

**Question 1: Do you have any views on Ofcom's proposal to review the existing TopNetUK scheme, which could help inform this piece of work?:**

[Company X] have a mobile division and are a mobile provider but do not have a network or sit within the TopNetUK scheme. As this proposal will not affect [Company X] it is difficult and possibly inappropriate to comment.

**Question 2: To what extent would it be useful for consumers to have access to comparative performance information on broadband speed and broadband quality of service?:**

Naturally this depends on what the research determines as important for consumers. It is vital that this research informs the consumers involved in the research that they would indirectly be paying for whatever information they require.

As a general rule broadband performance in terms of both speed and quality of service are determined more by geographic location as opposed to provider. Consumers are most likely to be interested in both price and speed as the key indicators they utilise as broadband is a rapidly changing workspace. It therefore may be important to provide comparative information but it is vital that consumers both have easy access to this at no cost to themselves and the differences in geographic location are highlighted.

**Question 3: Do you agree with Ofcom's proposed timetable for phase one of our review of quality of service information?:**

The proposed times are realistic and achievable.

**Question 4: Should Ofcom require industry to publish QoS information?:**

It is clear the current scheme does not work as the information is simply not used in the way or to the extent that it should be. For this reason this market manipulator provides no benefits and instead creates costs that are inevitably passed back to the consumer indirectly. It has in fact become a negative market burden that consumers are unnecessarily paying for.

The current Topcomm scheme indicates that the information provided, at time and cost, is not being used, through the website having a low number of hits. This may be due to a lack of awareness but if the information was truly being used then knowledge should have spread and the number of hits increase purely by word of mouth in the marketplace. This has not been the case.

For these reasons the publishing of QoS information should not be a requirement for the market.

**Question 5: Should Ofcom encourage the development of more or more detailed consumer surveys focusing on customer service?:**

Again this question depends on use of the information. Current indications would suggest that more (or more detailed) consumer surveys on customer service are always welcomed by consumers but their underlying key driver is still price.

This is not to say though that independent surveys, funded independently from the service providers (SP), would not provide a benefit to consumers and give them other factors on which to better choose where to source their services.

**Question 6: If we considered it was appropriate to continue requiring industry to collect and publish QoS information, is there any need to amend the existing QoS Direction?:**

The measures currently tackle the key pieces of information that consumers, through research, are deemed to be interested in. They fail however as; the research does not consider the costs enough; the measures are flawed in terms of definition and they are not presented / communicated out to consumers clearly enough.

For these reasons the current scheme has to be seen as failing and if the option to stop the scheme is rejected then it must be appropriate to amend what the measures capture / report and the method of doing this.

**Question 7: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended - how should the information be made available?:**

If deemed appropriate then it is vital that the information is made readily available and is clear, concise and simple to use. Ideally access to this information would also be instant and 'live' however in reality this is not achievable. A website should make the information readily available to consumers and non-internet users should be able to request the information directly from Ofcom if required. Using the internet will give the quickest and easiest route to information possible.

**Question 8: Would third parties ? such as price comparison sites ? be interested in collating QoS information?:**

Historically the current Topcomm forum has approached price comparison sites however they have not shown interest as the measures are not comparing on price (their core business). It is unlikely that they will want to publish this information in the future without more support from Ofcom by full backing of any scheme. This is not to say however that this situation will not change in the future.

**Question 9: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? what services should be covered?:**

There are currently schemes in place for both fixed line and mobile telephony services. These are also split between consumer and business based customers. In reality the benefits of any scheme can only be measured by the use of the information, both business and consumer, which as previously mentioned has been limited.

If the existing scheme is kept and amended then the services that should be covered really need splitting out as different measures would be appropriate for each. However with more SP's offering, and customers taking, bundled services then alignment is needed. This however may skew any measures on reported figures.

If possible it would be best to use the same measures for fixed line, mobile and broadband services however as discussed above the inclusion of additional services to an already complicated scheme seems unfeasible and unrealistic.

**Question 10: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? what type of revenues should the threshold for participation be based on?:**

If the QoS direction is amended then the thresholds for participation based on revenue should stay the same ? i.e. based on ?net? revenue. This is so that the same SP's are included as before and no other SP's are included or existing excluded. This makes the change easier to manage and implement. Once any new scheme is settled in then there could be the option to expand this by changing the thresholds gradually.

**Question 11: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? should we exempt providers with less than a certain number of subscribers from the requirements?:**

Including only certain providers in any scheme in its nature is in fact creating an unnatural marketplace and unfair market conditions. Why should smaller SP's be excluded? If these are efficient businesses then they should be able to compete in the market regardless of their size (as by definition of a FME businesses are able to join and leave with no difficulty). A scheme therefore only including certain providers instantly creates imbalance and difficulties to those SP's that must join this 'section' of the market.

If a threshold is required then if possible, the thresholds used should be kept the same. The issue comes when increasing the QoS definition to additional services. If expanding to include broadband or mobile services then suitable thresholds are likely to differ by type of service / product. Exemption of providers below a subscriber, or indeed any threshold is difficult to manage as this will constantly flux and does not indicate the true size of the provider.

**Question 12: How easily could providers assess whether they hit a subscriber threshold?:**

Any business / Service Provider should be able to easily report on the number of lines / connections / customers that they have. This would be an easy threshold to report (most likely from a billing system) however it does not indicate the provider size as one SP may target fewer larger customers as opposed to another that targets numerous smaller ones. Ideally then there should be several thresholds.

**Question 13: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? what should the relevant turnover threshold be?:**

If one of the thresholds that determine whether an SP should report is going to be turnover then the threshold amount should match before. This is for the reasons mentioned above which are that the transition / implementation would be more complex with either SP?s entering or leaving the scheme at the same time as the change proposed. This would also ensure that there is no burden on smaller providers. However the question has to be raised as to why any provider should be excluded if this manipulator is truly to promote a FME. The use of any scheme is instantly biased if the scheme only targets certain providers, regardless of size, value etc therefore given a competitive advantage to some SP?s over others.

**Question 14: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? how could the information requirements be defined and measured?:**

Historically we have seen the issues with setting information requirements and their measurements, namely that it is impossible to come to an agreement on requirements due to the natural differences between the numerous SP?s operations. This is a sensitive area which needs to be handled correctly to ensure that certain SP?s are not unfairly burdened by the requirements - this would be a negative market influence adding possibly unnecessary costs and creating unnatural market conditions.

Defining the information requirements must come from consumer demand and research. This has been carried out on numerous occasions by Ofcom. This research invariably asks the consumers whether they would like to see the information and what information they would like to see.

However it is noticeable that research has not tackled the fact that there is a cost element to providing information. Consumers will always request this information however they may not be as likely to want it if they have to pay for it. Consumer ?laziness? also needs to be taken into account i.e. yes they want the information but are they really going to use it as much as they would indicate. The evidence to date suggests no.

The information required should be defined by research therefore and measured by the SP?s themselves and reported out, as is done currently. The current scheme fails though as although the information is useful it is not being used by consumers (evidence being the low rate of website hits). The information requirements need to

defined as a collaborative effort between Ofcom and the relevant SP?s even though it may be difficult to reach consensus.

**Question 15: Should Ofcom remove, keep or replace the existing parameter on service provision?:**

The existing measure on service provision should be useful for consumers however it is warped. This is because the SP?s rely heavily on BT. There are number cases whereby BT miss the appointment and this causes the SP to fail in their service even though it is not a direct result of the SP?s actions. This consultation also poses the expansion of the measure to include other services for which the current measure is unlikely to be appropriate.

If Ofcom decide that this measure should be kept in place then it needs replacing to exclude the cases where BT are the cause behind the provision not being done on time.

In addition to this there is no need to record the provision of all services. The measure should only include the provision of a new service to the customer. This will give a more accurate idea of what is involved when switching supplier or adding a new service which is the key information to help a free market.

**Question 16: How much would it cost to introduce and maintain a new parameter on service provision?:**

The answer to this question naturally depends on what the parameter is. If a difficult parameter to implement and measure then it will be costly, if the same or easy to implement then the costs will be considerably less.

The consultation proposes a measure recording within working days or possible working hours. Such a measure would be difficult to introduce without systems and processes in place to capture and report this information. Without these in place then this measure would be a considerable burden to put in place. This is because additional work would be needed throughout the business to capture the information and therefore there would be additional costs.

**Question 17: As a provider, is data on service provision something you already collect?:**

Yes our orders are recorded and tracked. This captures order information including dates and therefore enables both internal reporting and also reporting for Topcomm. The way order information is collected, input, recorded and tracked though is not going to be in the same format for each of the SP?s or in the format required to enable comparability and Topcomm reporting. This is why care is needed to deciding the measures to implement as it could unnecessarily and unfairly impact one SP more than the next.

Currently only dates for expected and actual provisioning and these can easily be compared. The possible new measure proposed records in time from when the order is

received to when provisioned which is something that is not currently captured and would require work.

**Question 18: Do you agree with this definition of 'complaint'?:**

The current definition of a complaint encompasses any dissatisfaction. This is far too broad to give a true representation of how more serious complaints are handled by the business.

This is because 'any dissatisfaction' could mean the slightest grievance would be recorded. These are likely to be easier to rectify and quickly pass through the complaints process which is going to skew the overall reported results therefore.

In addition there are complaints cases that maybe should be excluded such as complaints from customers who have had their service cut off as they have not paid or those that can be resolved at first point of contact.

**Question 19: Should Ofcom remove, keep or replace the existing parameter on complaints?:**

Due to the reasons stated above, at a minimum the parameter should be replaced by one which gives consumers a more accurate idea of how complaints are dealt with. As the information provided by the current scheme, which includes complaints, is not being widely used by consumers the measure could be removed altogether.

The consultation proposes a parameter which deems a complaint resolved when the provider has 'a reasonable belief that that customer no longer wishes to pursue the matter after discussing'. This is a broad definition and would encounter the same issues as the broad definition of complaints in the current scheme.

**Question 20: How much would it cost to introduce and maintain a new parameter on resolution of complaints (option 3a)?:**

Option 3a proposes a generic measure in days across all services and reporting by the fastest 95% and the slowest 5%. Where as the systems and processes needed to fulfil the current scheme are in place to capture some of this information changes would still be required in reporting needing development and possibly process changes which would create costs. It is not possible to accurately measure these costs at present without considerable investigation but rough estimates in development time would be over £10k.

**Question 21: How much would it cost to introduce and maintain a new parameter on total number of complaints (option 3b)?:**

The first part of this proposal is to report how many complaints are received per 1000 customers would be easy to provide as the information required is already captured for the current scheme. This proposed measure though splits those closed at first point of call and would possibly require changes to reporting and changes to the processes

involved as the complaints would need to be categorised at first point. This involves more work which could slow other processes creating immeasurable costs.

**Question 22: If a new parameters on total complaints per thousand customers was introduced (option 3b), should customers taking multiple services count as multiple customers?:**

The current measure does not work like this as complaints can be from anyone regardless of whether they are a customer or not. It is also possible for an individual (customer or not) to make numerous complaints about any service or the same issue.

If the consumer research indicates that information on the level of complaints by service is valuable information to the customer and a new measure was to be introduced and this measure was to accurately show the level of complaints then it would clearly need to split out the complaints by service type. A customer therefore with multiple services can already make multiple complaints as if multiple customers. This ability should be maintained therefore.

**Question 23: If new parameters were introduced, is there a case for requiring complaints data to be published separately for fixed voice, mobile and broadband services?:**

As a customer may only be interested in a particular service from the supplier then complaints should be split by service type. This would give the consumer a better understanding of the SP's ability to provide a broadband service regardless of their ability to provide mobile or fixed line services. If these were all bundled together the consumer would not have an indication of whether the SP was a good provider of broadband i.e. an SP could be great at fixed line but poor in comparison when it comes to broadband. If these are not separated the information will not provide any consumer benefit.

**Question 24: As a provider, is data on complaints something you already collect?:**

As a provider [Company X] already collate information on complaints as these cases are tracked through to resolution. The difference is though that as a business we would not naturally capture complaints to the same definition as used in the current scheme. This means that there is still a cost element to providing this information for publication.

**Question 25: How could we ensure complaints were being recorded in an accurate and comparable way, and how could we avoid the potential for gaming by providers?:**

The issue of complaints is that the definition is too broad. For this reason a complaint can be interpreted in different ways. This opens the issue of individual interpretation / perception whereby one person may perceive 'dissatisfaction' as a complaint; another may not see it the same way. This makes 100% accurate or comparable reporting

almost impossible.

To ensure that complaints recorded are accurate and comparable therefore requires a heavily defined measure applicable to all SP?s. There can be no ambiguity which unfortunately is still contained in the consultation proposal 3a with its loose definition on resolution.

**Question 26: Should Ofcom remove or replace the existing parameter on complaints about faults?:**

Where it is true that removing the existing requirement to report on faults would reduce reporting burden on SP?s this is something that is easy for [Company X] to report and will still be reported internally regardless of an external requirement or not.

The existing parameter currently excludes initial faults from any complaints measure. If the customer however later decides that the way the fault has been managed is not up to standard and complains then these are included.

Any parameter brought in should follow this format; customers should still be able to complain about faults if they have not been managed correctly.

This question though is about reporting of faults. As the measure is already in place for fixed line providers and it is likely that fault figures would be reported internally regardless then this measure should remain.

**Question 27: If we introduced a new parameter, should it be limited to broadband providers?:**

Currently [Company X]s position is still that business to business only providers should be excluded from any scheme. On top of this as the current scheme is not seen to be of value to customers and not working there seems little point in expanding this out.

The research however is indicating though that faults on broadband services are numerous and important for customers to be able to make an informed choice. As stated in the answer to question 26 SP?s are likely to be reporting on fixed line already so there is no point in removing this measure.

A new parameter could be included for broadband providers and should follow a similar fashion to that of the fixed line measure. However these should be reported separately if the provider offers both products.

**Question 28: How much would it cost to introduce and maintain a new parameter on complaints about faults?:**

As already stated there is little need to change this measure. If Ofcom do decide to replace the existing measure though there will be costs associated. For [Company X] these costs will be made up of changes to reports run and possibly changes to the systems that capture the information. Putting a cost amount on this though is not



possible until the parameter is fully decided and defined. From the introduction of previous measures though experience shows that without care costs can be expensive and could potentially hinder some SP?s over others.

**Question 29: As a provider, is data on complaints about faults something you already collect?:**

[Company X] currently capture our complaints as per the current measure. In a free market situation without these external reporting requirements though our definition of a complaint would differ and figures would be reported differently. The complaints that are currently captured are not split out by service type though.

**Question 30: Should Ofcom remove or replace the existing parameter on how long it takes to repair a fault?:**

As stated in the consultation under point 5.86 measuring fixed line faults is less useful or relevant as they are not frequent enough. Combined with the issue that consumers are not widely using the information made available to them through the current scheme then there seems little point in maintaining an existing parameter.

However it is also important to note that the measure is already in place so keeping it on only incurs the current operational costs. Any change would require us to amend our SLA?s to customers and therefore change how we are currently doing business and what we offer our customers.

**Question 31: How much would it cost to introduce and maintain a new parameter on how long it takes to repair a fault?:**

Point 5.90 in the consultation suggests a measure recorded in hours. This would again need to define whether this was working hours or not. If working hours then again the same issue would apply as different SP?s will have different business hours.

Introducing such a measure could be difficult as any system used to support fault repair would need to be able to measure time in hours and report this out. Certain systems may only be able to do this by day rather than the more detailed hourly reporting that this would require.

Looking at our business the introduction of a measure of how long it takes us to repair a fault according to a new measure would be costly for [Company X] as we would have to change systems to capture the level of reporting required. We would also need to change our SLA?s with our customers from days to an hourly measure. There would be a time element involved in changing the system, setting up the reporting and associated tasks such as marketing changes. These would create costs in the thousands of pounds.

**Question 32: As a provider, is data on how long it takes to repair a fault something you already collect?:**

[Company X] currently captures fault repair times through our fault ticketing system. This is also as per the current information requirements in the Topcomm Scheme. In a free market situation it is likely that this information would be recorded.

**Question 33: Should Ofcom remove or keep the existing parameter on billing accuracy complaints?:**

This measure should be removed for the following reasons. Firstly it is clear that this information is not really being used by consumers as a determining point for which supplier they want to use. Secondly the information that is provided is not very clear or informative. And finally, and most importantly, this measure only captures ?complaints? about inaccurate bills not about how many inaccurate bills that there are. The customer could still receive an inaccurate bill but if they don?t complain about it but just raise it as a point then it will not be included. This potentially warps the measure.

In addition the measure should be removed for business only providers. This is because business customers do not really benefit from this information and have resource allocated already to make sure that they are receiving accurate bills.

Point 5.97 mentions removing large business customers. This would add complexity as a threshold would be needed to define if a large customer or not. This threshold cannot be based on number of employees as the SP?s won?t know this information or be able to chase it all the time. Basing it on account value or number of connections would be more feasible however defining this and split out certain customers is complicated. In addition it would be constantly changing as customer size changes and so customers would be dropping in and out of any parameter.

**Question 34: How much would it cost to providers not currently part of the TopComm Forum to introduce and maintain the existing parameter on billing accuracy complaints?:**

The costs to providers are going to differ depending on the provider. It is unlikely that business providers capture their billing inaccuracies but rather just deal with them as they occur, making corrections and then billing correctly the following month. There is little use for most providers in recording the inaccuracies.

Again the complexity of the measure is the complaint part as inaccuracies may still be found but may not actually be complaints. Some of the SP?s that are not involved in the Topcomm scheme may be capturing the reasoning but this is unlikely.

**Question 35: As a provider, is data on billing accuracy complaints something you already collect?:**

As a provider capturing billing accuracy complaints is something that we collect but only because of external business reporting requirements set by the forum. In a free market situation we may record billing inaccuracies and complaints as separate measures but are unlikely to combine them.

**Question 36: Should Ofcom introduce a new parameter on the time it takes to answer a consumer's call?:**

If there is sufficient consumer research indicating that this information would be useful and used then it may be worthwhile in implementing a new parameter. However it is typically the case that research undertaken does not incorporate the cost element. Consumers will naturally want to see information and answer yes but they may not be willing to absorb the cost element of this which would naturally happen.

**Question 37: How much would it cost to introduce and maintain a new parameter on the time it takes to answer a consumer's call?:**

[Company X] already have the systems in place that would capture this information and it is already reported internally. The issue would be with splitting out customer calls as opposed to internal calls. Our customer care team will be handling issues and queries from customers which may require internal communication. Splitting this out would require a change to process possibly even involving each agent entering into the phone system whether the call was from a customer or not. It may be seen as easy to simply split out external calls but external calls could still be from an employee rather than a customer.

**Question 38: As a provider, do you already have in place systems that capture the time it takes for your customer service agents to answer a customer's call?:**

This information is captured and reported from our phone system for internal use already but as stated above this is for all calls to our customer service agents. Splitting out purely customer calls could be difficult.

**Question 39: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? should providers be required to publish QoS information on bundles?:**

The current scheme is seen to be failing by most if not all SP's. One of the main reasons for this is the complexity of ensuring comparability of the measures. Adding in a measure that captures information on bundles is likely to be very complex and produce numerous issues. The resolution of these issues is likely to create information that is unclear and difficult for consumers to interpret, and in turn fail to be of use.

**Question 40: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? who should QoS information be provided for? Should this include large business consumers?:**

Research has shown that large business customers have the resource available to research the marketplace themselves and make a decision accordingly. This is part of their normal business practice.

If only large business customers are excluded then a definition of what is large as opposed to small (and medium) is needed. This is impossible to put in place on either no. of employees, account value or no. of connections.

This leaves the decision of whether to include any business customers or not and as mentioned in the consultation it is still likely that smaller business customers would find this information useful.

**Question 41: What evidence do you have that small and large businesses would / would not benefit from QoS information?:**

It is certainly true, as mentioned under point 5.139, that our large business customers negotiate their own terms which means any measure is of little benefit to them. This is a well known fact that needs no supporting.

The question is whether smaller customers need or would use this information. Research says yes however the current scheme is not be used to sensible levels and if it was working as it should then word of mouth should spread knowledge and usage. The evidence that information already provided is not being used indicates that small businesses are not using currently, likewise with customers.

**Question 42: Would information on one or more particular services be more or less valuable for different sizes of businesses?:**

This again comes back to the core issue that the current scheme is not effective and information is not being utilised.

**Question 43: Could reporting information for small and large businesses together be misleading?:**

Taking into consideration the fact that most large business customers have the internal resource to enable them to properly research their providers and also to negotiate special rates then reporting together can be misleading. It is for this reason that the larger business customers would not use published information as it currently stands.

If the measure is one that is equally applicable to both large and small business customers then it may not be misleading. The current faults measure would not be misleading however the measure on fault restoration may be.

**Question 44: How could Ofcom distinguish between small and large businesses?:**

As previously mentioned there are three possible ways. The traditional way is based on the number of employees. This however is not information that the SP is going to have. It is also something that will change over time as people are hired and fired. This means the SP would need to keep a constant record of how many employees its customer has to determine whether to include them in a report. This is simply not practical.

Another method is by revenue / turnover or by number of connections. These are also constantly changing though the SP should know this information. Unfortunately the flaw with these is the fact that a small company could have a few expensive lines and a large customer only a few cheap lines. This is the same with the number of connections. The actual company size is not always reflected by the account value or even the number of connections as the SP may only have part of the business.

The final option is to measure according to whether the customer has a bespoke agreement or not. This however is never going to be comparable.

Overall therefore measuring and splitting out between small and large businesses is impossible to put in place and manage to enable parameter reporting.

**Question 45: How easy would a threshold based on the Communications Act definition be to implement and how much would it cost?:**

As already discussed implementing a measure splitting business customer size by number of employees would be extremely difficult as SP?s do not have any business need for carrying this information. Implementing such a split would be an unnecessary economic burden that would again be passed to consumers while providing very limited benefit.

**Question 46: How easy would a threshold based on a business customer?s annual communications spend be to implement and how much would it cost?:**

Account value is something that SP?s will have knowledge of. However with business customers there is every possibility that not all the business is with one supplier, the overall communications spend may not be known therefore.

Assuming that this information is known though then it would be straight-forward to produce a list of customers that fall into this category and those that don?t. The issue comes though in a) setting this threshold at an appropriate level and b) dealing with customers that move in and out of threshold which would be a constantly changing thing.

As this would be constantly changing therefore it becomes logistically impossible, implementing is easy maintaining and being to report would be an expensive on-going cost.

**Question 47: How easy would a threshold based on whether a business had a bespoke service level agreement in place with its provider be to implement and how much would it cost?:**

Certainly the larger business customers are likely to have bespoke service levels and tariffs agreed however this is not always going to be the case. This means that splitting out the customer sizes based on this will naturally be skewed.

**Question 48: As a provider, do you internally audit information on quality of service? What data do you audit and how much does this cost?:**

Internally, free of any regulatory scheme, we report information on performance and quality of service. This however is very different to carrying out an audit of what has been reported and there would not be any natural resource allocation for this task.

The information that we would collate and report as a provider would be information on restoring faults; severe complaints (rather than every ?dissatisfaction? raised); customer praise for service; provisioning times and billing issues.

These differ from the reporting parameters in the current scheme.

**Question 49: If a member of the TopComm scheme, did you internally audit information on quality of service prior to the imposition of the scheme and what, if any, additional auditing costs did you incur as a result of the scheme?:**

Auditing on some quality of service was in place for ISO purposes however the parameters for Topcomm were different and needed to be recorded and captured differently. For this reason there were additional costs involved in implementing these in terms of both system and process changes.

Prior to the scheme we would certainly have reported on the number of faults received. We however were capturing how long faults take to restore but were not reporting on this in the same way.

Complaints were only captured and measure for those that were seen as ISO defined complaints rather than the wider Topcomm definition. Complaints were also not recorded in Credit Control where customers complained when their service was cut off due to non-payment.

Billing inaccuracies were not captured or reported as a measure and only provisioning exceptions (beyond SLA times) were reported.

The scheme therefore brought numerous changes the costs of which needed to be funded by the business and indirectly passed back to the consumer. The most notable of these is the additional auditing costs internally which naturally are in the tens of thousands of pounds.

Costs directly attributable to the scheme are estimated at approximately £20,000 p/a on-going. There are also the system and process changes internally. The estimated costs of Business Analyst time to change our internal system to report as required are in excess of £20k. which are estimated also run into the thousands.

**Question 50: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS**

**Direction should be amended ? should Ofcom determine the verification process or leave it to providers?:**

The chosen verification process should be a collaborative effort between Ofcom and the applicable SP?s. This promotes some self-regulation but enables Ofcom to work as an intermediary between the different SP?s to ensure that a decision is made and that it suits all parties.

**Question 51: Should any verification process include either an internal or independent audit, or both?:**

The current scheme employs option 4 as outlined in the consultation whereby the comparability (external) auditor purely audits that the internal auditor?s process of auditing is appropriate and aligned with the definitions.

It is important to mention that point 6.58 in the consultation is inaccurate. Where it is true that SP?s have imposed the two tier scheme on themselves this is not because it was the least onerous or costly but instead because this methodology was seen as the only way of ensuring accuracy.

**Question 52: If we considered it was appropriate for data to be audited internally, should internal auditors be required to possess a recognised qualification?:**

Internal auditors should not need to possess a recognised qualification primarily for cost reasons but also because there is no need if using an independent auditor as well. Costs would be greater as businesses would either need to fund one of their employees to qualification or bring in an external auditor on a consultant basis and rate. Both of these would be costly. As per the current scheme the internal auditor compiling the reports should not be the same person who signs off on these. There is essentially the need for two internal people that have passed the Topcomm auditors test therefore.

**Question 53: What would be an appropriate qualification for internal auditors?:**

A certification from Ofcom that the auditor is able to carry out auditing on the parameters of any new scheme should be the required qualification. This should be an annual certification as definitions are liable to change over time.

**Question 54: Should internal auditors have to pass a test on the regime and, if so, who should administer it?:**

Yes there should be a test to gain the certification mentioned in response to Q.53. This should be formally administered by either Ofcom or the external auditor.

**Question 55: If we considered it was appropriate for data to be audited internally, how often should internal audits take place?:**

Internal audits should take place according to the reporting period required. If the scheme reports quarterly then this is how often the audits should take place. It should be at the discretion of the SP if they want to audit on a more frequent basis and take on the additional costs involved.

**Question 56: If we considered it was appropriate for data to be audited independently, how often should independent audits take place?:**

Currently the independent audits confirm the accuracy of each reporting period with annual site visits to make sure internal auditors are following an appropriate audit process aligned with the definitions. An annual visit seems appropriate to check on the accuracy and auditing, any more and costs would start to rise.

**Question 57: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? how frequently should data be submitted for publication?:**

The current scheme publishes information twice a year for the two previous quarters. This makes reporting easier however both reporting and auditing need to have been carried out during the period anyway. Publication every 6 months though is possibly out of touch with the current situation and consumers may have to rely on dated and inaccurate information. Publication should therefore be quarterly.

**Question 58: How long a period would be required between the end of the data collection period and the publication of information?:**

The sooner the information can be published then more valuable it is to consumers. The issue is that the data from numerous SP?s needs to be validated, approved and published. This takes time unfortunately so a realistic schedule must be in months, 3 should be achievable.

**Question 59: What would be an appropriate sample size in order to ensure that information is robust?:**

It is important that the internal auditor visits sites to ensure that they are reporting according to the definitions. In reality this is difficult and expensive to carry out year on year but this is something that must be carried out to ensure accuracy.

It may be possible to have a scheme whereby once a site is checked as long as no processes, systems or people are changed and the definitions remain the same also then that site can be signed off as reporting accurately. This may reduce the need for so many visits.

Either way a sample size of the sites that need to be audited to ensure accuracy should be complete meaning all sites need to be visited at some point possibly once a year.



**Question 60: As a provider please could you provide information on - the number of stages involved in each QoS event set out in section 5, the number of sites (locations) associated with each QoS event, the percentage of QoS events located at each site, and the number/percentage of sites based overseas:**

The standard stages involved with the measures in section 5 would be:

- ? Record the provisioning time / no. of complaints / faults complaints / time taken to restore / billing inaccuracy complaints / call answering
- ? Compile records into report
- ? Internal audit on reporting processes
- ? Internal sample audit on reported figures
- ? Internal audit report compiling / creation
- ? Internal audit report sign off
- ? External auditor report review
- ? Response to external auditor review

The number of sites (locations) associated with each QoS event; 1

The percentage of QoS events located at each site; and 100%

The number/percentage of sites based overseas - 0

**Question 61: How many site visits do you consider appropriate and why?:**

In reality this should depend on the number of sites that the SP has. As mentioned before it may be worth considering a method whereby the internal auditor needs only to visit a site once per year unless that site has changed the way it is working either in terms of system, process or people. The yearly check would sign off on the site being able to accurately capture and report the information required and if there is no change then the quarterly information reported will be considered true and accurate.

**Question 62: If we considered it was appropriate to audit the data internally what measures should an internal auditor take to verify the QoS information?:**

If deemed appropriate to audit the data internally then the internal auditor should follow set auditing guidelines. This should firstly ensure a sample audit of the information. These audits should involve following a certain number of cases from start to finish through the internal process to check that they were both captured and reported according to the definitions.

In addition a process audit should be carried out to check that there are no flaws which may leave the data open to inaccuracy. This process audit would therefore need to involve sitting with the front end agents, line managers and whoever else is involved in the process. This audit should cover a series of questions or proposed scenarios used at the discretion of the auditor to determine how the process works and whether it is suitable according to the definitions set by any scheme.

**Question 63: If we considered it was appropriate to audit the data independently, what measures should an independent auditor take to verify QoS information?:**

The core function of the independent auditor is to check that the internal auditor is ensuring accuracy of reporting. Whereas the internal auditor covers the internal personnel the independent auditor needs to check how the internal auditor does his / her work.

The current scheme utilizes an annual 'shadow audit' whereby the independent auditor follows the internal auditor through his audit processes for the different measures. There should be no contact with the internal staff. This can only be done indirectly through the internal auditor unless the internal auditor / SP permits the external auditor direct contact.

As before the scheme should work where the independent auditor only needs to check that the SP can internally audit their reporting as required for each measure. In reality if the systems, processes and people have not changed and the SP is willing to sign off that this is the case then there is actually no need to independently audit every year.

**Question 64: To what extent should Ofcom specify how audits should be carried out?:**

Ofcom should provide some clear and concise parameters on how auditing should be carried out. This is to ensure that everyone is on a level playing field. This would involve the use of specific definitions on each measure and lists of example questions and scenarios to use to check the processes used are appropriate.

The decision on what the definitions, questions and most importantly the timings should be made in collaboration with the SP's. This is to promote self regulation where possible and also to make sure that any auditing is not overly onerous for one or all SP's.

**Question 65: If we considered it was appropriate to audit the data internally and independently, should we amend the existing Direction to make the verification process more robust?:**

There is some concern with the robustness of the current scheme and some of the proposed changes make sense but not all. Where naturally it would be appropriate for SP's to internally audit each set of data reported on it may become cumbersome to move the reporting period (and therefore increase the amount of auditing needed) from 6 to 3 months.

An independent audit is needed to ensure comparability and should investigate the internal auditor and the systems and processes used. If using this method though the internal auditor does not need a formal qualification in QMS as he/she will be checked / tested regularly.

Also the independent auditor does not necessarily need to re-visit a site previously

visited if the processes, people and systems have not changed. This would reduce costs significantly, the onus would be on the SP to inform if there have been any changes and then the independent auditor would schedule a visit. If the SP fails to inform of changes that may affect the accuracy of capture and reporting of information then they could be liable for a fine.

In an ideal FME the data would be available immediately however in reality any scheme would need 3 months to verify the information before publishing.

**Question 66: Would there be scope to reduce the cost of site visits if providers used the same independent auditor?:**

The use of one vs. many independent auditors does not alter the number of sites to visit and the potential travel costs involved. It does however ensure comparability between the independent auditors therefore adding an additional layer of certainty that the different SP's are collating and reporting accurately and in a comparable manner.

**Question 67: What would be the cost of an internal auditor visiting all sites over a period of a year?:**

As all [Company X] business operations that need auditing for [Company X] are base in one location then the costs for an internal auditor to visit all current sites would be minimal. With future expansion of business though these costs may change.

**Question 68: If we considered it was appropriate to audit the data independently, how should any independent auditor(s) be appointed?:**

Ofcom should research and interview suitable candidates into a shortlist of auditors. The final appointment should be a collaborative agreement between Ofcom and the forum.

**Question 69: If we considered it was appropriate to audit the data independently, should providers all appoint the same independent auditor?:**

Yes there should be one independent auditor to ensure the same and fair comparison. If multiple are used then there may be a conflict of interests and it would require another layer to ensure that they are all auditing to a comparable standard. The use of only one auditor limits this. It may also be a cheaper option to employ an independent auditor full time rather than pay numerous auditors at a contract rate.

**Question 70: If they published QoS information, should providers publish trend data?:**

This would make sense to show improvement or decline in levels. This would give an indication to a consumer about whether to expect a better service in the future or not. This could be clearly displayed in both table and diagrammatic formats. There would however be additional costs as more information would need to be displayed online possibly requiring more development to the current website.

**Question 71: How could the information be made accessible to all consumers, in particular disabled consumers and consumers without Internet access?:**

The information should be made available via the Ofcom website. If the consumer does not have internet access then the information should be available to consumers in hard copy by written request to Ofcom. This could be the same for disabled customers with large type or Braille versions being made available. This additional publication costs should be funded by Ofcom.

**Question 72: Should providers be required to provide a link to the specified website on their websites? Where should the link appear and what should it say?:**

Providers should not be required to add a link using their own website. This should be something that they want to do themselves as they would in a FME. Unfortunately as the scheme always produces a winner and a loser then there are always going to be several companies where there is a negative benefit from promoting the scheme. As a result it is an unfair market condition to have to provide a link.

**Question 73: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? what should be done to promote awareness of the scheme and improve usage of the information?:**

Any scheme fails if the information is not used by consumers. Previous qualitative and quantitative market research has always concluded that consumers want to see this information. This research though has never taken into account the fact that consumers will end up paying indirectly for this information. The tool then becomes an ineffective market manipulator and where it should be promoting an FME actually becomes a market burden.

In addition the research does not take into consideration the 'laziness' of consumers. Every one will say they want the information and they would use it but once presented we find a very different story. This is possibly because there is too much to analyse.

With Topcomm Ofcom have failed to fully support the scheme or promote through the channels that it should. The information should be as simple as possible to interpret. Ofcom should be far more pro-active in their promotion of the scheme possibly to advertise and clearly provide via their website.

**Question 74: If we considered it was appropriate to continue requiring providers to publish QoS information ? and that the existing QoS Direction should be amended ? is 'TopComm' the right name under which to publish the information or should alternatives be considered?:**

This returns to the marketability question. The name of the scheme is irrelevant if unused and not promoted. Topcomm has been appropriate to date but depending on the

changes possible after consultation it may no longer serve its purpose. Whatever name is used it needs to be marketable as a positive initiative by all the SP?s, the more marketable the greater potential benefits to the SP?s and therefore effectively reduces costs.