



Office of the Director of  
**Telecommunications  
Regulation**

## **Consultation Paper on Codes of Practice by Cable and MMDS operators for handling consumer complaints**

**Document No.** ODTR 00/95

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## **1. Introduction**

1.1. A regulatory framework for the delivery of multichannel television services was first established in 1974 with the enactment of regulations concerning cable television services. In 1989 these were followed by regulations concerning MMDS. Following the establishment of the ODTR in mid-1997, there has been a major review and update of the regulatory framework for the delivery of television programme services. During 1998 there was an extensive consultation process which resulted in a new regulatory regime for cable and MMDS being introduced<sup>1</sup> in 1999. The new regulations included a number of provisions relating to the protection of consumer interests. One of the features of the regulations is a mandatory requirement that licensees implement an appropriate code of practice for handling complaints in respect of the distribution of licensed programme services.

1.2 While licensees have existing arrangements for addressing customer enquiries and complaints, up to now the amount of information generally available to customers on how their complaints will be handled has been less than satisfactory. The Director considers it important that customers have a clear understanding of the level of service to be provided and the steps which a licensee will take when problems arise. By having such information clearly expressed in a code of practice, customers will be in a better position to insist on their rights under the relevant supply contract.

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<sup>1</sup> Wireless Telegraphy (Programme Services Distribution) Regulations, 1999 – S.I. No. 73 of 1999

1.3 Licensees have proposed codes of practice and these are set out in Appendix 1. The publication of those codes in this consultation paper should not be regarded as an endorsement by the Director of the proposed provisions. Under the regulations the Director may issue directions to licensees specifying any modifications or additions to a licensee's code or concerning publication of the code. Before deciding on any direction that might be issued to individual licensees concerning their codes, the Director wishes to consult with users, licensees and interested parties so that her final position may be informed by their views.

1.4 Operators licensed under the 1999 regulations and the areas in which they operate are listed in Appendix 2. All of these licensees have in excess of 2,000 customers. Operators on a smaller scale are licensed under earlier regulations<sup>2</sup> and the provisions relating to codes of practice do not apply to them. The Director would however urge such operators to adopt best practice in dealing with consumer complaints. Appendix 3 contains details of those operators licensed under the 1974 regulations.

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<sup>2</sup> Wireless Telegraphy (Wired Broadcast Relay Licence) Regulations, 1974 – S.I. No. 67 of 1974

## **2. Background**

2.1 At this stage there are approximately 600,000 households which receive television services via cable or MMDS. The provision of high quality customer service is extremely important for consumers of licensed programme services. Competition provides the strongest impulse to good quality service, but while this is still limited it is essential that there are specific regulatory measures to support high quality service, in particular readily available codes of practice setting out standards of service delivery and complaint handling. Such codes of conduct are already part of the telecommunications licensing regime, and a programme for publishing statistics on licensed operator performance is well advanced, with the first publication due next summer.

2.2 For broadcasting transmission, this consultation papers sets out issues on the consumer codes of practice. Data on the levels of complaints received by companies and rates of clearance are not currently available, but this is an issue that will be developed in future. Some 300 complaints were made to the ODTR about broadcasting transmission issues in the period January to end November 2000, by consumers who had not been satisfied with the response of the companies. The majority of complaints related to quality of service provided, including issues of installation of service. This was followed by queries or complaints related to billing. The remainder complained about shortcomings in customer

service. Where there have been instances of widespread complaints received directly from consumers, the ODTR has investigated the extent of compliance with licence conditions. Where the investigations have shown that the operating conditions are not being met, the ODTR has required the licensees concerned to carry out specific remedial work.

**Complaints received by the ODTR January to November 2000:**

<b>Service quality and installation</b>	<b>Billing</b>	<b>Customer Service</b>
210	59	33
70%	19%	11%

2.3 Good quality service is the responsibility of the operator and all indicate that they are committed to dealing effectively with any problems. While the proportions in the above table may not be representative, they do give some indication of the kinds of issues that companies need to tackle. The complaints in the above period related mainly to one operator (Chorus) which expanded its operations considerably in 2000 with the acquisition of CMI and the Suir Nore Group. As indicated above, details of the complaints which the ODTR received should not be used for the purpose of making comparisons between operators as they cannot be regarded as representative of customer management services as a whole.

2.4 Regulation 17 (2) of the Wireless Telegraphy (Programme Services Distribution) Regulations, 1999 specifies the mandatory elements to be included in the licensees' Codes of Practice, as outlined below:

- (a) a first point of contact for members of the public;
- (b) a means of recording complaints;
- (c) a timeframe within which the licensees shall respond to complaints;
- (d) procedures for resolving complaints;

- (e) retention of records of complaints (including copies of the complaint, any response thereto, any determination by an independent commissioner in respect of the complaint and any documentation considered by such a commissioner in the course of such determination) for a period of not less than one year following resolution of the complaint.

2.5 Regulation 17 (3) authorises the Director to issue directions to the licensee specifying any modifications or additions to the licensee's code or concerning publication or implementation of the code.

### **3. Proposals concerning Codes of Practice**

3.1 The Director is considering issuing a direction under Regulation 17(3) of the Wireless Telegraphy (Programme Services Distribution) Regulations, 1999. This direction would require licensees to apply an appropriate code of practice for all of their customers which meets, at minimum, a basic standard of service which customers should receive. Licensees will be free to adopt a standard of customer care in excess of the basic minimum should they so wish.

The following elements are considered by the Director to be appropriate:

3.2 The Director considers that customers should have clear and up to date information on how to contact the licensee in the event of enquiries or complaints. Cable/MMDS licensees should make available specific details of contact names (if appropriate) and addresses for contact in person or by post; an e-mail address for contact by e-mail; and hours of opening (if public office), phone number (hours of manual operation, hours when recording facility will be in place).

Q 3.2 Do you agree – what other contact details might be made available?
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3.3 In the event of a dispute it will be necessary that all relevant contacts between a customer and the licensee are recorded. This will be particularly important where the first point of contact by a customer will usually be by telephone. Customers should have confidence that any valid complaint will be addressed and receive follow-up attention. The Director is considering issuing a direction that all cable/MMDS licensees shall specify the means by which customers' complaints will be recorded and action logged.



Q 3.3 Do you agree with the Director's proposals? If not please state reasons.

3.4 In order that complaints are addressed properly, licensees could usefully set out for customers' information, the steps which a customer should take to assist in the investigation of a complaint. Customers should also be informed of the procedures which the licensee will follow. Good practice should result in customers being kept informed of the progress of their complaint when an immediate resolution is not possible. The Director is considering issuing a direction that all cable/MMDS licensees shall specify clearly the procedures which customers and the licensee should follow in the event of particular categories of complaint.

Q 3.4 Do you agree with the Director's proposals? If not please state reasons.

3.5 Different types of complaint require varying degrees of investigation prior to being addressed. Certain types of complaint may be capable of being resolved quicker than others. The Director's view is that licensees should specify a guaranteed response time for different categories of complaint. The Director is considering issuing a direction that all cable/MMDS licensees specify maximum response times for each category of complaint. At this stage the Director is not proposing maximum response times but may do so in the light of comments received.

The Director proposes to categorise customer complaints as follows with a view towards maximum response times being set by licensees:

<b>Category of Complaint</b>
Billing
Service
Installation, Transfer and Disconnection
Other

Q 3.5

- (a) Do you agree that maximum response times should be specified?
- (b) What would you regard as a reasonable time frame for the each category of complaint?
- (c) Do you consider the categories of customer complaint proposed by the Director to be sufficient or should additional categories of complaint be specified? Please elaborate.

3.6 The Director is considering issuing a direction that licensees should demonstrate their commitment to complaints handling through guaranteeing response times. One method of giving effect to such a guarantee could be for the licensee to undertake to give financial compensation (refund or credit) to individual customers should there be a failure to meet the designated target in individual cases. The Director is aware that this is a complex matter and would like to receive views on the issue before considering the issue further.

Q 3.6

- (a) Do you consider that licensees should guarantee maximum response times?
- (b) If so, would you consider it reasonable that compensation to affected customers should arise if there is a failure to meet these targets?
- (c) What form might compensation take?

3.7 The Director is considering issuing a direction that all cable/MMDS licensees shall clearly specify a customer's right to seek other forms of remedy or obtain independent advice, such as the right to refer matters to the Office of the Director of Consumer Affairs or the Office of the Director of Telecommunications Regulation. Reference might also be made to consumers' rights under the Sale of Goods and Supply of Services Act and remedies under that Act. In relation to the role of the ODTR, customers should firstly use the procedures set out in the code of practice by their service provider. If, following that procedure, they are dissatisfied with the outcome the ODTR could be contacted to investigate further. The ODTR cannot however be a substitute for the operation of a quality customer service function which is the responsibility of the individual licensees.

Q 3.7 Do you agree and if so what level of detail should be provided?

3.8 A Code of Practice will only be of value to individuals if they are aware of its contents and can rely upon its provisions. The Director is considering issuing a direction that all cable/MMDS licensees shall publish their code of practice and circulate it to their customers. To cater for future amendments, the Director may require that the Code be circulated on an annual basis.

Q 3.8 What are your views regarding publication and circulation of the Code of Practice?

3.9 The Codes of Practice proposed by individual licensees are set out in Appendix 1. The Director would welcome views on the codes as proposed. In particular, if there are

issues not addressed by the codes or by the Director's proposals as set out in this Section, respondents should itemise these along with the basis for their views.

Q 3.9

- (a) Do you consider that the individual codes will meet the requirements of customers?
- (b) Are there additional matters which could reasonably be included in individual codes?

## **4 Submitting Comments**

4.1 The consultation period will run from to 31 January 2001 during which the Director welcomes written comments on any of the issues raised in this paper. Having analysed and considered the comments received, the ODTR will review the issues raised and publish a report on the consultation in February or early March. In order to promote further openness and transparency, the ODTR will publish the names of all respondents and may summarise the responses received as part of the report on this consultation. If respondents are offering comments in their capacity as customers of particular licensees, they should indicate whether they receive a cable or MMDS service and the identity of their supplying company.

4.2 The Director appreciates that some of the issues raised in this paper may require respondents to provide commercially sensitive information if their comments are to be meaningful. Such information will be treated as confidential. Respondents are requested to identify confidential material and if possible to include it in an annex to the response.

4.3 All comments are welcome, but it would make the task of analysing responses easier if comments were referenced to the relevant question numbers from this document. Unless specific material is marked confidential, the ODTR will make copies of the comments available for public inspection at its offices.

4.4 All responses pursuant to this consultation should be clearly marked “**Reference: Submission re ODTR 00/95**” and sent by post, facsimile or e-mail to:

Mr. Kevin Doherty

Office of the Director of Telecommunications Regulation

Irish Life Centre

Abbey Street

Dublin 1

Ireland

Ph: +353-1-804.9600 Fax: +353-1-804.9680 Email: dohertyk@odtr.ie

to arrive on or before 5pm on 31 January 2001.

*This consultation paper does not constitute legal, commercial or technical advice. The Director is not bound by it. The consultation is without prejudice to the legal position of the Director or her rights and duties under legislation.*

### Licensees Proposed Codes of Practice

#### Draft Code of Practice proposed by ntl:

##### 1. Introduction

- 1.1 In this Code we attempt to provide answers to a range of questions which you may have about our services and to provide you with information on how and where you can obtain advice and help.

In addition to this Code we aim to comply with the principles outlined in various legislation, including recent European legislation. We aim to make available full and accurate information in plain language about how services are run, what they cost, how they should perform and who is in charge. This code helps to explain what to do if things go wrong. It gives information on how to get a full explanation, together with a remedy. It also sets out the complaints procedure and explains how to use it should the need arise.

Nothing in this Code affects your statutory or common law rights, nor is anything contained in this Code intended to form part of a contract or collateral contract between ntl and any of its subscribers.

- 1.2 ntl is licensed to provide cable television including digital television and interactive services, telecommunications, internet, and communications services. More detailed information can be obtained from our Customer Management Centre - phone [1800 321 321]
- 1.3 This Code is published by ntl Communications (Ireland) Limited as required under the licences which it holds granted under Section 111 of the Postal and Telecommunications Services Act, 1983, and Section 5 of the Wireless Telegraphy Act, 1926 on behalf of its associated companies who hold similar licences and in accordance with the Conditions of those licences. References in this Code to “ntl” relate to the company with which you have signed a Customer Service Agreement and references to the “Licence” are to the licence operated by that company in your area.

##### 2. General

ntl's aim is to give those who subscribe to its services customer-focused attention and a fair deal in the provision of quality communications and cable television services. This Code is a general guide to the ways in which we serve our residential customers and how we deal with difficulties and disputes should they arise. Many ntl services are subject to the general terms and conditions of the service agreement, which constitutes a contract with the customer. If, after reading this guide and the general terms and conditions, you are uncertain about anything written in this guide, in your agreement, or the terms and conditions under which your services are provided, please get in touch with your Customer Management Centre.

Your contract with ntl covers the provision, maintenance of, and charges for our telephone, television and other services, together with all equipment forming part of our system that you need, to enable you to receive the services supplied by ntl.

**NB: You need to have a licence for your television set. This remains your responsibility.**

### **3. Other Useful Addresses**

We will do our best to help you resolve your complaint or query. If it relates to a matter that is not our responsibility we will try to tell you whom to contact. Some specific examples are referred to below.

#### **3.1 Programme Content**

Complaints or queries on matters relating to programme content can be directed to us. Alternatively, you may wish to contact the RTÉ Authority in relation to RTÉ programmes and advertising or the Independent Radio and Television Commission (IRTC) in relation to independent radio and television (eg TV3). These bodies are responsible for regulating the content of programmes and advertising appearing on television in their respective spheres. More generally, you may wish to contact the Broadcasting Complaints Commission or the Advertising Standards Authority for Ireland. The addresses and telephone numbers of these bodies may be found at the end of this code in Appendix B.

#### **3.2 Adverts on Posters, in Magazines and other Printed Material**

The Advertising Standards Authority for Ireland (ASAI) is the independent self-regulatory body set up and financed by the advertising industry and committed in the public interest to promoting the highest standards of advertising and sales promotion. Self-regulation means the adoption by the advertising industry of standards drawn up by and on behalf of all advertising interests, and involves the enforcement of those standards through the commitment and cooperation of advertisers, agencies and media.

The main codes of practice applicable to advertisers generally are the Code of Advertising Standards and the Code of Sales Promotion Practice which are administered by the ASAI. These codes govern the content of commercial advertisements aimed at consumers and marketing techniques which involve the provision of direct or indirect additional benefits designed to make goods and services more attractive to purchasers, such as prize promotions, premium offers etc. Both codes require that all commercial advertisements and promotions be legal, decent, honest and truthful, be prepared with a sense of responsibility to consumers and to society, and respect the principles of fair competition generally accepted in business. Members of ASAI are required to abide by the Codes and not to publish an advertisement or conduct a promotion which contravenes Code rules.

#### **3.3 Invasion of Privacy**

The Broadcasting Complaints Commission can hear complaints from individuals who feel that they have been unfairly treated in a programme or have had their privacy infringed. It will also consider complaints relating to the portrayal of violence or sexual conduct in programmes and alleged failures on the part of such programmes to attain standards of taste and decency. The Broadcasting Complaints Commission will also deal with complaints concerning news and current affairs. The address and telephone number of the Broadcasting Complaints Commission are given at the end of this Code in Appendix B. As outlined in paragraph 3.1 above, you may also wish to contact the RTÉ Authority or the Independent Radio and Television Commission (IRTC).

#### **3.4 Premium Rate Telephony Services**

Telephone information and entertainment services, such as weather lines, competition lines, dating lines and advice lines are regulated by the Regulator of Premium Rate Telecommunications Services Ltd. (Regtel). These services cost more than ordinary calls and have telephone numbers with special codes (such as 1550). Regtel deals with all complaints about the content and advertising of telephone information and entertainment services. The address and telephone number of Regtel are given at the end of this Code in Appendix B.

In the event of an investigation, ntl will co-operate fully with the relevant body.



## **4. How to Obtain Our Services**

### **4.1 Who to Contact**

When you require any of our services please contact the freephone sales number 1800 321 321 Our Field Sales Advisors will be pleased to help you and explain what products and services are available and the terms and conditions which will apply. If you would prefer a Field Sales Advisor to visit, please ask.

### **4.2 Terms and Conditions**

We generally do business on standard terms and conditions of contract, which differ according to which service or combination of services you decide to order. We will give you the relevant contract and will explain everything you need to know before you enter into any commitment.

From time to time we may provide you with equipment in order to allow you to receive services from us. Such equipment will be provided for the sole purpose of facilitating provision of our services. Please note that this equipment remains our property and must be returned to us in the event that we cease to supply you with services for whatever reason.

Our Field Sales Advisors have been supplied with a copy of this Code and aim to be courteous and helpful in all their dealings with customers. If you feel you have not received a satisfactory standard of service from any of our Field Sales Advisors, please let us know.

Please feel free to ask the Field Sales Advisor any questions about how the service is run.

#### **Installation**

If you decide to order a service we will agree an installation date with you. Our target is to connect to residential customers' premises within 10 working days of order, subject to survey and any relevant credit checks, for both cable telephone and television services.

An installation is not always required, eg for an existing customer adding a CPS related product to their current services.

### **4.3 Deposits and Account Limits**

If you decide to order a service, we may ask for a deposit prior to commencement of service. You will be informed of this at the time of sale or when you sign the agreement. If we do require a deposit it will normally amount to approximately £50 or such other sum as ntl reasonably considers appropriate. We might require a further deposit in future, if the usage against the account indicates an adjustment is needed to the level of deposit held (see Account Limits below).

We may retain your deposit until you have paid us all charges that you owe us. We reserve the right to use all or part of the deposit towards payment of any sums that you are liable to pay us. We may also retain the deposit until all equipment that we have provided to you is returned in good working order. If any equipment is not in good working order, we may use part or all of the deposit to meet any charges you must pay for the equipment.

If you promptly pay your bills for 12 months (or any other period we may agree), we shall add any deposit (or the balance of any deposit) to your customer account at the end of the account period.

We might impose an "Account Limit" based on the level of usage charges we expect you to incur. If you exceed your Account Limit we may ask you to pay a deposit if you wish to continue to receive service. We reserve the right to restrict the services provided to you and request payment by a certain method of payment.

## 5 Fault Repair

### 5.1 What to Do

We aim to provide a customer focused service to our customers and this includes ensuring that the services you require are connected and operate satisfactorily. We make strenuous efforts to monitor, anticipate and avoid faults. We also carry out strict preventative maintenance routines to minimise faults. However, technical faults may occur from time to time.

If you are not receiving a good picture on your television set or you notice any other fault with your television you should consult our brochure "Your Welcome Guide". A copy of this brochure was included within the Welcome Pack that you received when you took the service. The brochure offers some basic 'trouble shooting' tips. If you require further assistance, please dial our 1800 321 321 freephone number. If you are experiencing difficulties registering with ntlworld.ie please phone our internet technical support team on 1800 924 422. If you are experiencing difficulties with your internet service after you have registered, please call our internet technical support team on 1550 924 124 (calls are charged at 58p per minute) If you have a fault with your cable modem internet service please call our customer management centre on 1800 924 424. or email [cablemodemhelp@ntlworld.ie](mailto:cablemodemhelp@ntlworld.ie). This service is 24 hr.

A fault on your telephone or Internet service via your PC should be reported to your Customer Management Centre Opening hours are: 08.00 – 22.00 Monday-Sunday (inclusive).

The number of your Customer Management Centre is 1800 321 321. This is set out in Appendix A. Our target is to answer all phone calls within 20 seconds.

### 5.2 Our Responsibility

ntl is responsible for maintaining the cable system and any associated equipment on your premises such as outlets, set-top converters and remote control units which ntl has supplied. When a piece of equipment connected to the cable system, but not supplied by an ntl company (for example, a telephone handset or television set) develops a fault, it will be for you to decide what action to take depending upon the nature of the trouble. In many cases, an equipment supplier or maintenance organisation will be the appropriate source of help. If the equipment has been supplied by an ntl company then you should call your Customer Management Centre, and the problem will be dealt with under the terms of your contract with the ntl supplier.

Should you arrange for one of our technicians to visit your premises and the fault subsequently proves to be on equipment (including any telephone line) for which ntl has no maintenance responsibility, this may result in a charge being made to you and a delay in putting things right. It is important, therefore, for you to try to determine where the fault lies before you call us. If you are in doubt, phone your Customer Management Centre who will be pleased to advise you. Details of service call charges (and the circumstances in which they may be made) are available on request from your Customer Management Centre.

**NB you will be charged for the repair of any damage or re-connection to equipment or to the system that you have caused by your own actions.**

If the fault proves to be in a telecommunications system operated by another company, such as Eircom, to which our system is connected, we will notify them immediately. We will keep you informed of progress.

ntl recommends third party suppliers to customers for the purchase of a cable modem/ethernet card. ntl does not bear any responsibility for this equipment.

### 5.3 Fault Repair Targets

Where the fault is on our system or on any associated equipment which we or an ntl company have supplied, we shall arrange for someone to repair, adjust or replace the

system/equipment as necessary to restore and maintain an efficient service. We aim to have resolved a fault within 24 hours or by close of business the following day.

### **Priority Fault Repair**

We recognise that for some of our telephony customers, a telephone is vital at all times. Therefore ntl offers a priority repair service. To obtain details about this service, please contact your Customer Management Centre.

## **6 Billing**

### **6.1 Payment Procedures**

ntl requires its customers to pay monthly. Cable telephone customers are charged for rental of a telephone line and for the length of the calls they have made. Television and internet customers are charged according to the package of services which they take. We have published price lists for all our services, copies of which can be obtained from your Customer Management Centre or the information can be viewed on ntl's website, [www.ntl.ie](http://www.ntl.ie) ntl customers can only avail of the ntl internet access tariffs when they register with ntlworld.ie (CD- Rom)

Customers who only subscribe to basic television services will be allowed to continue to pay at frequencies other than monthly, i.e. Yearly, half yearly, quarterly and monthly. All other services are monthly

How to Pay

You may pay your bills by any one of the following methods:

- by direct debit; this is the easiest and most convenient way to pay. Once set up, you know your bills will always be paid on time
- by certain credit cards over the telephone
- by cheque or postal order sent to ntl by post;
- by bank, through online, ATM or telephone service. Please contact your own bank directly to set this up
- by bank giro, call to any bank branch with the bank giro slip attached on your bill and present it with the appropriate amount.
- In person at any post office. Your ntl statement should accompany your payment and cheques made out to An Post, if using this method of payment
- For your own benefit, however, we would ask you **NEVER** to mail cash to us.

All payment options information are available on our website [www.ntl.ie](http://www.ntl.ie)

Your telephone bill will be fully itemised for calls that cost over 10p and will include details of the services you receive and charges for each service separately and, where appropriate, details of all calls made. If additional itemised call details are required, this service is available, but may be subject to a charge. Services that have been provided at no cost to the subscriber will not be detailed on the bill.

### **6.2 Queries**

If you have any queries about your bill you should contact your Customer Management Centre where a record of all usage and charges is kept. If, following investigation, you have been overcharged, we will deduct the amount by which you have been overcharged from your

next bill. If we are unable to settle a disputed charge, you may wish to refer the matter to the ODTR (Office of the Director of Telecommunications Regulation) or, ultimately, you may choose to refer the matter to arbitration (see Section 15).

### **6.3 Time for Payment and Disconnection for non-payment**

We require bills to be paid on the due date for payment as specified on the bill. If you fail to pay your bill on time you will receive a reminder. If you do not then pay within the period specified in the reminder you may be disconnected. Disconnection will be effected initially by us suspending our service electronically on or from the 40th day after the statement date (not the due date for payment) of the unpaid bill. If the bill has still not been paid by the 60th day after the statement date, we will effect a full disconnection through the recovery of our equipment from your premises. You will not be reconnected until you have paid the outstanding amount, a reconnection fee and you may be asked for a deposit. See 4.4. If you are having difficulty in paying your bill, please contact your Customer Management Centre. We aim to be considerate to any of our customers who are experiencing genuine payment difficulties.

## **7 Right to Install Telecommunications Equipment**

Installation of equipment on or in your premises to provide you with a service is governed by the terms of your Customer Service Agreement.

## **8 Customers With Special Needs**

At present ntl do not provide any telephone handsets to any of our customers.

## **9 Standard Services For Telephony Customers**

### **9.1 Directory Listings**

When you take our telephone service you will be asked whether you wish to be included in the telephone directory. The listing options will allow you to choose to have an entry that may exclude gender, or have only a partial address. You may also choose to be ex-directory. This means your number will not be listed in the directory, nor will it be accessible to callers to the Directory Enquiry Service. We will notify callers where a number is ex directory.

### **9.2 Directory Enquiries**

You may contact Directory Enquiries by dialling either 11850 or 11811. For International Directory Enquiries dial either 11860 or 11818. Details of charges made for calls to Directory Enquiry Services are available from your Customer Management Centre.

### **9.3 Emergency Services**

If you dial 999 or 112 your call will immediately go through to the emergency services switchboard. You will not be charged for the call.

### **9.4 Operator Services**

You may contact the national operator by dialling 10 and the international operator by dialling 114.

**NB: Please note that a charge may be incurred if you ask the operator to connect you.**

## **10 Calling Line Identification**

ntl offers a Calling Line Identification (CLI) facility through our telephone service. CLI is a system that displays the telephone number of the person calling you and identifies your number to your caller. In some cases, you will not be able to discover the CLI information.

This is where the person calling has a telephone service that is not provided by a digital exchange, or where the person calling you has chosen to withhold their number. Many phones have the facility to display CLI information, so you can see the number of the person calling you on the phone's display. ntl plans to offer the facility to allow you to withhold your number if your caller is unknown because he has withheld his number. We already offer, in certain areas, the option to withhold your number when making a call. You may also wish to reject a call if the CLI information has been specifically withheld.

## **11 Malicious Calls**

ntl understands that malicious calls may be menacing. There are steps that you can take to tackle the problem and things that we can do to help you.

If you receive malicious calls, you should contact your Customer Management Centre immediately. You will receive sympathetic help and advice. We can contact the Gardaí; they will need to talk to you direct in order to log the complaint fully and take appropriate action. If necessary, we will liaise with the Gardaí on your behalf. This may mean that the choices you have made on Calling Line Identification (CLI) information will be overridden whilst we try to resolve the problem.

## **12 Junk Faxes and Direct Marketing calls**

ntl understands that you may wish to limit approaches from direct marketing organisations. If this is the case, please contact your Customer Management Centre, which will ensure that you do not receive unwanted approaches from such organisations by virtue of your subscription to ntl.

## **13 Confidentiality**

Any information about yourself or your affairs, which you provide to ntl, will be treated in strict confidence. ntl is registered under the Data Protection Act 1988 and we operate within its guidelines and within the guidelines of the European legislation. If you have any queries about our confidentiality policy, please contact your Customer Management Centre.

## **14 Complaints Procedure**

ntl would like to know if you have any difficulties associated with the service you receive so that we can try to put matters right. All such problems should be taken up immediately with your Customer Management Centre who will do everything possible to resolve them. Any such problems will be captured and identified on the Customer Management System on the day they are identified to us. Any issues will be tracked and escalated by the system through the resolution process to ensure quality of resolution within the timescales advised. ntl aims to give you an acknowledgement to any problems raised within 2 working days, and a resolution to the problem within 20 working days. This is in line with industry standards. However, it must be recognised that some cases may take longer than others. In all cases, ntl will work with you to resolve such problems. ntl will retain all records pertaining to complaints for at least one year after resolution of the complaint. If you are not satisfied with the outcome to your complaint you may wish to refer the matter to the ODTR for advice. You may of course choose to take the matter to an independent body (see Appendix B for addresses).

### **14.1 Independent Advice**

We hope that we will be able to put the matter right in most cases but if you feel that you would like independent advice, you may obtain it from the Office of the Director of Consumer Affairs, your local Citizen Information Centre [or other regulatory bodies]. The addresses and telephone numbers of these bodies may be found at the end of this Code in Appendix B.

## 14.2 **Office of the Director of Telecommunications Regulation**

You should also be aware of the Office of the Director of Telecommunications Regulation (ODTR). The ODTR was established by the government in 1996 to regulate the telecommunications industry within Ireland. It is headed by the Director of Telecommunications Regulation, Ms Eain Doyle. Among the objectives of the ODTR is to secure the best possible deal for consumers in terms of quality, choice and value for money in telecommunications including television distribution services.

The ODTR is responsible for the regulation of the airwaves for television and radio broadcasting and the regulation of other platforms such as cable for the delivery of television and radio programme services to consumers. The ODTR also has important functions with regard to licensing of telecommunications operators and ensuring that all licence obligations and conditions are met by these operators.

If you are having difficulty resolving a problem in relation to our services, you may wish to contact the ODTR directly.

## **Appendix A**

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Address and telephone number for customer management centre (CMC)

ntl, IDA Waterford Industrial Park, Cork Road, Waterford.

1800 321 321

## Appendix B

### Useful Addresses

<p><b>Advertising Standards Authority for Ireland</b>  IPC House  Shelbourne Road  Dublin 4  Telephone (01) 660 8766  Fax: (01) 660 8113  <i>www.asai.ie</i></p>	<p><b>Broadcasting Complaints Commission</b>  c/o Department of Finance  Government Buildings  Dublin 2  Telephone (01) 676 7571  Fax: (01) 668 2182</p>
<p><b>[Chartered Institute of Arbitrators (Irish Branch)]</b>  8 Merrion Square  Dublin 2  Telephone (01) 662 7867  Fax: (01) 662 7891]</p>	<p><b>Consumer Advice Shop</b>  13A Upper O'Connell Street  Dublin 1  Telephone (01) 809 0600  Fax: (01) 809 0601</p>
<p><b>Department of Arts, Heritage, Gaeltacht and the Islands</b>  Dún Aimhirgin  43-49 Mespil Road  Dublin 4  Telephone (01) 647 3000  Fax: (01) 667 0826  <i>eolas@ealga.irlgov.ie</i></p>	<p><b>European Consumer Advice Centre</b>  13A Upper O'Connell Street  Dublin 1  Telephone (01) 809 0600  Fax: (01) 809 0601</p>
<p><b>Independent Radio and Television Commission</b>  Marine House  Clanwilliam Place  Dublin 2  Telephone (01) 676 0966  Fax: (01) 676 0948  <i>info@irtc.ie</i></p>	<p><b>Office of the Director of Telecommunications Regulation (ODTR)</b>  Abbey Court  Irish Life Centre  Lower Abbey Street  Dublin 1  Telephone (01) 804 9600  Fax: (01) 804 9680  <i>www.odtr.ie</i></p>
<p><b>Office of the Director of Consumer Affairs</b>  4 Harcourt Road  Dublin 2  Telephone Lo-call 1890 220 229</p>	<p><b>Regulator of Premium Rate Telecommunications Services Ltd. (Regtel)</b>  Crescent Hall  Mount Street Crescent  Dublin 2  Telephone (01) 676 7025  Fax: (01) 676 7035  <i>info@regtel.ie</i></p>
<p><b>RTÉ Authority</b>  RTÉ  Donnybrook  Dublin 4  Telephone (01) 2083111  Fax: (01) 208 3080  <i>www.rte.ie</i></p>	



# Draft Code of Practice proposed by Chorus:

## Customer Charter

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Making Contact  
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### Introduction

This document formally describes the Chorus commitment to customers. The goal of Chorus is to deliver Service Excellence in all aspects of our business. This charter covers each of those areas and states clearly the service levels our customers can expect.

### Making Contact with Customer Service

For advice, information or help with any problem related to the services we provide, customers can contact us by phone, email or by post. Queries are logged and prioritised. Where an issue cannot be dealt with immediately Chorus will keep customers informed in relation to the progress being made in dealing with the query.

In common with many other companies taking telephoned orders, complaints or enquiries from customers, or indeed originating calls, we monitor a proportion of calls to ensure that our customers are getting the standard of service they are entitled to expect. This allows us to identify employees who need further training or who are not following approved procedures. You should therefore be aware that calls one makes to us or that we make to you, may be monitored by a Chorus supervisor.

<b>By Phone</b>	1890 – 417888	<i>Hours of Service</i> 08:30 - 22:00 Mon-Fri, 09.00 - 22:00 Sat, 10:00 - 22:00 Sun
<b>By email</b>	<u><a href="mailto:cs@chorus.ie">cs@chorus.ie</a></u>	
<b>By Post</b>	Chorus, Customer Service Chorus, Corporate House, Mungret Street, Limerick	

### Contacting Sales

The Chorus contact number for Sales is 1890 – 200 337. Mon-Sat between 8am and 8pm.

### **Network Integrity**

The television and telephony networks are continuously monitored and managed and every effort is made to minimize interruptions to service. Routine maintenance will be undertaken from time to time and in the event that a significant part of the network requires maintenance at any one time, customers will be notified in advance.

#### Television Services

Once television services are available in a community Chorus endeavours to keep them fully operational 99 % of the time for that community.

#### Telephony Services

Once the telephony network is active in a community Chorus endeavours to keep it fully operational 99.9 % of the time for that community.

### **Installation**

The company ensures that where service is available, that customers arranging installation will have optional dates available for the installation and that installation will not be withheld unreasonably. Where an installation cannot go ahead on the agreed date the customer will be informed and given the option to have the installation rescheduled or will be offered a full refund of all monies paid. The refund will be made within 30 days of request for same.

Where a customised installation is necessary the reason for this will be clearly explained and the service option(s) available will be offered to the customer, detailing any costs above standard which must be covered.

#### Television Services

Our goal is to complete 98% of all Installations within the time agreed with the customer. (Excluding those installations which require third party input.)

#### Telephony Services

Our goal is to complete 98% of all installations within the time agreed with the customer. (Excluding those installations which require third party input.)

### **Fault Servicing**

Chorus ensures that it has the resources available to service faults. Service Calls may be booked by contacting Customer Services. (See above for details). Customers will be given an option of an AM or PM appointment at the time of booking.

#### Television Services

Our goal is to repair 98% TV Service faults within the time agreed with the customer.

#### Telephony Services

Our goal is to repair 98% of Telephone Service faults within the time agreed with the customer.

#### Charges

Call out charges as follows apply :

Minimum Call Out Charge: £25

Hourly Rate Thereafter: £40

### **Billing & Payment Processing**

Chorus ensures that customer bills are clear and accurate and that payments received by the company are posted to the customers account in a timely manner. Bills state clearly the current balance and the payment options available.

Bills will be posted to customers at least 10 days before the payment Due Date.

Should a customer account fall into arrears Chorus has a policy of notifying customers prior to any disconnection for non-payment.

All tariffs are clear, precise and publicly available.

### **Complaint Processing**

Chorus is committed to providing our customers with the best telecommunications service in Ireland. Despite our endeavours, things do go wrong, and when they do, we want to know so that we can rectify problems as quickly as possible. We have developed procedures to deal with complaints.

Our aim is to resolve the problem to our customer's complete satisfaction. Our Customer Service Representatives will try to solve the problem as quickly as possible, preferably during the phone call. We will agree a course of action with the customer if this is not possible.

If a customer is not happy with the way a complaint has been handled, he/she may write, or ask to speak to a Supervisor or Customer Service Manager. If the manager is unable to resolve the matter to the customer's satisfaction, they will refer it to their manager. The complaint will be investigated and a course of action agreed with the customer to make sure the problem is resolved quickly and satisfactorily.

Our goal is to respond to 90% of complaints within 7 days of receipt and resolve 80% within 28 days of receipt.

## **Draft Code of Practice proposed by Casey Cablevision**

Contact Details:  
Casey Cablevision Ltd.,  
8 Main St.,  
Dungarvan,  
Co. Waterford

Tel: 058-41845  
Fax: 058-45243  
email: [info@cablesurf.com](mailto:info@cablesurf.com)

All queries, accounts and other queries to be directed to the above contact point.

Opening Hours 9:30 am to 1pm. 2pm to 6pm Monday to Friday  
All other hours: Telephone automatic answering service.

All customer complaints are recorded on computer.

We respond to cable TV network faults immediately.

Customer equipment and tuning of equipment is the responsibility of the customer.

All complaint logs are kept on computer.

## Appendix 2

### Areas licensed for Cable Television services under 1999 Regulations

Chorus	ntl	Casey Cablevision
Arklow	Dublin	Dungarvan
Ashbourne	Waterford	
Athlone	Galway	
Ballina		
Buncrana		
Carlow		
Cappoquin, Lismore, Tullow		
Cashel		
Castlebar		
Celbridge		
Clonmel		
Cork		
Donegal		
Dundrum		
Ennis		
Enniscorthy		
Greystones		
Kildare		
Kilkenny		
Limerick		
Malahide		
Maynooth		
Mullingar		
Naas		
Navan		
Nenagh		
New Ross		
Newbridge		
Portarlinton		
Portlaoise		
Shannon		
Sligo		
Swords		
Thurles		
Tipperary		
Tullamore		
Tullow		

### Areas licensed for MMDS Television services under 1999 Regulations<sup>3</sup>

ntl	Chorus
Counties Dublin, Waterford, Galway and Mayo	Areas other than Counties Dublin, Waterford, Galway and Mayo

<sup>3</sup> Areas licensed for the provision of MMDS television services **do not** include areas which are licensed for the provision of cable television services

**Areas licensed for Cable Television services under 1974 Regulations**

<b>Licensee</b>	<b>Area</b>
Emmet Electrical	Boyle
Berney Crossan	Longford
Bagenalstown Community Television	Bagenalstown
Clane Cable Systems	Clane
Smyths Audio and Video Systems	Cavan
Tara Cove Holidays	Ballymoney, Co. Wexford