

Partnerships that build businesses



# **rostrvm Prophet**

## **Ofcom dialler compliance review**

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## 1. Introduction

**rostrvm** Prophet consulting services are based on focused analysis of an organisation's contact and relationship management capability. **rostrvm** Prophet is focused on business processes, the technology and the people that need to work with them. We have developed this approach from numerous assignments where the client requirement is the implementation of practical solutions to real business problems.

On 1<sup>st</sup> March, 2006 Ofcom announced "the implementation of new measures designed to strengthen consumer protection from silent telephone calls".

"The new rules provide a consistent and enforceable framework for the responsible use of automated calling systems. Ofcom's policy aims significantly to reduce the total number of calls abandoned by call centres and to ensure that consumers can clearly identify the source of any abandoned call that they receive."

Rostrvm Solutions is providing each of its dialler customers with a free operational review to help in the identification and resolution of compliance issues.

This document has three purposes

- To act as a framework Rostrvm Solutions' compliance reviews
- To provide rostrvm users with a tool to support ongoing compliance monitoring
- To provide a background to operational and process issues that should be addressed by **any** UK based user of automated dialler systems

## 2. The Ofcom statement of policy

The full Ofcom statement of policy covers a wide range of topics and, although the policy includes some specific guidelines, in many areas the policy is not explicit and expects call centre operations to operate in a manner that would be acceptable in “the judgement of any reasonable person”. For example, whilst the DMA gave explicit guidance on reasonable calling hours the Ofcom policy states “We do not believe it would be appropriate for us to use the statement to define time limits outside which unsolicited calls would automatically count as persistent misuse. However the existing guidance on persistent misuse would enable us to take action where calls are made at a time that in the judgement of any reasonable person are likely to cause unnecessary annoyance, inconvenience or anxiety.”

The policy does give the following specific guidance to automated dialler users.

- the ‘abandoned call’ rate shall be no more than three per cent of ‘live calls’ on each individual campaign over any 24 hour period;
- in the event of an ‘abandoned call’, a very brief recorded information message is played within two seconds of the call being answered, which contains at least the following information:
  - the identity of the company on whose behalf the call was made (which will not necessarily be the same company that is making the call) ;
  - details of a no charge (0800) or Special Services basic rate (0845) number the called person can contact so they have the possibility of declining to receive further calls from that company;
  - includes no marketing content and is not used as an opportunity to market to the called person;
- calls which are not answered must ring for a minimum of 15 seconds before being terminated;
- when an ‘abandoned call’ has been made to a particular number, any repeat calls to that number in the following 72 hours must be made by a live operator;
- for each outbound call a CLI number is presented to which a return call may be made which is not charged at a higher rate than the national call rate;
  - any call made by the called person to the contact number provided shall not be used as an opportunity to market to that person, without that person’s consent;
- records are kept for a minimum period of six months that demonstrate compliance with the above procedures.

Dialler users should clearly understand that their business could be held responsible for their own call centres **and** any outsourced call centres calling on their behalf irrespective of the call centre location.

### 3. Reviewing compliance

Rostrvm Solutions recommends review of each the guidance points in turn. This review should be take place in the context of your dialler operation together with its associated data and operational processes.

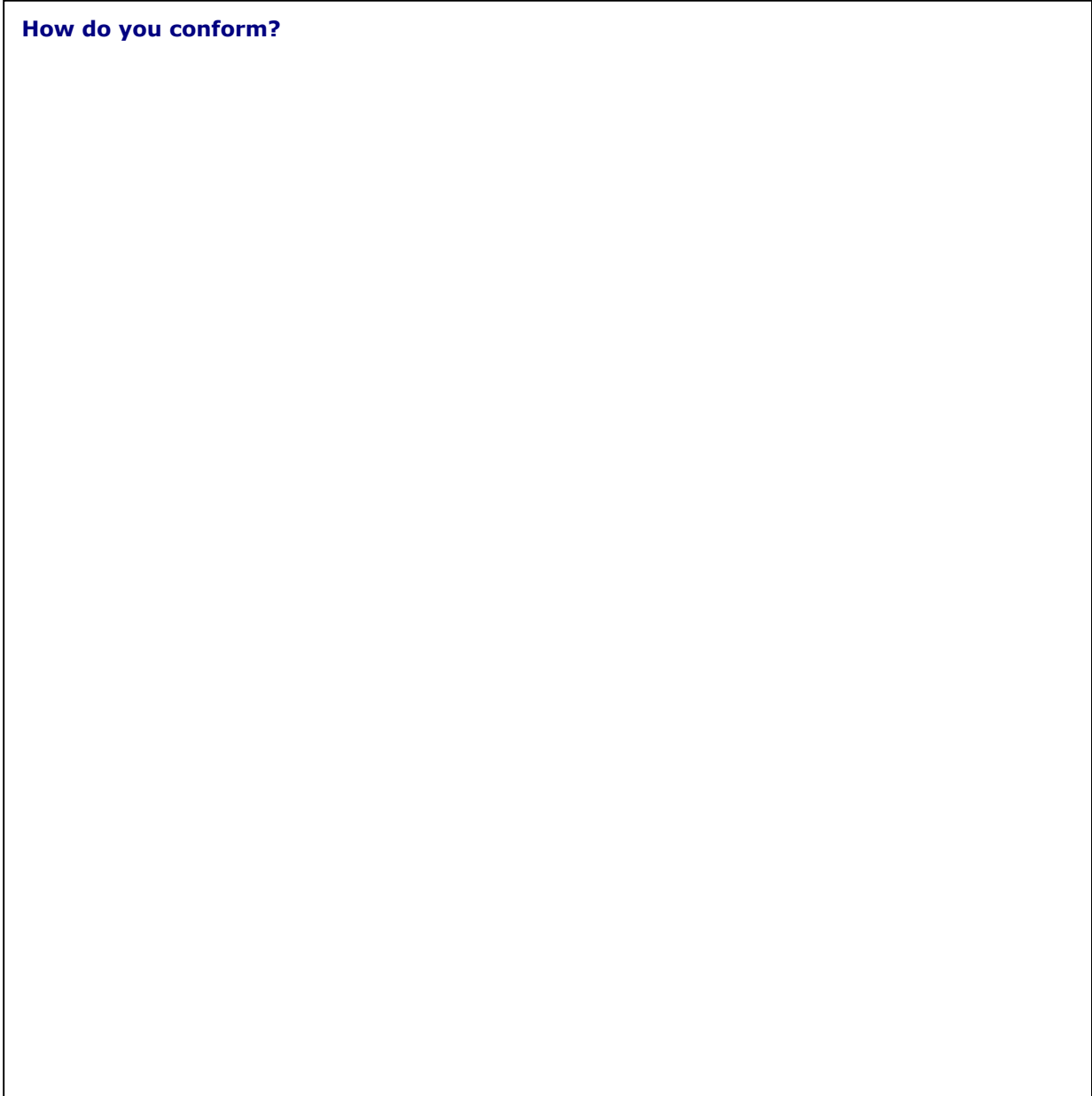
In this section we look at each of the key recommendations in turn.

**The 'abandoned call' rate shall be no more than three per cent of 'live calls' on each individual campaign over any 24 hour period**

The **rostrvm** system supports this feature by allowing the administrator to set the 'nuisance call' ceiling on campaigns. The limit should be set at 3% or below.

**Potential risks:** System administrators have the ability to use 'manual tuning' from time-to-time, particularly when 'live' contact rate is low. This ability must be used with care and, when manual tuning is used, the current and 24-hour nuisance call rate should be carefully monitored using the MIS system (**rostrvm** SuperVisor).

**How do you conform?**



**In the event of an 'abandoned call', a very brief recorded information message is played within two seconds of the call being answered, which contains at least the following information:**

- **the identity of the company on whose behalf the call was made (which will not necessarily be the same company that is making the call) ;**
- **details of a no charge (0800) or Special Services basic rate (0845) number the called person can contact so they have the possibility of declining to receive further calls from that company;**
- **includes no marketing content and is not used as an opportunity to market to the called person;**

This second requirement, the 'information message' requirement requires a small technical change to the **rostrvm** configuration and its supporting infrastructure

However the business needs to consider some operational issues related to this message. The business needs to establish its process and brand image in this area.

- The content of the message needs to be carefully considered. The message must advise the call recipient that they may "have the possibility of declining to receive further calls from that company". Who is 'that company'?
- If the call recipient places a call to the "no charge (0800) or Special Services basic rate (0845)" number where will it be answered? What will be the process for ensuring that the call is handled correctly and that, if the caller does not want any more calls how will this be achieved technically and how will it apply to anyone calling on your behalf?

**Potential risks:** How will you ensure consistent service and process across all functions in your organisation that use diallers? How will any outsourced services be managed?

**How do you conform?**

**Calls which are not answered must ring for a minimum of 15 seconds before being terminated**

The **rostrvm** system supports this feature by allowing the administrator to set 'minimum ring time' on campaigns.

**How do you conform?**

**When an 'abandoned call' has been made to a particular number, any repeat calls to that number in the following 72 hours must be made by a live operator**

The **rostrvm** system supports this feature by ensuring that any account on a dialling list that receives an 'abandoned call' does not receive further abandoned calls.

**Potential risks:** Operational processes that overwrite lists can remove the relevant flags. Data management processes that 'refresh' and 'purge' lists generate the potential for repeat abandoned calls. These practices should be carefully reviewed.

**How do you conform?**

**For each outbound call a CLI number is presented to which a return call may be made which is not charged at a higher rate than the national call rate**

- **any call made by the called person to the contact number provided shall not be used as an opportunity to market to that person, without that person's consent;**

This requirement is supported in a manner similar to the 'information message' requirement. The **rostrvm** system and underlying telecommunications infrastructure needs to be configured such that the trunks used for outbound dialling present a relevant CLI.

We recommend that:

- the presented CLI should relate to the outbound operation
- call blending should be implemented to support the returned calls ensuring that processes are followed and any resultant sales are credited to the outbound unit.
- CallGuide scripting should be implemented to ensure that when the call is answered consistent processes are followed to ensure that the returned call is not "used as an opportunity to market to that person, without that person's consent"

**Potential risks:** In some business environments, such as debt collection, the target customer may learn the CLI and actively avoid taking calls. In these cases consideration should be given to regularly changing the presented CLI.

**How do you conform?**

**Records are kept for a minimum period of six months that demonstrate compliance with the above procedures.**

The **rostrvm** system delivers reporting information to help in demonstrating compliance. We recommend that archive copies of the **rostrvm** MIS are retained and in addition for each campaign records are kept of each day's activity and nuisance rate.

As **rostrvm** is highly configurable, consideration should also be given to establishing pre-campaign checklists to confirm that all parameters have been set appropriately.

Rostrvm Solutions has extended **rostrvm** functionality to record 'snapshots' of Campaign and List activity every 15 minutes. These snapshots include information such as the number of nuisance calls and the active dialler algorithm/ratio. These additional data records are useful for demonstrating compliance and will be provided as an upgrade (release 6.1) to the current release 6.

**How do you conform?**