

Title:

Forename:

Surname:

Representing:

Organisation

Organisation (if applicable):

Email:

What do you want Ofcom to keep confidential?:

Keep name confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

Yes

Additional comments:

Question 1: Do you agree that Ofcom should limit the number of times a company can call an answer machine without guaranteeing the presence of a live operator to once every 24 hours?:

The research and an understanding of the technology indicates that certain destinations are likely to be repeatedly identified as answer machines when they are not – by the nature of the manner and timing of the answer and limitations in AMD technology. Whilst the 24 hour rule will provide a gap between these calls, it will not by itself stop a particular destination being the subject of repeated abandoned calls if these destinations are consistently wrongly detected as answer machines

The purpose of the proposed rule change is to prevent repeated occurrences of false positive results on a particular destination; application of this rule will tend to increase the gap rather than prevent the repeated calls.

The supporting arguments and research relates to calls to landlines only. The reality is that

calls to mobiles are an increasing proportion of numbers dialled using automated systems. Clearly the proportion of mobile numbers depends on the type of business but in some cases we see 100% mobile with no landlines. Since the mobile may be switched off or the recipient unable to answer, voice mail is reached on a high proportion of these calls and can easily be over 50% of calls to mobiles. The proposed change would mean that all these calls would be subject to a 24 hour delay before retrying without an operator.

The rule applied to mobiles would seriously impact the effectiveness of the call centre with a need to increase staffing to ensure live operators or a lowering of productivity due to long delays in making contact.

Consideration should be given to applying any new rule to landlines only on the basis that these are the calls causing the most concern. Mobile users can more easily identify the caller and choose to ignore the call.

Consideration should be given to allowing a retry to a destination, previously identified as an answer machine, with AMD disabled. The retry could result in an abandoned call but this would then be subject to the existing 72 hour rule. In the worst case scenario, two silent calls would be received, at a particular destination, within a 24 hour period.

Question 2: Do you agree with Ofcom that a two month implementation period (from publication of Ofcom's revised statement) would be an appropriate length of time for industry stakeholders to adopt any changes to comply with the proposed 24 hour policy?:

If the proposal remains as suggested, 2 months should be sufficient. If there are any changes to the proposal, then this would need to be re evaluated

Question 3: Has Ofcom provided sufficient clarity on how the abandoned call rate is to be calculated?:

The change in the formula to use 'live calls to live operators' instead of 'calls to live operators' forces those call centres not using AMD to have to make an estimate or measure of the number of calls passed to operators which have been answered by machine. This adds complexity where it is not required.

The number of abandoned calls produced where AMD is not used is not dependant on whether the call results in a live call or an answer machine since the decision to abandon the call is taken before the call is passed to an operator. Once a call has been passed to an operator it cannot produce an abandon call regardless of whether the call is to a person or an answer machine.

When no AMD is deployed, information on whether the call was answered by an answer machine or a person will have no impact on the abandoned call rate.

When the call centre is using AMD, the only calls which can produce false positives are those which are detected as answer machines and not passed to an operator. The only calls which should not be included in the call count are those which have been analysed as answer machines and therefore no attempt has been made to pass them to an operator. These are the calls which may include false positives.

There can be no false positives in any calls passed to an operator regardless of whether there is a person or an answer machine at the end of the call.

Question 4: Do you agree with the factors set out by Ofcom for determining a reasoned estimate of AMD false positives in an ACS user's abandoned call rate?:

The factors do provide material direction and are as clear as they can be given the variable nature of the data.

Question 5: Has Ofcom provided sufficient clarity on how AMD users should calculate an abandoned call rate that includes a reasoned estimate of AMD false positives?:

The definitions applying do not distinguish between calls identified as machines automatically and those passed to agents which are machines. Since there can be no false positives associated with any calls passed to an agent, the FPR should apply only to calls identified as machines by AMD technology.

Question 6: Has Ofcom provided sufficient clarity on how non-AMD users should calculate an abandoned call rate that includes an estimate of abandoned calls picked up by answer machines? :

In cases without AMD, calls will be abandoned prior to being passed to an agent and the abandoned calls will be distributed evenly across machines and people.

The original calculation for abandon call rate prior to including AMD false positives was

Rate = abandoned calls (x)/(abandoned calls (x) + calls passed to live operator (y)) x 100/1

For non AMD users the change in the formula to include only 'live calls to a live operator' means that an estimate is required of the calls passed to an operator and answered by a machine. This seems to add complexity to the formula for the majority of call centres who do not use AMD.

In this instance the proportion of abandoned calls has no relationship to whether the call is answered by machine or person. An abandoned call is one which cannot be passed to an operator.

Changing the formula to include all calls passed to a live operator, and using the example figures gives a different abandon call rate:

Rate = $[8/(8+400+392)] * 100 = 1\%$

In the example:

Rate = $[(8-3.2)/(8-3.2) + 392] * 100 = 1.2\%$

The example formula assumes that there are no abandoned calls in those answered by machine. There is no basis for this assumption since the decision to abandon is taken before there is any knowledge of how the call has been answered.

Question 7: Do you agree that Ofcom should not amend the existing two second policy as set out in the 2009 Amendment from 'start of salutation' to 'end of salutation'?:

If the objective is to reduce the silent calls resulting from AMD false positive results, the 2 second rule changing to 'end of salutation' would improve the accuracy of the AMD algorithm and help to reduce problems associated with false positives.

However, this could lead to more complaints about silence before a live operator is involved.

If it is accepted that AMD inaccuracy is causing most of the problems around silent calls, then the rule should be change to 'end of salutation';
Some clarity on the definition of 'end of salutation'; should also be included e.g. first utterance, first x seconds of utterance. Otherwise it would be up to the AMD technology provider to decide how long they could take to analyse the speech resulting in the perception of more silent calls for those people whose phone greeting is detected as a possible answer machine

Question 8: Do you agree with Ofcom's policy proposal that companies provide a geographic contact number (01, 02 or 03) in addition to a freephone (080) number in the information message provided in the event of an abandoned call?:

Yes, freephone numbers are not always free to call from some line types e.g. mobiles Calling a freephone number from a mobile could cost far more than a national rate number.

Question 9: Has Ofcom provided sufficient clarity on what constitutes a 'campaign'?:

Yes