

Michelle Koretz
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Dear Michelle,

Enforcement Guidance for considering and investigating complaints in relation to licence contraventions

Postwatch welcomes the opportunity to respond to this consultation. We are of the view that it is practical, and beneficial, to have a stand-alone document setting out Postcomm's enforcement guidance in relation to licence contraventions. We believe a standard guidance document for complaints enforcement should eliminate any confusion and provide clarity for the industry, including existing and prospective market operators.

Postwatch is encouraged with Postcomm's approach in setting the enforcement guidance in the context of the principles for better regulation while taking into account the guidance published by other regulators with similar statutory authority. We believe that Postcomm should continue to use these principles as guidelines when approaching policy and employ them where necessary in policy documents.

We agree that the procedures set out in the proposed enforcement guidance document are readily understood and should prove beneficial to postal operators, customers and other key stakeholders. However, for the sake of completeness it might be useful to add at paragraph 10 that Postcomm will also consider suspected licence contraventions if Postwatch bring them to the Regulator's attention. We note that the standard procedure for putting forward a complaint about postal items has also been reiterated in the document, ensuring postal users remain familiar with the process for making a complaint and who to contact at the various stages.

We believe the procedure outlined in the document should clearly explain the procedure Postcomm will follow in the event of a complaint in relation to licence contraventions and the steps it will take to investigate such complaints. However, from a referential point of view it may be worthwhile including a flow chart illustrating the process from a clear visual perspective.

Postwatch broadly agrees with the enforcement guidance as proposed, however, the real challenge will be when it is tested and whether it has been properly followed and each stage of the processes accounted for. We believe it would be appropriate to review the document after a number of complaints have been

through the enforcement process and feedback from those involved obtained, to establish whether or not it is adequate and has been useful in practice. Such a review could usefully be timed to coincide with the abolition of Postwatch which will necessitate the deletion of numerous references to our organisation throughout the document.

I hope you find these comments helpful.

Yours sincerely

Rashidat Familusi
Research and Policy Assistant
Postwatch