

EMAIL RESPONSE

Date: 05/11/2007 11:43

Subject: Consultation on Enforcement Guidance

Dear Michelle,

The Guidance provides a very clear explanation of the procedures that Postcomm will follow when investigating complaints against licensed operators and we are sure that it will aid the timely completion of complaint handling.

However, it does appear that Postcomm could have paid more attention to the needs of complainants in the investigation procedure. The complainant is a vital factor in bringing possible licence breaches to Postcomm's attention and we feel that Postcomm needs to recognise this by including the following steps in its procedure:

1. Ensure that complainants receive copies of 'minded to' decisions at the same time as the subjects of complaints;
2. Allow complainants to provide further oral and written evidence;
3. Provide a mechanism for complainants to appeal against Postcomm decisions.

We fear that unless Postcomm incorporates these steps in its procedure potential complainants will be reluctant to bring important matters to Postcomm's attention.

Best regards,

Michael MacClancy
Head of Regulation
The DX Group