

# Approved

## Minutes of the Twenty-Seventh Meeting of the Council of the Telecommunications Ombudsman Service Limited (TOSL)

Tuesday 15 June 2004 at 11:30

The Brewhouse, Wilderspool Park, Greenall's Avenue, Warrington

### Present:

**Council:** Peter Holland (Chairman)  
Margaret Doyle  
Chris Holland  
Rosaleen Hubbard  
Roger Jefferies  
Jeremy Mitchell

**In Attendance:** Elizabeth France (Ombudsman)  
Richard Brown  
Richard Sills

### 1 Apologies for Absence

There were no apologies.

### 2 Minutes of the Council Meeting, held on 20 April 2004

The Minutes were approved for publication on the Otelo website.

### 3 Matters Arising

There were no matters arising.

### 4 Chairman's Report

The Chairman expressed his thanks to Ofcom for hosting the meeting in May. He was appreciative of the time taken by Ofcom staff in discussing various issues with the Otelo Council, including the potential timescale for the re-approval process. Ofcom had undertaken to consult on the criteria that would be used during the re-approval process and he was encouraged by the view that every ADR scheme would be judged under the same criteria.

He had been generally pleased with a positive meeting with the National Consumer Council, attended with the Ombudsman. He believed that the Chief Executive, Ed Mayo, would be a firm supporter of Otelo and he noted that he had also met the NCC's Vice Chairman, Bob Chilton, who also seemed to be enthusiastic about our role.

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The Chairman observed that it would be prudent for the Council to consider when a further member should be identified. He was concerned that the Council may not have sufficient resilience and cover for (say) illness or other absence. He asked members to consider the skill set which they believe would be appropriate to a new member. Further discussion would occur under a formal agenda item at the 7 September Council.

The Chairman commented briefly on the preliminary arrangements for the September Event which was to be held in the Houses of Parliament. He was very pleased with the enthusiastic support from Helen Southworth (the S. Warrington MP) who was sponsoring the event. The title for the event is "Self-Regulation in Action: the 1<sup>st</sup> Year of the Telecommunications Ombudsman Service". Presently, the plan was for there to be two sessions, separated by a short break. The first part would feature three speakers – a senior Ofcom representative, a member and the Ombudsman. For the second part a Minister would be invited to speak. No doubt Helen Southworth would wish to say something during the proceedings. He asked for the Invitation letters for him to send to speakers to be drafted for issue followed, quite soon, by notice of invitation companies. In due course, briefing material should be circulated to members so that everyone was kept up-to-date on progress, since there would be no formal meeting in August.

The Chairman was concerned that not every Council member was able to take full advantage of the company's extranet and noted that Andrew Bradley was holding a briefing session immediately following the meeting.

## 5 Ombudsman's Report

The Ombudsman reported that the headline was that while Otelo is busy absorbing new staff – two trainee EOs and an IO had started on the previous day and a further IO two weeks earlier – we have not lost ground to the incoming complaints. Responding to a question, she said that the target for processing cases was to produce a Provisional Conclusion (PC) within an average of 6 weeks from the receipt of the signed Complaint Form from the complainant. She agreed that it was prudent to understand the sensitivity analyses resulting from a notional calculation of what resources would be required to reduce the current backlog to this level.

**Action point 1:** The Executive agreed to provide a brief resume of these data by 18 June.

Regarding the timescales for the provision of case files by the members, the Ombudsman pointed out that Otelo will hold a Members' Open Day on Friday 25 June and this would be one of the topics addressed.

Craigforth would be reporting imminently on the results of the Customer Satisfaction Survey. It was expected that the first report would be to the executive in early July and the data would be available to the Council immediately following. A presentation to the Council would be arranged at the next meeting. It was planned to include the results in the company's Annual Report, which would be presented at the July meeting prior to publication.

Also available in the Annual Report would be the case summaries up to the end of March, another tranche of cases dating up to the end of June would then be published for the Commons event in September.

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## 6 Member Board Report

Rosaleen Hubbard said that the Member Board had not met since before the previous Council and there was, therefore, nothing new to report. The next Member Board meeting was scheduled for 28 June.

## 7 Member Update

The Ombudsman reported that the organisation now had 70 members with the admission of two companies during the last week. There was some discussion of the importance of meeting the target of letting companies know within 10 working days whether their application for membership had been successful. A streamlining of the current procedure was agreed.

**Action point 2:** A note on procedure would be added to the extranet

## 8 Report from the Audit Committee

Roger Jefferies said that two Committee meetings had been held to review the draft accounts and auditors' report, and the draft procedures. The Committee was content with the procedures and the draft accounts. The auditors pointed to four matters, none of which affected the accounts materially, and have expressed satisfaction with the response from the Director of Finance. The main point was that the Auditors requested that the Annual Report should include a review of the management actions relating to the top five financial risks identified.

Mr. Jefferies asked that the Council formally approves this treatment of the accounts. The Council formally endorsed the proposal. Mr. Jefferies also requested that the Council approves the proposed Auditors' remuneration of £4,500. The Council formally endorsed this.

## 9 Paper on Autodiallers (for Information)

The Ombudsman said that there was a possibility of a significant number of cases coming to Otelo, depending upon the policies adopted by members in dealing with customers' complaints. Information from ICSTIS indicated that autodiallers is a substantial problem, involving many tens of thousands of customers, and average bills of the order of £100. In the event that members decided to treat these cases as a class, she wanted to initiate thought about the possibility of a reduced case fee as Otelo would then be reviewing a number of very similar cases. However, if members treated autodialler complaints individually, depending on the particular circumstances of each case, no such economy would be possible. The Member Board members present indicated that, while no firm decisions had been made by companies, it was deemed more than likely that cases would, indeed be treated individually.

The Ombudsman said that the situation was changing quite rapidly and she would keep the Council up-to-date with developments.

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## 10 Any Other Business

Chris Holland up-dated the Council on BT's latest marketing campaign, which was aired on television for the first time during the England – France soccer international match.

Basically, there were three promises made by the company:

- where the company undertakes to (say) send an engineer to attend to a fault, it will do whatever is necessary to fulfil its promise, including informing the customer if there is going to be a delay;
- where a customer calls the company, then he/she will be connected to a human being, if requested;
- if the first person that a customer speaks to cannot help then that person will make it their highest priority to find someone who can help and get them to give the customer a call-back.

Failure to fulfil these promises will involve a whole new escalation procedure and, where appropriate, monetary compensation.

The Council welcomed that initiative to increase customer service and responsiveness.

Jeremy Mitchell asked whether Otelo would be submitting any response to the Ofcom consultation on the "Strategic Review of Telecoms". The Ombudsman said that she had started to prepare a response and would complete it urgently for members' perusal before the submission date (22 June).

**Action point 3:** Ombudsman to circulate draft for comment by 16 June.

Responding to a question about the publication of further anonymised data, Jeremy Mitchell said that a lot of comparative data were already available from the Centre for Inter-firm Comparison. The Chairman said that Otelo had not planned to publish comparative information but he had an open mind on the subject, and would be receptive to any constructive proposals. However, he thought that it would be for the Member Board to consider, rather than the Council.

Finally, the Ombudsman reported that a "pre-IIP" review had been carried out by a Consultant from the Business Link and her conclusion was that Otelo is on-track. However, she also said that the Council would be considered during the IIP process and some work would have to be done to include it.

## 11 Date of Next Meeting

The next meeting of the Council will be held on Tuesday 20 July 2004 at 11:30 in the Otelo offices in Warrington.

## 12 Extranet Demonstration

Andrew Bradley had set-up the demonstration in the Ombudsman's office for interested Council members.