



Telecoms Complaints

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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 about 450 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 would be useful for consumers: alongside other things, this data may be relevant to those considering a new service or provider. Consumer groups have called on Ofcom to publish such information, and we note that similar information is already available to guide consumers in areas such as financial services, water and energy.
- 1.3 This is the first of what we intend to develop into a series of quarterly complaints publications. The initial data is relatively limited in scope and we propose to develop the approach over time. This will enable us to publish more detailed data and data for a larger number of providers in due course.
- 1.4 There are a number of important limitations that apply to the information we are publishing, in particular:
 - The data only covers telecoms complaints that consumers have chosen to report to Ofcom, therefore it does not represent total complaints consumers have had with their providers. As such it can only provide a partial picture of complaints by provider.
 - The complaints data reflects the views of customers. 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. In which case, companies with poor complaints handling processes may feature more prominently than those with good complaints handling processes.
 - The data published here covers the period October 2010 to February 2011. In due course we propose to publish complaints data on a quarterly basis, with the next publication including data for March – June 2011.
 - This publication only includes complaints data for providers with a market share of 5% or above. These results are not necessarily reflective of complaints Ofcom has received about other providers. We intend to include data for a larger number of providers in future publications.
- 1.5 Given the variation in size of provider, we are publishing complaints as a proportion of subscribers, to put the complaints numbers into context and help ensure the data is more meaningful for consumers. The main findings by provider and by service, for the period October 2010 – February 2011 inclusive, are as follows:

- Fixed line telephony: The providers covered here are: BT Retail, BSkyB, TalkTalk Group and Virgin Media. Ofcom received fewer complaints about Virgin than the other three main providers and received the most complaints about TalkTalk Group.
- Fixed broadband: The providers covered here are BT Retail, BSkyB, TalkTalk Group and Virgin Media. Ofcom received fewer complaints about Virgin than the other three main providers and received the most complaints about TalkTalk Group.
- 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 and Vodafone. Ofcom received fewer complaints about O2 than the other four providers, while it received the most complaints about 3UK.

Section 2

Introduction

Background

- 2.1 Most consumers are happy with the service offered by their communications providers.¹ Where concerns arise, consumers typically raise their complaint with their communications provider in the first instance.² 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.³
- 2.2 In addition, some consumers choose to contact Ofcom, as regulator of communications services. On average we receive 450 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 telecoms complaints?

- 2.3 To date, we have published telecoms complaints data by key issue in our Telecoms Complaints Bulletins⁴ and Consumer Experience reports.⁵ These show the monthly complaints that Ofcom receives in areas such as mis-selling, silent calls, and broadband speeds.
- 2.4 We are now publishing complaints data by provider. This is consistent with our statutory commitment to transparency and 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 competitive communications markets.⁶ The absence of key information can lead to poor purchasing decisions and inhibit switching. 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.
- 2.5 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

¹ In 2010, 88% of fixed-line, 91% of mobile, and 80% of broadband consumers were fairly or very satisfied with the service they received from their communications provider (Ofcom decision making survey July to August 2010, published in Ofcom's Consumer Experience Policy Evaluation report 2010).

² 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

³ 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

⁴ Available at <http://stakeholders.ofcom.org.uk/enforcement/telecoms-complaints-bulletin/>

⁵ Available at <http://stakeholders.ofcom.org.uk/market-data-research/market-data/consumer-experience-reports/consumer-experience/>.

⁶ In line with Section 26 of the Communications Act 2003, Ofcom may arrange for the publication of information and advice for consumers.

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 research⁷ and our scheme for accrediting price comparison sites.⁸

- 2.6 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.⁹ In addition, consumer groups have called on Ofcom to publish complaints data to increase transparency, and to give providers an incentive to improve their performance.¹⁰ Similar information is already available to guide consumers in a number of other sectors, in particular financial services,¹¹ as well as the water¹² and energy sectors.¹³
- 2.7 While our telecoms' complaints data has a number of important limitations, (see below), we believe that this data, along with other information,¹⁴ can be informative for consumers when seeking to compare communications providers.¹⁵ We anticipate that this data will be of interest to intermediaries such as consumer groups and price comparison sites who look to advise consumers.
- 2.8 In addition, the Government has recently published a consumer empowerment strategy,¹⁶ in which it 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."

Provider-specific complaints data

- 2.9 This is the first time that Ofcom has published complaints data by provider, and as such we anticipate that the methodology and information made available will develop over time. The methodology used here is set out in Section 3.
- 2.10 We recognise that the complaints data has a number of limitations, in particular:

⁷ Available at <http://stakeholders.ofcom.org.uk/market-data-research/telecoms-research/broadband-speeds/main/>

⁸ See <http://stakeholders.ofcom.org.uk/consultations/ocp/statement/pricescheme/?a=0>

⁹ According to Ofcom research collected in 2008. See

<http://stakeholders.ofcom.org.uk/binaries/consultations/qos08/statement/qos.pdf>

¹⁰ 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

¹¹ http://www.fsa.gov.uk/pages/Library/Other_publications/commentary/index.shtml

¹² See for example http://www.ofwat.gov.uk/publications/los/rpt_los_2009-10

¹³ See <http://www.consumerfocus.org.uk/news/consumer-focus-helps-consumers-by-publishing-energy-complaints-data>

¹⁴ E.g. price, broadband speed where they live, mobile network coverage.

¹⁵ 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/

¹⁶ Better Choices: Better Deals, Consumer Powering Growth, *BIS*, 13 April 2011

- The data only covers telecoms complaints that consumers have chosen to report to Ofcom, therefore it does not represent total complaints consumers have had with their providers. As such it can only provide a partial picture of complaints by provider.
- The complaints data reflects the views of customers. 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. In which case, companies with poor complaints handling processes may feature more prominently than those with good complaints handling processes.
- The data published here covers the period October 2010 to February 2011. In due course we propose to publish complaints data on a quarterly basis, with the next publication including data for March – June 2011.
- This publication only includes complaints data for providers with a market share of 5% or above. These results are not necessarily reflective of the complaints Ofcom has received about other providers. We intend to include data for a larger number of providers in future publications.

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.¹⁷ All complaints¹⁸ 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 when producing the complaints data and provide an indication of the direction we are likely to take for future publications.

Scope of the data published

- 3.3 We collect complaints data across all of the areas we regulate: broadcasting, spectrum and telecommunications. Total complaints in each of these areas are published in our annual Consumer Experience reports.¹⁹
- 3.4 The focus of this publication is on complaints made by residential²⁰ consumers in relation to telecommunications services, specifically fixed line telephony, broadband, mobile and mobile broadband services.²¹ Ofcom seeks to promote effective competition in each of these markets and has clear regulatory powers to intervene in the consumer interest, where appropriate.
- 3.5 The complexity of the telecoms sector generates a particularly wide range of complaints,²² so we have had to consider carefully what level of data would be useful for consumers and robust enough for publication. In view of the complexity, our focus initially is on publishing complaints data by service rather than by detailed category of complaint for each service. We are currently revising the categorisation system that we use in order to streamline the number of categories. This is with a view to publishing more detailed complaints data by provider in due course.
- 3.6 The three services we are publishing complaints data for are:

¹⁷ See <http://consumers.ofcom.org.uk/tell-us/telecoms/>

¹⁸ 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.

¹⁹ We publish complaints about the content of programmes broadcast on television by provider in our Broadcasting Bulletins. We do not publish details of spectrum complaints as the majority of complaints are about interference and are not provider specific.

²⁰ Ofcom records business and residential telecoms complaints separately, based on how the individual identifies themselves when reporting the complaint.

²¹ Ofcom also collects complaints about Pay TV services. Although Pay TV has many of the same attributes as the Telecoms market, we have decided to exclude Pay TV from this publication. We will consider whether to include these complaints in future publications.

²² We currently record over 250 different categories of telecoms complaints.

- 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 and cable services;
- Mobile Telephony, this includes complaints about use of data through a mobile handset; but does not include dongles or datacards.²³

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 experiences 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 fixed telephony and broadband service, the complaint will be counted as a fixed telephony and as a fixed broadband complaint for that provider.
- 3.9 This enables us to have a record of all complaints received by provider and by service. We are not publishing total complaints by provider across the services, 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.²⁴ 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 communications providers

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

²³ Ofcom does not currently receive sufficient numbers of complaints about mobile broadband services (dongles and datacards) by provider to publish them. Ofcom considers that it needs to regularly receive at least 30 complaints a month for an operator to be able to publish the data.

²⁴ Their existing provider would not know this.

- 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 an operator is having an unusual month or to establish a long-term trend. Therefore, to minimise distortion and allow statistical analysis, only those operators which regularly attract at least 30 complaints per month per service should be included.
- 3.13 In this initial publication we are focusing on providers that have a market share of 5% or more.²⁵ This encompasses the providers set out in Table 1. Together, these providers account for at least 87% of each market covered.²⁶

Table 1: Providers included in this publication

Fixed Line Telephony and Fixed Broadband	BSkyB
	BT Retail ²⁷
	TalkTalk Group ²⁸
	Virgin Media
Mobile Telephony	3UK
	O2
	Orange
	T-Mobile
	Vodafone

- 3.14 We recognise that consumers may also be interested in comparing complaints data for smaller providers and we intend to include a larger number of providers in our future publications.

Complaints as a proportion of subscribers

- 3.15 As noted above, in general, the more customers a provider has the more complaints are likely to be made. Given the variation in size of provider, we are publishing 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.
- 3.16 To do so we have used the number of connections²⁹ from each individual provider collected by our Market Intelligence team. We understand from providers that

²⁵ The data used to estimate market share is based on the connections data that Ofcom collects as part of its ongoing regular quarterly data collection programme.

²⁶ 91% for fixed lines, 89% for fixed broadband and 87% for mobile telephony

²⁷ Any complaints received against Plusnet have not been included with complaints against BT Retail.

²⁸ This includes TalkTalk and Tiscali UK.

²⁹ Note that it is possible for an individual to have more than one connection.

quarterly connection data is more robust than monthly data,³⁰ and therefore propose only to use quarterly data to normalise the complaints data. The period covered by this report is October 2010 – February 2011, a period of 5 months. Exceptionally we are using the final quarter of 2010 connection data across all five months, because we have yet to receive connection data for the first quarter 2011.³¹ We have examined the trend in quarterly connection numbers and found that there is little variation by quarter.³² For future publications however we intend to use the relevant quarterly number of connections for each month of data published.

- 3.17 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."³³
- 3.18 One mobile provider was unable to provide subscriber number data split into business and residential consumers. For this provider we have estimated the number of business users based on their share of new business connections and our own consumer research.
- 3.19 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

- 3.20 Ofcom has 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 unfairly distort the complaints data. We identified three issues which may result in complaints data being biased against particular providers:
- *Problems with the fixed line home-move and new line provision order process (erroneous transfers)* - Erroneous transfers occur where Openreach database anomalies lead to the wrong line being taken over in error. While there are steps that can be followed to minimise the occurrence of such incidents, there are often cases that are caused by problems outside the control of the provider that gains the customer. As the customers affected lose service without warning and receive letters from their previous provider confirming that their lines have moved to a new provider, they may feel that they have been a victim of slamming and contact Ofcom to complain. In principle this problem can affect any provider, but in practice this issue is likely to have a larger impact on BT because it places the vast majority of all transfer orders.³⁴

³⁰ Particularly where the quarterly data is reported externally.

³¹ Q4 2010 data is also roughly the mid-point for the period Oct 2010 – February 2011 and should therefore be a reasonable proxy for the average number of subscribers over this period.

³² This data is commercially confidential and therefore not included within the report.

³³ This definition was adopted following discussions held with industry when Ofcom began collecting the data.

³⁴ This is based on Openreach data.

- *Broadband migrations* – Customers looking to change their broadband provider typically need to obtain a Migration Authorisation Code (MAC) from their current provider. However if they are moving to or from a broadband service supplied through full Local Loop Unbundling (LLU) they do not need a MAC, and cannot be issued with one. Consumers who are refused a MAC may consider that their existing provider is deliberately obstructing their attempts to change to a new provider and may complain to Ofcom. Where these complaints involve a full LLU provider they reflect the complicated nature of the communications market and cannot be attributed to any failure on behalf of the provider. BSkyB and TalkTalk Group both provide broadband services through LLU to a greater extent than other providers covered in this publication and are therefore more likely to be affected by this issue.
- *Universal service providers* – BT Retail and Kingston are the designated universal service providers in the UK and as a result are required to provide services on a non-commercial basis to ensure that basic fixed line services are available at an affordable price to everyone in the UK. For example they have to provide special tariff schemes for low income customers; meet all reasonable requests for a connection to the fixed network; and reasonable geographic access to public call boxes. These additional obligations on universal service providers mean that there are a greater number of services for consumers to complain about the services on offer. Although Kingston is not included in the data in this publication, BT Retail is.

3.21 Our approach for assessing the potential impact of the above issues is outlined at Annex 1. We found that in practice they are unlikely to have resulted in a material bias against particular providers in the context of the data we are publishing.

Section 4

Telecom Complaints

Introduction

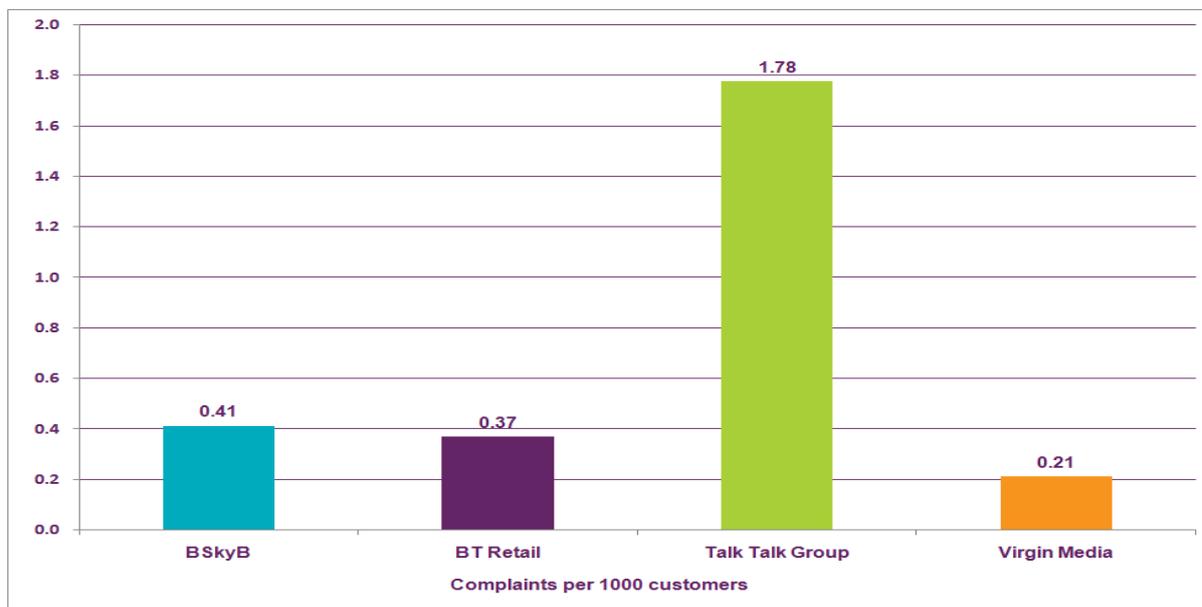
- 4.1 The methodology used to produce the telecoms complaints data was outlined in Section 3. We propose to develop this methodology and our own approach to recording more detailed complaints data, so that we can expand the range of data published in due course.
- 4.2 It is important to emphasise the limitations of the complaints data that Ofcom gathers. The key limitations, as set out in Section 1, are as follows:
- The data only covers telecoms complaints that consumers have chosen to report to Ofcom, therefore it does not represent total complaints consumers have had with their providers. As such it can only provide a partial picture of complaints by provider.
 - The complaints data reflects the views of customers. Ofcom has sought to ensure that its data is sound but has not checked the veracity of individual complaints.
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 - This publication only includes complaints data for providers with a market share of 5% or above. These results are not necessarily reflective of complaints Ofcom has received about other providers. We intend to include data for a larger number of providers in future publications.

Fixed line telephony complaints

- 4.3 The following figures show the residential consumer complaints data that Ofcom received against the four largest providers of fixed line telephony services between October 2010 and end February 2011. The information is presented per 1,000 customers / connections for the period as a whole and by month.
- 4.4 Figures 1 and 2 show that Ofcom received fewer complaints over the period and by month about Virgin than the other three providers and received the most complaints about TalkTalk Group. It should be noted that the spike in complaints against TalkTalk Group in November 2010 largely reflects Ofcom's announcement on 2 November that it had instructed TalkTalk and Tiscali to stop breaching telecoms regulations by issuing bills to consumers for services that have not been provided.³⁵

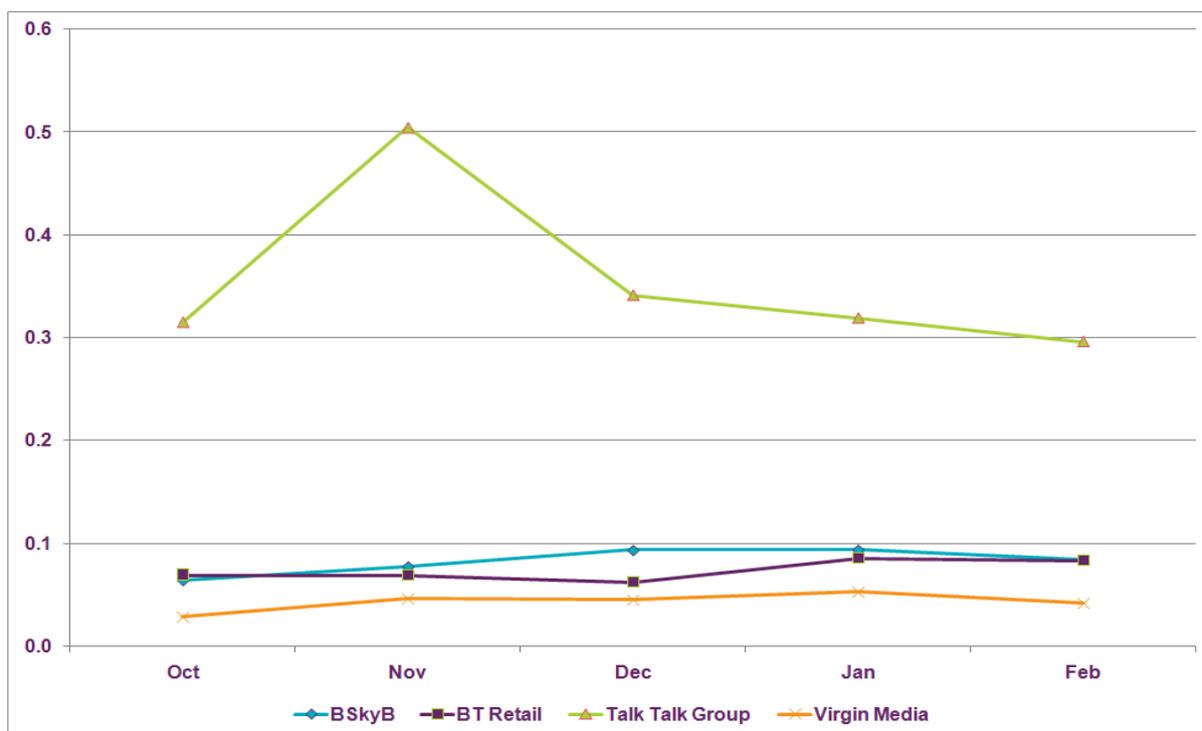
³⁵ See press release at <http://media.ofcom.org.uk/2010/11/02/talktalk-and-tiscali-uk-breached-rules-to-protect-consumers/>

Figure 1: Fixed line complaints per 1,000 customers / connections: October 2010 - February 2011



Source: Ofcom, CCT data; fixed line providers

Figure 2: Fixed line complaints per 1,000 customers / connections: October 2010 – February 2011, by month

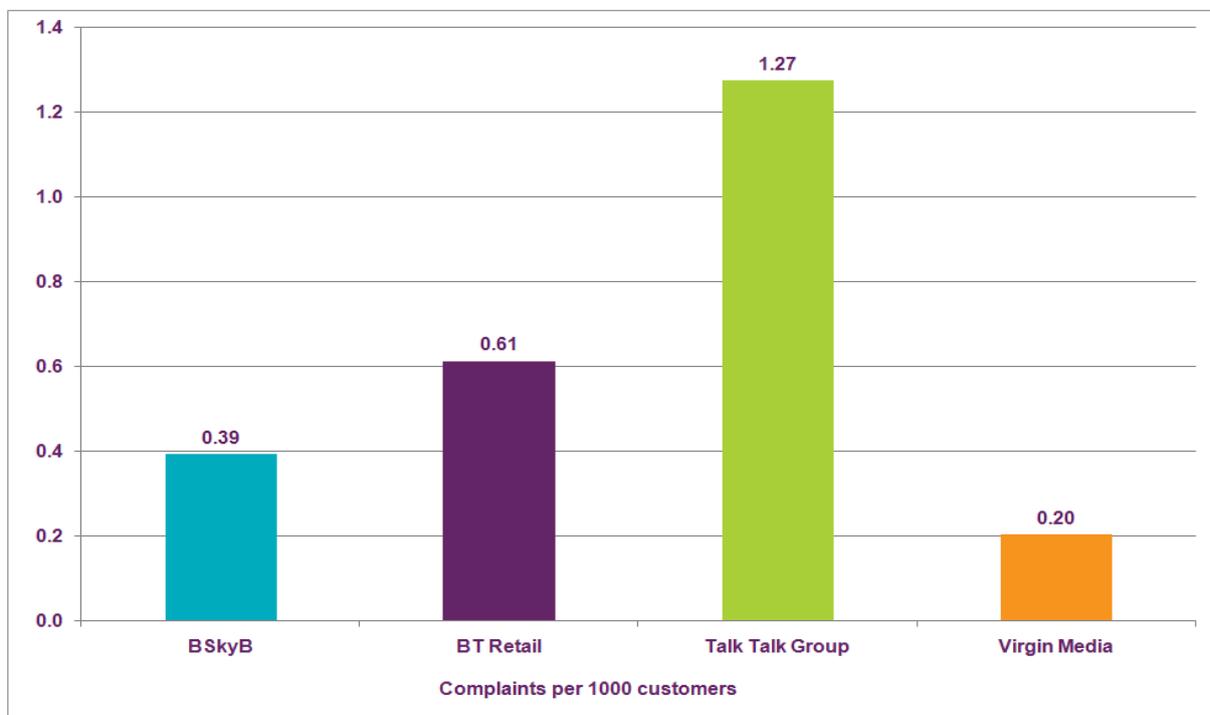


Source: Ofcom, CCT data; fixed line providers.

Fixed broadband complaints

- 4.5 The following figures show the residential consumer complaints data that Ofcom received against the four largest providers of fixed broadband services between October 2010 and end February 2011. The information is presented per 1,000 customers / connections for the period as a whole and by month.
- 4.6 Figures 3 and 4 show that Ofcom received fewer complaints over the period and by month about Virgin than the three other providers and received the most complaints about TalkTalk Group. As with complaints about fixed telephony services, the spike in complaints against TalkTalk Group in November 2010 largely reflects Ofcom's announcement on 2 November that it had instructed TalkTalk and Tiscali to stop breaching telecoms regulations by issuing bills to consumers for services that have not been provided.³⁶

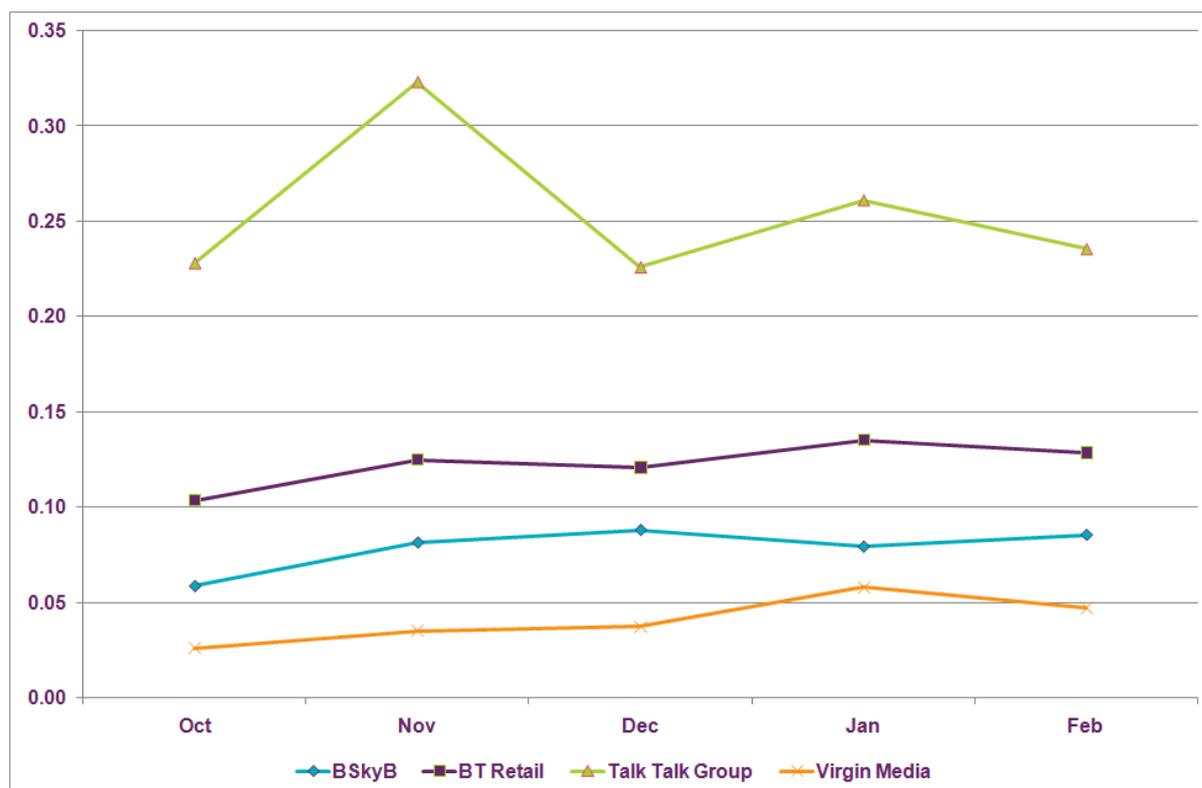
Figure 3: Fixed broadband complaints per 1,000 customers / connections: October 2010 – February 2011



Source: Ofcom, CCT data; fixed broadband providers

³⁶ See press release at <http://media.ofcom.org.uk/2010/11/02/talktalk-and-tiscali-uk-breached-rules-to-protect-consumers/>

Figure 4: Fixed broadband complaints per 1,000 customers / connections: October 2010 – February 2011, by month



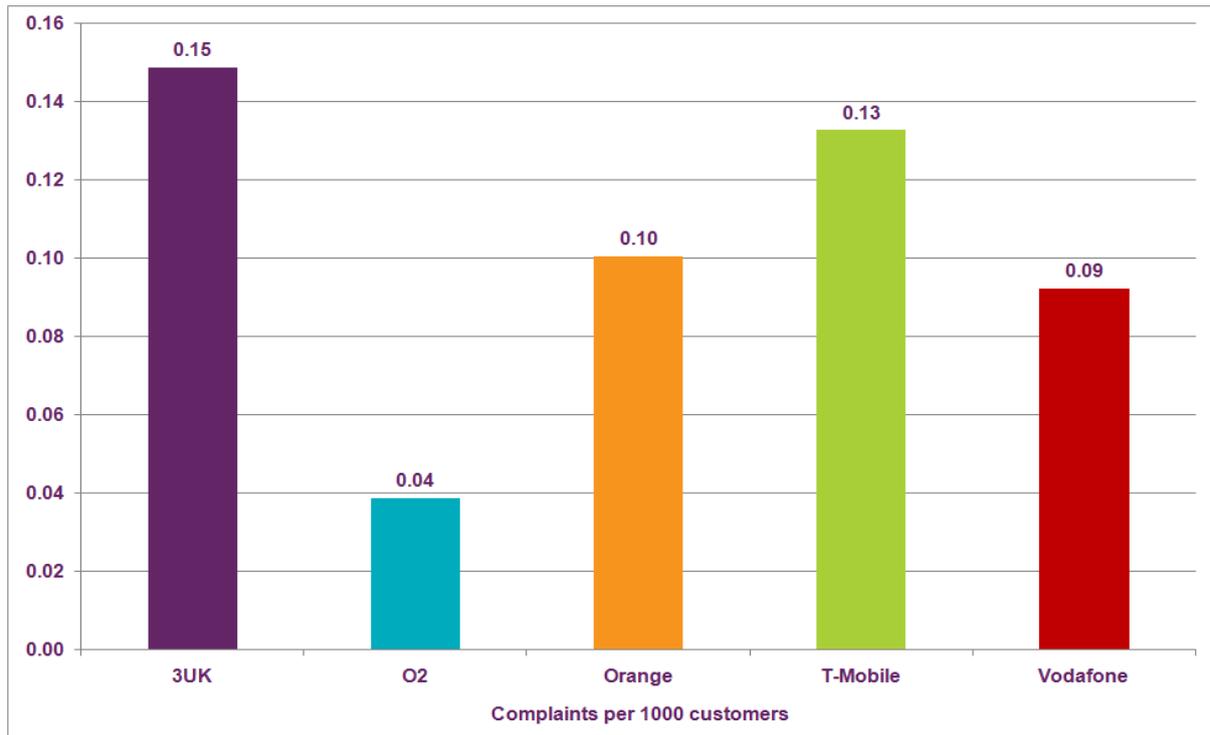
Source: Ofcom, CCT data; fixed broadband providers

Mobile telephony complaints

- 4.7 The following figures show the residential consumer complaints data that Ofcom received against the five largest providers of mobile services between October 2010 and end February 2011.³⁷ Overall, mobile complaints levels are much lower than for fixed line and fixed broadband services. The information is presented per 1,000 customers / connections for the period as a whole and by month.

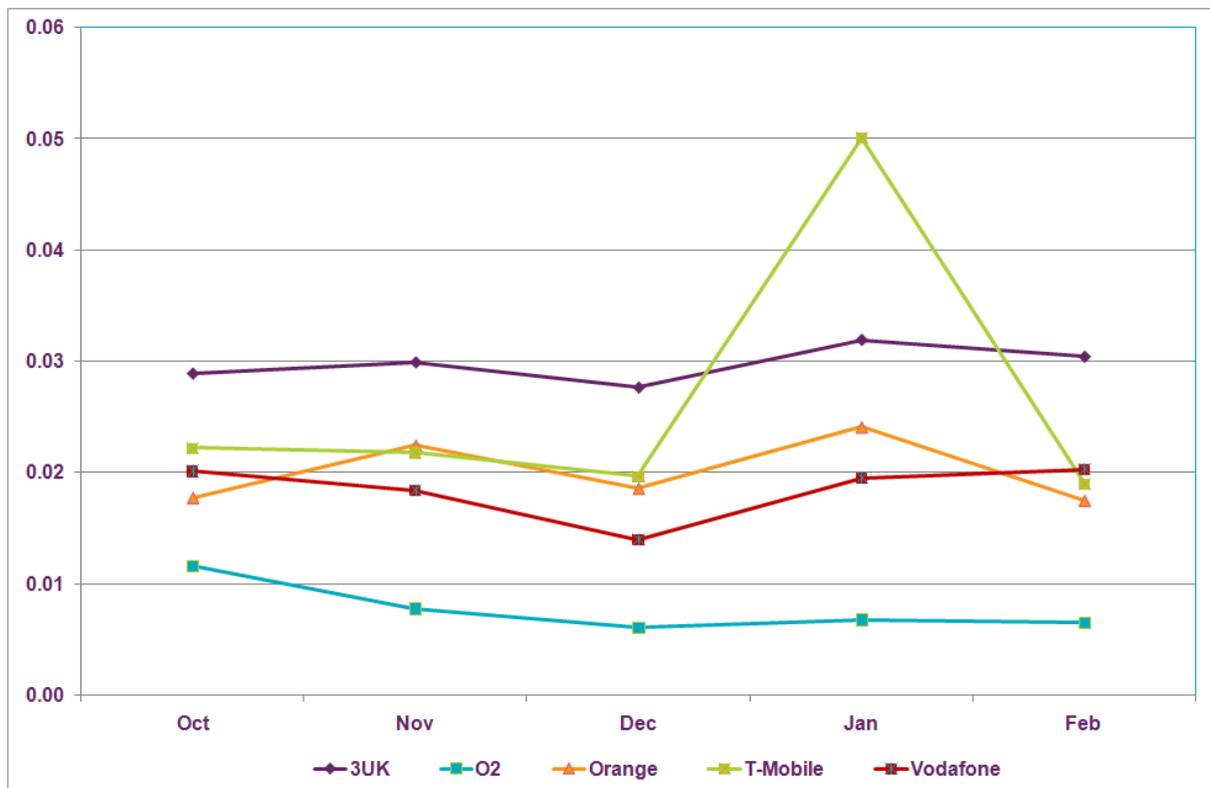
³⁷ These exclude complaints about mobile broadband (datacards and dongles) services.

Figure 5: Mobile telephony complaints per 1,000 customers / connections: October 2010 – February 2011



Source: Ofcom, CCT data; mobile telephony providers

Figure 6: Mobile telephony complaints per 1,000 customers / connections, by month



Source: Ofcom, CCT data; mobile telephony providers

- 4.8 Figures 5 and 6 show that Ofcom received fewer complaints over the period in question about O2 compared with the other four providers, while it received the most complaints about 3UK.³⁸ The spike in complaints received about T-mobile in January was driven by T-mobile's announcement of changes in its Fair Use Policy for data usage.

³⁸ With the exception of January 2011.

Annex 1

Sensitivity Review

A1.1 We have analysed the types of complaints received to identify categories of complaints that are likely to affect some Communications Providers (CPs) to a greater extent than others but are outside of the control of the affected CPs, and instead reflect technical complexities of the sector. If there are issues that are verifiable, unique to a subset of the CPs, and make a material difference to the data, in particular the relative order of providers, then there is a case for removing those complaints from the data included in this publication. As noted in Section 3 the main potential issues identified were:

- Errors in the fixed line transfer process
- Broadband migrations
- Universal service suppliers

Errors in the fixed line home-move and new line provision order process

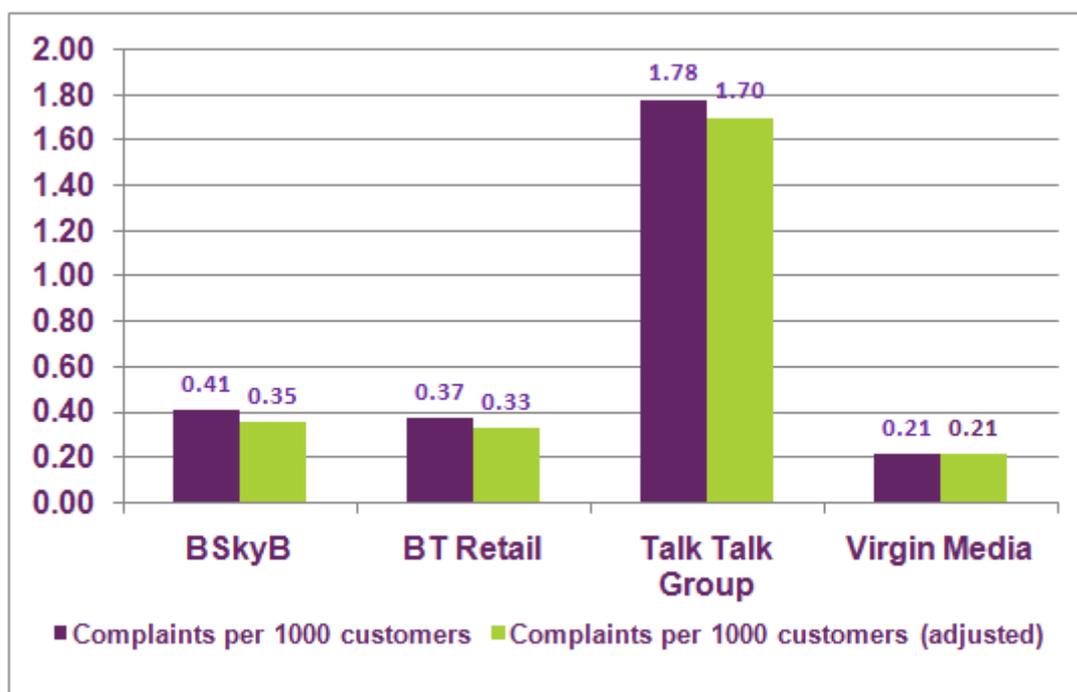
A1.2 The Office of the Telecoms Adjudicator (OTA)³⁹ has examined erroneous transfers of fixed lines to assess the root cause of the problems. It identified problems with the Working-Line Take-over process (WLTO), which is an Openreach (OR) process used where a home mover is moving to an address where a working line exists. The process is designed to ensure the service is active when the person moves to the new address and is heavily reliant on accurate address data being available to the provider placing the order. In a significant number of the cases that have been scrutinised by the OTA, the problems stem from address mis-matching issues that could be attributed to database anomalies and/or consumers simply providing incorrect address details at the point of placing the order. This issue has the potential to have a larger impact on those CPs who frequently use the WLTO process, in particular BT Retail which is the primary user.⁴⁰

A1.3 To test the potential significance of this issue we removed all complaints that were potentially 'erroneous transfers' and compared the resulting adjusted complaints per 1,000 customers / connections with unadjusted figures. This is set out at Figure 7.

³⁹ The Office of the Telecoms Adjudicator was established by Ofcom to deal with major or strategic issues affecting the rollout and performance of Openreach products.

⁴⁰ Based on data from Openreach.

Figure 7: Fixed line complaints with adjustment for erroneous transfers

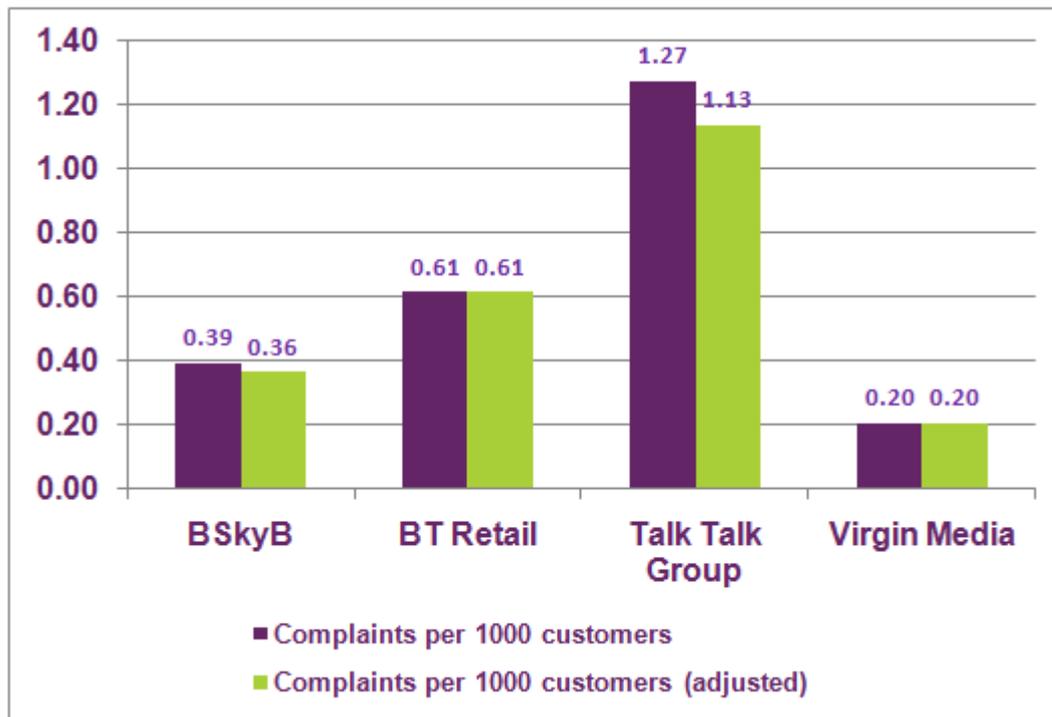


Source: Ofcom, CCT data, fixed line providers

- A1.4 As Figure 7 illustrates, when the complaints categories with erroneous transfers were removed from total fixed line complaints, and the adjusted data expressed in terms of complaints per 1,000 customers / connections there was no material change by provider or in the relative positions of providers. In view of the limited impact, we have not made an adjustment for erroneous transfer complaints.

LLU Broadband Migrations

- A1.5 A Migration Authorisation Code (MAC) is not required for any migration to or from a broadband service supplied through Local Loop Unbundling (LLU) and therefore the CP cannot issue one. Consumers who are refused a MAC on these grounds may incorrectly feel that their CP's refusal to supply a MAC is a deliberate attempt to obstruct their change of provider and may therefore complain to Ofcom. However these particular complaints are the result of the complicated nature of the communications market and cannot be attributed to any failure on behalf of the LLU broadband supplier
- A1.6 To test the potential significance of this issue, we removed all MAC complaints recorded against LLU suppliers (TalkTalk and BSkyB) from their total broadband complaints. This is a worst-case scenario, as both suppliers will have some customers who are not on an LLU based service and therefore in some instances a MAC should be supplied for transfer.

Figure 8: Fixed broadband complaints with adjustments for LLU MAC complaints

Source: Ofcom, CCT data, fixed broadband providers

A1.7 Figure 8 suggests that the impact of this potential bias is in practice limited when considering total broadband complaints per 1,000 subscribers. Therefore we have not made an adjustment for LLU MAC complaints.

Universal service providers

- A1.8 Universal Service ensures that basic fixed line services are available at an affordable price to all customers across the UK. Ofcom implements the Universal Service Order (USO) through specific conditions on the universal service providers, BT Retail and Kingston Communications.
- A1.9 BT Retail and Kingston are required to provide a number of services on a non-commercial basis including: special tariff schemes for low income customers; meeting all reasonable requests for a connection to the fixed network; and reasonable geographic access to public call boxes. BT Retail and Kingston as USO suppliers are therefore required to provide a number of services over and above that of other CPs. These additional services may generate complaints and create a bias against BT Retail (Kingston is not included in this publication as it provides less than 5% of the market, see Section 3).
- A1.10 However, total complaints relating to BT Retail's USO services during the period in question total less than 10 and as such have no material impact on the published complaints figures.