

Title:

Dr

Forename:

Richard

Surname:

Vialls

Representing:

Self

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Question 1: Do you agree that it is helpful and appropriate for Ofcom to issue guidance on the application of the Regulations to consumer contracts for communications services?:

I do. Telecommunications constitute an essential service for many people, especially the elderly, infirm and those living in remote rural locations. It is of national importance that these services are provided to a high standard and in a fair and transparent fashion.

Question 2: Do you agree with Ofcom's proposed guidance regarding core terms and transparency?:

As far as they go, yes.

Question 3: Do you agree with Ofcom's proposed guidance (including any administrative thresholds we have set) on non-core terms to which we apply the test of fairness?:

As far as they go, yes.

Question 4: Are there any other issues that are covered by the Regulations which Ofcom should give guidance on?:

BT are currently using bullying tactics to try to persuade customers to switch to direct debit.

I have chosen not to use direct debit because BT have proven themselves untrustworthy in relation to correct billing of my account. I am not prepared to sign a blank cheque to a company that is happy to add new charges without my permission and is so poor at answering the resulting complaints.

As an example, my latest bill was dated 8th April. It arrived by post on 11th April. On 12th April I got a call with a recorded message reminding me to pay my bill with veiled threats of extra charges and disconnection if I did not. I consider this to be demanding money with menaces! The bill itself asks me to 'please make sure we receive the total now due by 15th April 2008' - giving me a whole 7 days from the date of the bill to the money arriving in their bank account. This 7 day turnaround is not feasible when paying by cheque, particularly when the bill arrives 3 days after it's date. On enquiry to BT, it turns out that the real deadline for payment is the 24th April, giving me 16 days to pay (this is a good example of lack of transparency). I also managed to ascertain that a late payment charge of £7.50 would apply if payment did not arrive by the 27th April - i.e. 19 days from the date of the bill.

I consider the length of time allowed for payment unreasonable. If a customer is on a 2 week holiday and the bill arrives on the first day of that holiday, the customer WILL incur a £7.50 charge. I do not consider this fair even if it were to be made transparent (which it is not).

I also object to paying £4.50 for the right to pay by cheque given that I have not agreed to this change of contract. BT claims to have written to me warning me of this (it has not) and also claims to have notified me by TV adverts (which I have not seen despite watching quite a bit of TV). This is neither fair, nor I suspect legal under contract law.

When complaining about these and other issues, BT's complaints procedure is totally unfit for purpose. Customers are fobbed off with platitudes (assuming the customer can actually get through) and taking a complaint through to resolution takes both serious skill and bags of determination (my last complaint took 12 months to resolve

and around 2 days of my time in total, during which time, I was cut off by BT despite assurances that this would not happen a total of 3 times).

BT is a bully, it takes advantage of vulnerable customers and gives the impression that it is trying to avoid responsibility for its failings by making its complaints procedures impossible to use. I would like to see the regulatory framework brought to bear on BT to force them to behave like a responsible company.

Additional comments:

While we are constantly being reminded that this is a competitive market, a key part of the service (the last mile connection to the home) is still provided by BT regardless of who the customer has a contract with. This means that, in relation to this important piece of infrastructure, there is no real market choice other than whether to deal directly with BT or through an intermediary. This lack of competition in the final mile seems to be largely ignored by regulators but is of key importance to people such as myself who live in a rural location and have regular problems with reliability of service.