

# A4: Guidance for parcel operators on consumer complaints handling procedures

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Consumer Protection Conditions 3.2 (CP 3.2) states that:

*“Postal operators shall establish, make available and comply with transparent, simple and inexpensive procedures for dealing with complaints of consumers of postal services, which facilitate the fair and prompt settlement of disputes”.*

For the purpose of this condition, a consumer is ‘any person who uses postal services either as a sender or an addressee’.

## **Objective of the guidance**

This guidance is aimed at ensuring compliance with CP 3.2 by setting out the steps that Ofcom expect postal operators should take when dealing with consumer complaints. One of Ofcom’s regulatory principles is that Ofcom will regulate in a transparent manner. The objective of this guidance is to ensure that postal operators properly understand their obligations under CP 3.2 and what Ofcom would expect from them.

We would normally expect to have regard to this guidance when investigating any potential failure to comply with CP 3.2. Though any enforcement investigation will turn on the specific facts and merit of each case, Ofcom will have regard to this guidance when considering whether, and to what extent, a postal operator may (or may not) be complying with its obligations under CP 3.2.

Although we cannot fetter our discretion as to any future enforcement decision, if we were to depart from the principles set out in this guidance, we would explain our reasons for doing so.

## **Scope**

This guidance describes the steps we expect postal operators to take under CP 3.2, in relation to two specific areas:

- How to ensure clear and easily accessible complaints channels for consumers; and
- How to resolve consumers’ complaints through fair, transparent, and effective processes.

## **Clear and easily accessible complaints channels for consumers**

1. The purpose of CP 3.2 is to ensure the fair and prompt settlement of disputes between consumers and postal operators. To achieve that objective, postal operators must have transparent, simple and inexpensive procedures in place.
2. In assessing whether, and to what extent, complaints procedures meet the above requirements, we will have regard to the steps taken by postal operators to ensure that

their complaints procedures are transparent, simple, and inexpensive. We would expect operators to take the following steps to ensure that:

- it is clear who consumers should contact and what contact channels they can use to make a complaint;
  - contact channels for making complaints are clear and easily accessible; and
  - clear and easily accessible contact channels are available to all consumers (including consumers with additional accessibility needs).
3. **Clear information on who consumers should contact to make a complaint.** Postal operators should ensure that they provide clear information to both senders and addressees of parcels about who to contact to make a complaint. They should also ensure that that information is clearly and prominently set out to consumers (for example on their websites and in any emails or messages sent to consumers).
  4. **Clear and easily accessible contact channels.** In ensuring compliance with CP 3.2, we expect postal operators to take steps to ensure that communications channels available to consumers are clear and accessible.

Based on operators' current practices, operators will be expected to include at least some of the following methods of contact (for a complaint to be made): phone number, email, chat function and/or dedicated online form.

Though a postal operator may not offer all of these different types of contact methods, when assessing compliance with CP 3.2, we would expect that any contact channel made available to consumers is prominently displayed by the operator (e.g. on website, email communications), and for operators to ensure that any contact channel is easy for consumers to access and use.

5. **Clear and easily accessible contact channels for all – including for consumers with additional accessibility needs.** The obligation for postal operators to have simple and transparent complaints procedures should benefit all consumers, including those who may have additional accessibility needs. It is essential that contact channels are fully accessible to disabled consumers with additional accessibility needs, for example, for consumers with hearing or sight impairments. We will take account of the steps taken by postal operators in that regard when assessing compliance with CP 3.2.
6. **Clear and timely signposting to retailers' contact and complaints channel.** Where postal operators receive complaints from consumers that need to be dealt with by a retailer, postal operators should provide clear and timely information to the customer regarding the need to contact the retailer.

## Fair, transparent, and effective processes for managing complaints

7. The purpose of CP 3.2 is to facilitate the fair and prompt settlement of disputes between consumers and postal operators. We recognise that operators will have different processes and procedures in place to handle consumer complaints, and that compliance with CP 3.2 will depend on the specific circumstances of each case; however, to achieve the fair and prompt settlement of disputes, we expect that, as a minimum, postal operators will:
  - take active steps to handle and investigate a complaint;
  - communicate clearly and in a timely manner with the complainant;
  - ensure that staff are appropriately trained in the handling of consumer complaints; and
  - monitor consumers' satisfaction with complaints processes and procedures.

8. **Prompt and effective management of complaints.** Postal operators should aim to ensure any complaint is resolved to the complainant's reasonable satisfaction in a prompt and timely manner. In practice this means that an operator should promptly take, and continue to promptly take, active steps to ensure the complaint is either resolved or otherwise fairly settled.

The purpose of CP 3.2 is to ensure that operators have complaints procedures in place to facilitate the fair settlement of disputes. When investigating potential failures to comply with CP 3.2, we will take account of any internal processes (e.g. internal review; escalation) a parcel operator has put in place to address consumers' concerns (or dissatisfaction) with the way their complaint has been dealt with.

9. **Clear, timely communication with customers.** To ensure that disputes are settled fairly and promptly, we would expect that communications with consumers should be clear and easy to understand, and appropriately responsive to the individual customer's complaint.

For example, we consider that it would be reasonable to expect that, after having received a complaint that cannot be resolved immediately, the postal operator promptly inform the complainant of: (a) the process it will follow to investigate the complaint with a view to resolving it fairly; and (b) the timeframes in which the postal operator will endeavour to carry out its handling of the complaint. For complaints that were not resolved immediately, after the postal operator has investigated the complaint, we would expect that it promptly communicates the outcome of its investigation to the complainant, and where necessary, sets out what compensation or redress will be provided (if any). For complaints resolved immediately (for example, over the phone), we would expect the postal operator to make clear to the customer that it considers the complaint closed.

10. **Staff training on complaints handling.** Postal operators should ensure that all staff who communicate with customers receive appropriate training on how to identify a complaint, how to manage effectively the complaints process, and how to communicate appropriately

with customers. Postal operators should also train relevant staff to deal appropriately with a complainant's specific accessibility or communication needs. Where 'chat bots' are used as part of the process they must also be highly capable of identifying complaints and dealing with additional accessibility needs. In the context of any investigation under CP 3.2, we would expect to take account of any relevant training materials an operator has put in place to train staff on complaints handling processes and procedures.

- 11. Monitoring outcomes and retaining records.** Postal operators should have systematic methods in place for recording and monitoring customers' satisfaction with the resolution to their complaint. We would expect operators to regularly review the level of customers' satisfaction with complaints procedures, and to modify and improve existing processes and procedures as necessary to ensure compliance with CP 3.2.

We would expect operators to retain any internal records and data necessary to effectively monitor the way complaints are being handled and compliance with CP 3.2. For example, we consider it reasonable to expect that operators will keep internal records of the number of complaints that have been received, resolved and unresolved (or escalated) over a specific period (e.g. monthly). We would also expect operators to record and monitor the time taken to resolve or otherwise fairly settle complaints.

We would expect parcel operators to keep records and data that are necessary to ensure that individual complaints are being dealt with appropriately and in accordance with the operators' complaint procedures and processes. This would include, for example, the date on which an individual complaint is received, the date on which the complaint was resolved or otherwise fairly settled, the identity and contact details of the complainant, a description of what the complaint is about as well as the resolution provided and any further communications made (or received) by the complainant. We would also expect parcel operators to be able to demonstrate their compliance with CP 3.2 and as such to maintain internal records and data for a reasonable time period (subject to data protection requirements).