

**Minutes of the forty-third meeting of the Council of the Telecommunications
Ombudsman Service Limited (TOSL)**

Tuesday 13 December 2005 9:30am

Otelo Offices, Wilderspool Park, Greenalls Avenue, Warrington

Present:

Council: Peter Holland (Chairman)
Margaret Doyle
Jeremy Mitchell
Chris Holland
Roger Jefferies
Julie Meadows

In Attendance: Elizabeth France (Ombudsman)
Richard Brown
Andrew Bradley (Minutes)

1 Apologies for Absence:

Apologies were received from Rosaleen Hubbard.

2 Minutes of the Council Meeting, held on 13 December 2005

The Minutes with minor drafting amendments were approved for publication on the Otelo website.

3 Matters Arising

There were no matters arising.

4 Chairman's Report

On behalf of the Council, the Chairman thanked Otelo for organising the Christmas Meal which had taken place the previous night.

The Chairman had a meeting with Mary Turner, the Chief Executive of Tiscali UK, at which the difference between the structures of the two approved ADR schemes was discussed. He was assured that Tiscali's decision to resign its membership of Otelo in no way reflected the quality of service received from Otelo. Assurance was also given that Tiscali would honour any decisions made by the Ombudsman during the notice period and that all Tiscali staff had been instructed to this effect. Otelo was asked to notify Tiscali's Executive if any problems were experienced.

Duncan Sedgewick Chief Executive of the Energy Retail Association (ERA) will attend the February 2006 Council meeting to give the Council an update on its plans for Alternative Dispute Resolution (ADR).

5 Ombudsman's Performance Report

Finance: Attention was drawn to the figures relating to bad debt. While formal action had been commenced against two companies, another two were also significantly behind with payments. The Council agreed that the same escalation process must be applied in all cases.

Operations: Performance indicators were encouraging. They confirmed that there was a levelling off in demand for investigations. The demand had settled at about the level predicted in determining staffing levels. Council members asked that the target for written correspondence responded to within five days, be considered for possible amendment prior to completion of the 2006-7 business plan. The Executive was asked to monitor the relationship between total contacts and forms issued to establish if there is a trend toward a higher percentage being inside the terms of reference (ITOR).

Staffing: Staff members recruited in October had taken up their jobs and the final recruitment exercise to bring staffing up to the levels needed for the planned workload had taken place. The impact that possible fluctuations in the number of cases handled would have on staffing forecasts was discussed.

Communications: A key element of the business plan for Communications was delivered on 25 November with an event for the Consumer and Advice sector. The event was well attended and positive feedback had been received. Council members were pleased with this meeting and asked for a similar meeting be organised for the following year.

Meetings: The Ombudsman had met with representatives from EDF Energy and npower and demonstrated Otelo's operation to them. The Ombudsman had spoken at the consumer and Advice event mentioned above and at the 'Credit Today' conference for telecoms and utilities. Planned future meetings were mentioned.

6 Update on Remedies and Debt

The Council was formally notified that two companies had failed to pay remedies following escalations by Otelo's Director of Operations. It is important for a consistent approach with enforcing the implementation of remedies. A letter from the Director of Operations will be sent to the Executive Directors at these two companies informing them that legal action will be taken if the required action is not implemented within the deadline set.

7 Member Board Report

No meetings or conference calls had taken place since the previous Council meeting. A strong expression of interest for a place on the Member Board, when the next vacancy arises, had been received from O2. Council remuneration will be discussed at the next meeting.

8 Member Update

The Ombudsman reported that a further two members had joined the Service.

9 Response to Ofcom Consultation on Premium Rate Services (PRS)

The Council's draft response to this consultation was discussed and agreed. It was also agreed that the Ombudsman's Advice note, 'disputed charges with PRS calls', should accompany the response.

10 First draft strategy and business plan

The first draft of the business plan for the period 2006-7 was distributed and early comments were given. This will be discussed in depth during the February Council meeting.

11 Any Other Business

Council members were invited to join the staff for lunch after this meeting.

12 Date of Next Meeting

17 January 2006 at Otelo's Offices, Warrington. The meeting will be preceded by a presentation by BT on complaints handling, which will begin at 12:30.