

Name Withheld 2

Question 1: We would welcome views and evidence from stakeholders on (a) the main types of harm that consumers experience from nuisance calls in general and specifically in relation to silent and abandoned calls and (b) how to measure the harm. Please refer to [Annex 4 Call for inputs questions](#) for details of the points you may wish to consider in your response.:

Question 2: We would welcome views and evidence from stakeholders on what are the key drivers of (a) silent calls and (b) abandoned calls. Please refer to [Annex 4 Call for inputs questions](#) for details of the points you may wish to consider in your response.:

Question 3: We would welcome views and evidence on the use of AMD including (a) if call centres have changed their use of AMD in recent years and if so why (b) the volume of calls made by call centres with and without the use of AMD (c) false positive rates when using AMD and any data to suggest that the accuracy of AMD has improved in recent years.:

Question 4: We would welcome views and evidence on potential changes to the policy to help reduce the harm caused by silent and abandoned calls including those identified in Figure 2 (abandoned call rate and approach to AMD), Figure 3 (time limits for calling consumers and connecting to a live agent) and Figure 4 (good management and appropriate processes). Please refer to [Annex 4 Call for inputs questions](#) for details of the points you may wish to consider in your response. .:

We manage our call centre to significantly below the 3% abandon rate rule, however our view would be that the rate itself is not the key issue rather the actual volumes these represent and an organisation's performance over time can constitute any misuse. For example an organisation running at 2.99% every day may present greater harm than an organisation who runs at 3.1% on one or two occasions over a prolonged period.

We do not believe a zero rate rule is appropriate given the potential for even the most well managed operations to experience problems, therefore some margin of error should be retained.

In relation to differentiating between silent and abandoned calls we do believe silent calls create more harm and therefore should have a lesser tolerance rate, while still accepting some margin of error.

A 2 second rule seems appropriate to play any type of message, not solely an abandoned call message and this extension may be appropriate. However to transfer to a live agent within this time frame may create unintended consequences and restrict practices which do not cause harm, such as for firms utilising automated systems which provide existing customers with information about the call (such as to explain calls are recorded) or to present the customer with automated options to direct the call accordingly.

Question 5: We would welcome views and evidence on potential changes that could be made to the policy relating to the a) current five general examples of persistent misuse (misuse of automated calling systems, number-scanning, misuse of a CLI facility, misuse for dishonest gain ? scams, and misuse of allocated telephone numbers) or b) other examples of persistent misuse. Please refer to [Annex 4 Call for inputs questions](#) for details of the points you may wish to consider in your response.:

We believe the use of rotating CLI, Mobile CLI and Local geographic CLI are all forms of misuse as they would seem to be used with the sole purpose of disguising the calling party, therefore removing the customer's ability to choose to refuse to talk to a particular party.

We believe there is a place for automated calling systems, particularly for non-marketing calls.

A firm attempting to make contact with an existing customer for a non-sales purpose will have a legitimate need to speak to the customer and it will often be in the customer's best interests to receive the phone call.

For debt collection purposes a firm will attempt to make contact with a customer to enable discussions to take place as to how to reach an appropriate and affordable solution for the customer regarding their debt. This is a vital step in preventing the debt escalating (such as through to legal action if no contact is made), and is aligned to the FCA's principles of Treating Customers Fairly. Details as to who is calling are provided at the start therefore customers are still presented with the ability to choose not to speak to an organisation if they do not wish to.

Where the contact being attempted is as a result of a regulated contracted relationship between a company, their agent and the customer, in relation to the management of a product or service where there is potential consumer detriment from contact not being made then this should be recognised as fundamentally different from non-contractual or cold sales calling. As such a one size fits all policy for use of automated calling systems would be too broad and we would urge Ofcom to consider an appropriate approach given the nature of the relationship and the purpose of the call. Taking longer than 2 seconds to transfer to a live agent may not as a blanket rule lead to harm or be considered a misuse depending on the existing relationship between the customer and the firm.

In addition automated calling systems can deliver the following benefits:

Prevent abandoned calls. (No abandoned calls)

Gives customers a method of opting out (a customer can select 1 or 2 to either talk to us or not)

Always plays a message. (No silent calls)

No need for AMD to be utilised. (Lower risk of harm/misuse)

Providing the system is well managed and overseen it can deliver benefits to customers rather than create harm.

Question 6: We have not identified any significant changes to this section of the policy, relating to the issuing of notifications, at this stage. However, we

welcome views and evidence from stakeholders on any changes they consider may improve the understanding or clarity of this section of the policy :

Question 7:We would welcome information on the current operation of the outbound call centre market, in particular a) the size of the current outbound calling market e.g. the annual number of calls made as well as the value, b) the size of total annual costs in the outbound market (where possible split by operating costs and capital costs (or depreciation)), c) the average costs per call/per agent (or per agent hour), d) the split of call centre locations (domestic or overseas) that make calls to UK numbers.:

Question 8:We would welcome any initial views and evidence on the potential costs and benefits of any of the potential changes to the policy. In particular, whether any of the potential changes would a) require investment in new technology or other capital costs, b) have an impact on efficiency and operating costs, c) have an impact on call-centre costs or call-centre prices (to their clients), d) affect competition in the call-centre market, e) have a different impact on different types of call centre, and if so, what factors affect the level of impact.:

Significant investment has been made into automated calling system technology which also delivers organisational efficiencies while not causing harm to customers.

Question 9:We would welcome any views on what factors may influence a call centre's likelihood of adhering to the current or a stricter policy.: