

Reminder

GC23 Regulation on Mis-selling Prevention

In order to prevent the mis-selling of mobile communications services, Ofcom have introduced a new General Condition, known as General Condition 23 (GC23), which came into effect on **16th September 2009**. GC23 requires everyone to comply with this regulation and certain requirements when promoting network services. The new regulation applies to everyone who promotes O₂, Orange and 3 services to consumers and small business customers.

Summary Of The New Regulation - General Condition (GC23)

It's really important that you read through this bulletin, as compliance with GC23 is **MANDATORY**.

The new regulation:

- Prohibits mis-selling – engaging in dishonest, misleading, deceptive or aggressive conduct
- Prohibits contacting customers in an inappropriate manner
- Requires you to create and keep records about the sale of services for a period of not less than six (6) months (or, if a sales incentive is offered which doesn't immediately benefit the customer at the point of sale (such as cashback), you must keep the sales records for a period of not less than 90 days after the date by which the sales incentives has to be fully redeemed – this cannot be less than six (6) months in any event). So, if a sales incentive is redeemed over 12 months, records should be kept for 12 months + 90 days.
- Requires you to make sure that certain information is provided to customers at the point of sale (in hard copy for face-to-face/web transactions or via telephone followed up with a hard copy for telesales) so that customers get the accurate information they need before they decide to buy and that they understand they are getting into a contract
- Requires you to make sure that your customer is authorised and intends to enter into a contract with O₂, Orange or 3
- Requires you to ensure that description and terms and conditions of any sales incentives you offer are made clear to the customer and are not unduly restrictive
- Requires you to provide details of your registered address and how the customer can contact you

What Should You Do Now?

1. Read GC23 and the network specific notifications on Mis-selling Prevention. GC23 can be viewed on the Ofcom website <http://www.ofcom.org.uk/consult/condocs/mobmisselling/statement/>. Copies of all mentioned documents are available to download at <http://www.avenir-telecom.co.uk/bulletins/all>. Make sure you understand them.

2. Run a check against GC23 and network specific notifications on Mis-selling Prevention and make sure that all of your policies, processes, materials and sales and record retention practices meet contractual obligations

3. You must submit a copy of your Data Protection registration to Avenir Telecom UK Ltd. If you haven't registered then please use the link below.

http://www.ico.gov.uk/what_we_cover/data_protection/notification.aspx

4. You are required to submit a copy of your Complaints Procedure document to Avenir Telecom UK Ltd. In order to help you with this we have included an example procedure for you to use – obviously it needs to be adapted to suit your own business. Please see the attached document.

5. Confirm that you have read, understood and will be compliant with GC23 and network specific notifications on mis-selling prevention by **1st November 2009** by emailing Avenir Telecom at terry@avenir-telecom.co.uk including your name, company name, dealer code and contact details. A response to this bulletin is **MANDATORY**.

If you do not comply with GC23 and the network specific notifications on Mis-selling Prevention, there will be nothing we can do to stop you being terminated as a 3 or Orange seller.

If you have any questions or require more information please direct these to your Account Manager or do not hesitate to contact our Credit Control and Commissions Manager Terry Slevin on 020 8731 4444.

Kind Regards

Marketing Department
Avenir Telecom UK Ltd

Complaints Process Example

1.0 Background

Each customer complaint that is logged needs to be responded to within 24hrs of receipt. Timely and regular updates should be sent to the client so that they are informed of the progress being made with each query. You should aim to send an update email every 24hrs or every time there is a change in the status of the queries that they have logged.

2.0 Scope

The purpose of this document is to provide the user with a detailed procedure on how to handle customer/Client/Supplier/Network issues.

This document will only explain the escalation process to follow in the event of a complaint and not how to resolve the issue.

3.0 Procedure

3.1 Receiving notification of complaint

Upon receipt of a complaint, all details to be forwarded to the Head of Services who will log the details onto Support Desk see Support Desk Procedure.

- **Customer/ Client name/ Network detail/ Suppliers**
- Mobile telephone number
- Complaint description

3.2 Investigate Complaint

Send acknowledgement to customer of receipt of details and liaise with individual/department to understand full details of the situation.

Depending on what you find out in your investigations there will be a number of options available to you. You will either be advising the client of the resolution or gaining further agreement on a mutual basis.

3.3 Updating Support Desk and Client

Go back into Support Desk:

- Enter all findings into the notes field
 - Send confirmation of investigation notes and findings to customer/client etc
 - Any internal remarks go into Internal Status
 - Close query
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