Title:

Forename:

Surname:

Representing:

Self

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?:

Please do not disclose my name or email address

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:

My recommendations would be:

1. Move timer to end of salutation. This is how the US work, this is the natural place where you expect a response to your greeting. It would mean that the response is captured by the ears of the dialled party and they are not over spoken, or the answering machine recording the message.

2. Allow the use of outbound wait queue to always have a message played, regardless of whether an agent is available or not. The called party would never hear silence, and would have the choice to wait for an agent or hang up.

3. Do not implement a regulation that prevents the calling back of answering machines, when

the current regulation do not allow sufficient time to classify the majority of answering machines and therefore the vast majority of answering machines will be coded as such by an agent, and therefore no false positive will have happened.

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?:

No. In the case of collection companies, the person being called owes them money and an organisation has every right to contact that person to try and collect funds that are rightfully theirs. This becomes even more important when the debt starts to age and is sold off to other debt collection agencies. The problem here is that these customer generally have multiple debts and the first company to make contact often is able to secure some funds towards what is owed as no one else has managed to make contact. If you prevent these companies redialling a customer because the call was answered by an answer phone. That company would not be able to redial the customer and could therefore miss out on money rightfully owed to them because another debt collection company got to the customer in the time that the first collection company was not allowed to redial them.

Also, with the regulations as they stand today, 2 seconds from the start of salutation is generally not enough time to classify the call anyway, so the all answering machines not classified within 2 seconds should be passed to agents to classify anyway (which would be the vast majority). Therefore if an agent is classifying the call and an answering machine, no silent call was every made, which is the purpose of the regulations, so why prevent them from being redialled?

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?:

No. Typically it would take a vendor up to 6 months to slot in , evaluation time, any development work, the testing of the solution, beta testing to ensure it works in a live environment, documentation and eventual GA. Obviously this time depends on the extent of work needed to be carried out. If a solution is able to comply today, then 1 day would be more than adequate, however if development work is required, then 2 months would not be sufficient. By reducing the time to 2 months would result in processes to be by-passed which could result in more issues, rather than fewer.

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

No, the wording is still ambiguous. The use of words such as reasoned estimate is open to interpretation.

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?:

Absolutely not. Rather than leaving the test methodology down to the individual customer. Ofcom should provide one standard set of testing criteria that customers and vendors should align behind.

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?:

No, see above.

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? :

Yes

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'?:

No. By moving the timer to the end of salutation would help improve productivity for dialler users. Generally people take a few seconds to pick the phone up and start speaking, they do not start speaking from the moment the phone goes off-hook. Most calls that connect to a live voice would be classified within the timeframe specified. However because answering machine messages generally have longer greetings, the could be confused with perhaps a switchboard operator at a business who may answer the phone, hello, this is XYZ Company, your through to X, how may I direct your call" therefore they take longer to classify. In order to correctly determine the result, you should leave call detection to complete. This means moving the timer to the end of salutation.

Also the currently regulations mean that at 2 seconds from voice energy, the call should be connected to an automated message, which would start talking over the called parties greeting or answerphone outgoing message before it recorded, and then terminate. I personally would find this quite rude. Normally I expect someone to respond when I finish talking.

By allowing more time would help to increase the accuracy of false positives for many vendors as it stands to reason that the longer you have to classify a call, the better the accuracy should be.

Another option would be to use outbound wait queue. By this I mean that if you call someone and get into the position of over dialling, you could place that call into a wait queue that says "I am sorry, company XYZ is trying to reach you but at the time of calling no agent was available. Please feel free to hold the line and the next available agent will be connected to you, or hang up and we will try again another time". This has the effect of eliminating silent calls as a message is always played. The consumer has the choice of staying on the line or hanging up.

Another option to help eliminate the use of answering machine detection is for Ofcom to enforce a manufacturer of answering machine equipment to play a set tone when an

answering machine pick up. That way you would not need to listen to the line to see what is happening, your told up front.

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

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

No.