



Ofcom response to  
Ombudsman Services  
Consultation on publishing  
complaints data

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## Ofcom response to Ombudsman Services Consultation on data publishing

We welcome the opportunity to respond to Ombudsman Service's (OS) consultation on data publishing. As the regulator of the communications sector, our principal duty is to further the interests of citizens and consumers. In doing so, we must – inter-alia - have regard to the interests of consumers in terms of price, quality of service and value for money. We consider that the proposals included within the consultation could have a positive effect on standards of service within the communications sector. We include responses to the detailed questions below and also take the opportunity to make some general comments on the consultation.

### General comments

We consider that increasing transparency around complaints received by OS can help Ofcom and other stakeholders to get a better understanding of the reasons for consumers' dissatisfaction in the communications sector. Consumers use the ADR process to resolve specific issues with their provider. However when cases are recorded and reported in aggregate across a whole sector, it may allow identification of broader trends in operator behaviour and/or consumer harm. This data could also provide a better understanding of what appropriate remedies (regulatory or otherwise) for issues giving rise to complaints.

We also welcome OS's decision *not* to publish data by named providers where there is more than one ADR scheme covering a sector or attempt to present ADR complaints data as advice to consumers when choosing a provider. We do not consider that the ADR complaints data would necessarily be helpful for this purpose for several reasons.

- it does not cover all major providers in each sector – some choose to use CISAS as their ADR body. Even if CISAS and OS were both to decide to publish ADR complaints on a provider specific basis, there are differences in the way that the two schemes record cases that make direct comparisons practical.
- We also have concerns that introducing provider specific ADR comparisons could work against Ofcom's aim for providers to promote awareness of ADR more effectively. Our review found low awareness of ADR amongst consumers with long standing complaints and we introduced measures in 2011 to ensure providers improved notifications to customers eg via their websites, on bills and through targeted letters. We are aiming to review the impact and operation of these measures in 2013. Aside from concerns about the practicality of comparing two schemes' data, we would want to establish that they are working effectively before exploring the publication of provider specific ADR complaints further at this stage.

Consumers that who wish to access complaints data so as to make an informed assessment of the comparative performance of providers already have the option of referring to Ofcom's own complaints data<sup>1</sup>. On average, Ofcom receives just under 300 telecoms complaints a day from consumers. We keep a record of these complaints by service and by provider, and believe that such information is useful for consumers; for example, the data may be relevant to those considering a new service or provider. We publish this data on a quarterly basis. In addition to publishing provider specific data on complaints received by Ofcom, we also

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<sup>1</sup> <http://stakeholders.ofcom.org.uk/market-data-research/other/telecoms-research/complaints/?a=0>

arrange for the publication of research on customer service satisfaction on a provider-specific basis<sup>2</sup>.

### **Specific responses to questions in consultation**

***Is there anything on the list above we should not publish? If so, why should we not publish this item?***

We do not consider that there are metrics on the list that shouldn't be published.

***Is there anything omitted from this list which we should publish?***

No.

***Would you be prepared to pay for extra data, if it were possible to extract?***

Not applicable.

***Are quarterly updates acceptable? If not, what reporting period would be most useful to you?***

Quarterly updates are acceptable – however, it might be useful if the data can be broken down by month so any specific short term trends (monthly highs and lows) which would not be identified in quarterly data can be identified.

***Is it appropriate to leave data on the website for three years? If not, how long do you think it appropriate for the data to remain on the website?***

We do not have strong views on this but consider 3 years to be a sufficiently long period to analyse trends etc.

***Are CSV, XLS or PDF formats acceptable?***

Yes.

***Which of these formats do you prefer?***

Excel is the most useful as data can then be exported/ imported easily and used for our own reporting purposes. PDF doesn't always provide the ability to extract data and cut for any given specific reporting purpose.

***If these formats are not acceptable, what other format would you prefer?***

Not applicable.

***Alongside the data we will publish generic context factors, mentioned above, to help explain the limits to its usefulness. Are there any other contextual factors which should be included?***

We suggest that OS consider the following points to provide context.

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<sup>2</sup><http://consumers.ofcom.org.uk/2012/12/latest-customer-service-satisfaction-levels-revealed/>

- The ADR data does not cover all complaints that consumers may have in the comms sector as other providers can use another ADR body.
- The data only covers complaints that consumers have chosen to report to OS, and does not represent 'all' complaints consumers may have made directly to their providers. As such it will only provide a partial picture of complaints made.
- Some of the complaints data (e.g. total new contacts) reflects the views of consumers who complain to OS and may not be indicative of actual levels of harm /detriment in the sector.
- Contact with OS may reflect the relative quality of complaints handling services, as well as the quality of service received. Given this, levels of complaints may well rise as providers' complaints handling processes, and particularly provision of clear information about ADR, improve.
- OS may see spikes in volumes from customers when bodies such as Ofcom publicise certain types of enforcement action, e.g. investigations, fines etc.

***Should we be linking our data to the websites of other organisations, beyond those which we have listed above?***

The signposting of regulators and other bodies may be useful. These bodies may be more appropriate organisations for consumers to find useful advice on their particular issue – for example, price comparison websites.

***We are considering changing the way we report on the outcome of decisions, possibly based on whether the complaint was upheld, as described above.***

***Should we:***

- a. Keep the present terminology; or***
- b. Develop new terminology, based on whether the complaint was upheld; or***
- c. Develop new terminology, on some other basis. If so, what should this be?***

We consider future reporting based on approach b) would be a useful development.