



A response from the tOSI Council
to the postcomm consultation:

Complaint handling standards for licensed postal operators

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A response from the Council of tOSI to the consultation paper: Complaint handling standards for licensed postal operators

Introduction:

tOSI is a not-for-profit, private limited company, which provides ombudsman services to the telecoms, energy and surveying sectors. It is funded by its members. The directors of the company form its Council. The Company administers three Ombudsman Services: Otelo (the Telecommunications Ombudsman Service), the Energy Ombudsman, and the Surveyors Ombudsman Service. The experience gained from running these services provides the basis for the Council's response to this consultation.

Response to Consultation Questions:

1. Yes. We would highlight a concern that prescribed detailed standards such as specifying the number of days for an operator to respond to a complaint (as you have cited) would lead to suppliers focusing more on speed than on real resolution, thus inevitably leading to more complaints and added burdens on licensed operators.
2. Yes – although we note that the proposed framework would only require licensed operators to provide the customer with information on the availability of a redress scheme (or any other independent guidance) when the complaint process has been exhausted and a deadlock letter has been issued. We would like to highlight that although we acknowledge the point at which signposting is appropriate is debatable and currently both **Otelo** and the **Energy Ombudsman** have no powers to require members firms to signpost to it (although they are actively encouraged to do so, for example, in literature and on their website and that under General Condition 14, Ofcom requires all telecommunications companies to have a published complaints procedure which indicates how a customer can use Alternative Dispute Resolution), the rules for the **Surveyors Ombudsman Service** (set by the Royal Institution of Chartered Surveyors) requires all member firms to have a complaints handling procedure (CHP) in place which ends in access to independent redress. If a complaint is made, the firm must send out a copy of the CHP which must include full contact details of the independent redress mechanism the firm uses. As you will be aware, Ofgem's view (following its consumer research) is that the most appropriate time to tell consumers about the existence of the redress scheme would be at the time the complaint is made; in their consumer research participants expressed a clear desire to be told about the redress scheme at this point.
3. No.
4. We note there is no formal requirement for licensed operators to record complaints upon receipt. Our experience suggests it important that there is such a record.
5. Yes.
6. Yes – although we would also highlight a further proposal from Ofgem's complaint handling standards consultation (although this is yet to be confirmed as a requirement) for companies to be required to have a dedicated point for referrals *from* the new NCC and also to make arrangements for referrals *from* Consumer Direct and other agencies.
7. Yes - although we would suggest that the proposal to review the appropriateness of the high level framework of principle every three years be in conjunction with PostComm's review of any approved redress schemes.
8. None that we are aware.