/complaints_procedures/?showResponses=true
16 http://www.fsa.gov.uk/pages/Library/Other_publications/commentary/index.shtml
18 E.g. price, broadband speed where they live, mobile network coverage.
19 In the Statement for our Review of Complaints Procedures, we said that publishing complaints data would likely benefit consumers in respect of price, quality and value for money. We noted that there are a number of ways for such information to be made public. See http://stakeholders.ofcom.org.uk/consultations/complaints_procedures/statement/
20 Better Choices: Better Deals, Consumer Powering Growth, BIS & the Cabinet Office, 13 April 2011
Provider-specific complaints data

2.11 This is the fifth report to include Ofcom telecoms complaints data by provider, and the first to include complaints data about Pay TV services. The methodology used here is set out in Section 3.
Section 3

Methodology

Introduction

3.1 Consumers, both residential and business, can contact Ofcom with complaints or enquiries over the phone, by letter or through one of the dedicated complaint submission forms on our website. All complaints are logged in the same database by Ofcom’s Consumer Contact Team (CCT), providing a record of the total complaints that Ofcom has received, as well as details on the services affected and the providers of those services.

3.2 In this section we outline the approach we have taken to publication of our complaints data.

Scope of the data published

3.3 We collect complaints data across a wide range of services: broadcasting, spectrum and telecoms. Total complaints in each of these areas are published in our annual Consumer Experience reports.

3.4 The focus of this publication is on complaints made by residential consumers in relation to fixed line telephony, fixed broadband, mobile telephony and Pay TV.

3.5 Consumers complain to Ofcom about a wide range of issues, so we have had to consider carefully what level of data would be useful and robust enough for publication. In view of the complexity, our current view is that we should only publish complaints data by service rather than by detailed category of complaint for each service.

3.6 The four services we are publishing complaints data for are:

- Fixed line telephony, this includes complaints against companies that offer both line rental and calls as well as those that supply calls only services;
- Fixed Broadband, this includes copper based ADSL services, cable services and super-fast broadband;
- Mobile Telephony, this includes complaints about use of data through a mobile handset; but does not include dongles or datacards; and

22 A complaint is an expression of dissatisfaction made by a customer related to the Communications Provider’s services, or to the complaint-handling process itself. Where the complaint is made to Ofcom over the phone, the consumer is asked whether their call is about an enquiry or complaint.
23 We publish complaints about the content of programmes broadcast on television by provider in our Broadcasting Bulletins. Spectrum complaints cannot be reported in more detail as the majority of complaints are about interference and as such are not provider specific.
25 Ofcom records business and residential telecoms complaints separately, based on how the individual identifies themselves when reporting the complaint.
26 We currently record over 250 different categories of telecoms complaints.
• Pay TV, this includes complaints relating to access to the service and does not include the content delivered over the Pay TV service. This category includes services provided through cable, satellite, digital terrestrial television or over a dedicated broadband connection.

Complaints about bundled services

3.7 Today, many consumers choose to purchase a bundle of services from one provider (for example, fixed line telephony with a fixed broadband service). Any issues that subsequently arise may affect one or more of those services.

3.8 The approach we have taken when recording complaints received from customers who take a bundle of services from one provider is as follows:

• If the complaint only relates to one of the services in the bundle, the complaint is recorded against that single service only. For example, if a customer has fixed line telephony and fixed broadband as part of a bundle and complains about slow broadband speeds, the complaint would be logged against the broadband service only as it is this aspect of the service that is causing the problem.

• If the complaint equally affects a number of services in a bundle, the complaint is recorded against each affected service for that provider. For example, if a consumer complains about being mis-sold a triple play service, the complaint will be counted as a fixed telephony, fixed broadband and as a Pay TV complaint for that provider.

3.9 This enables us to have a record of all complaints received by provider and by service. We are publishing total complaints by provider for each service, but not across the services in aggregate, and, therefore, the complaints are not double counted.

Complaints against unknown providers

3.10 If a consumer is unexpectedly told by their existing provider that a request has been made to transfer their service to another provider, they may complain to Ofcom without knowing the name of the new provider. In these circumstances, Ofcom refers the case to Openreach to find out recent activity on the line, including applications and transfers. If a request for a transfer has been made by another provider, the complaint is recorded against that other provider. If no request for a transfer has been made, then the complaint is recorded against the existing provider.

Focus on the largest providers

3.11 Ofcom records complaints received against any provider in the UK. The size of each individual provider varies greatly, as does the number of complaints received. In general, the larger the provider the more complaints received.

3.12 The lower the number of complaints, the greater potential there is for the data to be distorted by “noise”, particularly given the complexity of issues that can arise in the sector. This is especially important when trying to assess whether a provider is having an unusual month or to establish a longer-term trend.

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27 Their existing provider would not have visibility of the new provider either, they will only be aware that a request has been made to take over the service.
28 For example, short term fluctuations in complaints numbers.
3.13 Therefore, to minimise distortion and allow statistical analysis, we are only publishing complaints data against those providers which, for the service being reported:

(i) have a market share of 4% or more in the relevant market; and
(ii) regularly generate at least 30 complaints per month.

3.14 This encompasses the providers set out in Table 1 below. Together, these providers account for at least 89% of each market covered.29

Table 1: Providers included in this publication

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<thead>
<tr>
<th>Fixed Line Telephony and Fixed Broadband</th>
<th>Sky</th>
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<tr>
<td></td>
<td>BT Retail30</td>
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<td></td>
<td>Orange Home (Fixed Broadband only)</td>
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<td></td>
<td>TalkTalk Group31</td>
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<tr>
<td></td>
<td>Virgin Media</td>
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<tr>
<td>Mobile Telephony</td>
<td>3UK</td>
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<td>O2</td>
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<td>Pay TV</td>
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<td>Virgin Media</td>
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<td></td>
<td>Sky</td>
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</table>

Complaints as a proportion of subscribers

3.15 In general, the more customers a provider has the more complaints are likely to be made. Given the variation in size of provider, we publish complaints as a proportion of the relevant customer base to put complaints numbers into context and to help ensure the data is more meaningful for consumers.

29 92% for fixed lines, 89% for fixed broadband and 95% for mobile telephony
30 Any complaints received against Plusnet have not been included with complaints against BT Retail.
31 This includes TalkTalk and Tiscali UK.
To do so, we have used the number of connections from each individual provider collected by our Market Intelligence team. As we don’t collect this data for Pay-TV providers, for calculating Pay TV complaints per thousand customers, we are using customer data from the providers’ own published investor reports. Sky, Virgin Media and BT all publish Pay TV subscription data on a quarterly basis (as part of their updates to investors). These subscription numbers were shared with providers prior to publishing so they had an opportunity to consider the figures we intended to use.

We understand from providers that quarterly connection data is more robust than monthly data and therefore only use quarterly data to normalise the complaints data. The period covered by this report for telecoms complaints is October 2010 – March 2012. We are now able to include a period of 15 months or five quarters. The period covered by this report for Pay TV complaints is October 2011 to March 2012. Ofcom is aware that different providers may take different approaches to recording connection numbers, particularly if they offer pay-as-you-go mobile services, (this is because some providers may keep inactive customers on their books for longer than others). To help ensure a standard approach is taken, Ofcom’s Market Intelligence team specifies the following definition of active subscriptions: those with any registered activity within the last 90 days.

One mobile provider was unable to provide its total number of active subscribers split into business and residential consumers. For this provider we have estimated the number of residential active consumer subscribers based on its connection data and historical figures.

Fixed line telephony can be provided as a combined calls and line rental service or as a calls only service. As both services can generate fixed line complaints, Ofcom considers it is appropriate for them both to be included in the customer base used here.

Sensitivity Review

Prior to the publication of our initial report, Ofcom reviewed its complaints data to identify issues that might be unique to one or a limited number of providers but which are outside the control of those providers. The presence of such issues may distort the complaints data by introducing biases against individual providers or different groups of providers. We found that although these issues do exist their impact is unlikely to result in a material bias against particular providers in the context of the data we are publishing. Also, the time sequence of results over time will tend to smooth the effect of any such issues.

Note that it is possible for an individual to have more than one connection.

Particularly where the quarterly data is reported externally.

The first publication included two quarters

As this is the first time we have published Pay TV data, we are limiting to only 6 months worth of data - this is consistent with the first time we published data related to the other three services.

This definition was adopted following discussions held with industry when Ofcom began collecting the data.

Our approach for assessing the potential impact of these issues is outlined at Annex 1 of the April report: http://stakeholders.ofcom.org.uk/binaries/research/telecoms-research/complaints/oct-2010-feb-2011.pdf
Section 4

Telecoms and Pay TV Complaints

Introduction

4.1 This section sets out the complaints data from October 2011 to March 2012. We believe that used in conjunction with other available information this provides helpful and meaningful information for consumers. It also gives an incentive for providers to improve their performance.

4.2 As mentioned above, it is worth bearing the following limitations in mind when considering this data:

- The data only covers complaints that consumers have chosen to report to Ofcom and, therefore, it does not represent total complaints consumers have had with their providers. As such it can only provide a partial picture of complaints relating to any provider.

- The complaints data reflects the views of consumers. Ofcom has sought to ensure that its data is sound, i.e. that the complaint accurately reflects the complaint that has been made, but we do not check the veracity of individual complaints.

- Contact with Ofcom may reflect the relative quality of complaints handling services, as well as the quality of service received. Given this, companies with poor complaints handling processes may feature more prominently than those with good complaints handling processes.

- Ofcom may see spikes in call volumes from customers of certain providers when we publicise certain types of enforcement action, e.g. investigations, fines etc.

4.3 The data published here is presented on a quarterly basis (Q4 2010; Q1-Q4 2011 and Q1 2012) and also monthly (October 2010 to January 2012)\(^{38}\). The next publication including data for Q2 2012 (April to June) will be published towards the end of September 2012.

4.4 This publication only includes complaints data for providers who: (i) have a market share of 4% or more in the relevant market; and (ii) consistently generate at least 30 complaints per month. This is the minimum figure required that will support comparison with the larger providers who can generate a large number of complaints.

Fixed line telephony complaints

4.5 The following figures show the residential consumer complaints that Ofcom received against the four largest providers of fixed line telephony services between October 2010 and March 2012 inclusive. The information is presented per 1,000 customers/connections for the period covered, by month and by quarter.

\(^{38}\) As mentioned earlier, Pay TV is restricted to 2 quarters, Q4 2011 and Q1 2012.
4.6 Figures 1 and 2\textsuperscript{39} show that TalkTalk Group still generates the highest number of complaints. These complaints continue to focus on billing and customer service issues. Ofcom continues to receive fewer complaints about Virgin Media than the other three main fixed line providers.

Figure 1: Fixed line complaints per 1,000 customers/connections: October 2010 – March 2012, by month

\begin{figure}
\centering
\includegraphics[width=\textwidth]{figure1.png}
\caption{Fixed line complaints per 1000 customers, per month}
\end{figure}

\textit{Source: Ofcom, CCT data; fixed line providers}

\textsuperscript{39} Figure 2 contains revised data to those previously published (due to minor data errors). These relate to complaints about providers in Q2, Sky (was 0.25, now 0.24) and Talk Talk (was 0.80, now 0.82). We do not consider these differences to be material to the overall results.
Fixed broadband complaints

4.7 The following figures show the residential consumer complaints that Ofcom received against the five largest providers of fixed broadband services between October 2010 and end March 2012. The information is presented per 1,000 customers/connections for the period covered, by month and by quarter.

4.8 Figures 3 and 4 show that Ofcom received fewer complaints about Sky than the other broadband providers. Talk Talk Group continues to generate most complaints, focusing on issues around line faults and other service issues.

40 Orange were added from April 2011 onwards when the market share threshold for inclusion was reduced from 5% to 4%.
Figure 3: Fixed broadband complaints per 1,000 customers/connections: October 2010 – March 2012, by month

* Note difference in scale to landline services

Source: Ofcom, CCT data; fixed broadband providers
Mobile telephony complaints

4.9 The following figures show the residential consumer complaints that Ofcom received against the six largest providers of mobile services\(^{41}\) between October 2010 and March 2012.\(^{42}\) Overall, mobile complaints levels per 1,000 customers are lower than for fixed line and most fixed broadband services. The information is presented per 1,000 customers/connections for the period covered, by month and by quarter.

4.10 Figures 5 and 6 show that Ofcom received fewer complaints over the period in question about O2 compared with the other five providers, while it received the most complaints about Three. These figures continue to be driven by complaints about disputed charges and customer services.

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\(^{41}\) These exclude complaints about mobile broadband (datacards and dongles) services.

\(^{42}\) Virgin Mobile were added from April 2011 onwards when the market share threshold for inclusion was reduced from 5% to 4%.
Figure 5: Mobile telephony complaints per 1,000 customers/connections, October 2010 – March 2012, by month

* Note difference in scale to landline and broadband services

Source: Ofcom, CCT data; mobile telephony providers
Pay TV Complaints

4.11 The following figures show the residential consumer complaints that Ofcom received against the three largest providers of Pay TV services between October 2011 and March 2012. Overall, Pay TV complaints levels per 1000 customers are lower than for fixed line, fixed broadband and mobile services. The information is presented per 1,000 customers/connections for the period covered, by month and by quarter.

4.12 Figures 7 and 8 show that Ofcom received fewer complaints over the period in question about Sky compared with the other two providers, while it received the most complaints about BT Vision. Complaints about BT Vision were partly driven by issues related to their sales processes and problems with billing.
**Figure 7: Pay TV complaints per 1,000 customers/connections, October 2011 – March 2012, by month**

* Note difference in scale to landline, broadband services and mobile services

*Source: Ofcom, CCT data; providers’ published reports*
Figure 8: Pay TV complaints per 1,000 customers/connections: October 2011 – March 2012, by quarter