



Commission for  
**Communications Regulation**

# Information Notice

## Codes of Practice for Complaint Handling - New Minimum Requirements

### Information Notice

**Reference:** ComReg 17/63

**Version:** Final

**Date:** 30/06/2017

# Content

Section	Page
1: Current Measures.....	3
2: New Measures .....	4
3: ComReg’s Consumer Line .....	7

# 1: Current Requirements

1. In accordance with the European Communities (Electronic Communication Networks and Services) Universal Service and Users' Rights Regulations<sup>1</sup> each Service Provider<sup>2</sup> is required to implement a Code of Practice for settling unresolved disputes including complaints.<sup>3</sup>

The code of practice must make provision for the following:-

- (a) first point of contact for complainants,
  - (b) a means of recording complaints,
  - (c) a timeframe for responding to complaints,
  - (d) procedures for resolving complaints, including a timeframe for referring the customer to The Commission for Communications Regulation ("ComReg") - no more than 10 working days from the day a complaint is first notified,
  - (e) appropriate cases where reimbursement of payments, payments of compensation and payments in settlement of losses incurred will be made, and
  - (f) retention of records of complaints (including copies of the complaint, any response to it, any determination in respect of the complaint and any documentation considered in the course of such determination) for a period of not less than one year following the resolution of the complaint.
2. ComReg may specify requirements to be met for the purpose of ensuring compliance and the manner of publication of a code of practice including any requirements to ensure that the code of practice and procedures for settling unresolved disputes are fair, prompt, transparent, inexpensive and non-discriminatory.
  3. Through its consumer care team and complaint handling functions, ComReg became aware that some codes of practice fell short of ComReg's view of appropriate minimum standards and therefore ComReg issued a public consultation<sup>4</sup> where ComReg set out its concerns and preliminary views in relation to minimum requirements for Electronic Communications Service Providers' Codes of Practice for complaint handling.

---

<sup>1</sup> S.I. 337 of 2011 - <http://www.irishstatutebook.ie/eli/2011/si/337/made/en/print>

<sup>2</sup> An undertaking providing electronic communications networks or services

<sup>3</sup> Between end-users and the undertaking

<sup>4</sup> Electronic Communications Complaints Handling Codes of Practice ComReg Doc No 16/118

## 2: New Minimum Requirements

4. Following a public consultation, ComReg has today published its Decision on minimum requirements<sup>5</sup> for Service Providers' Codes of Practice for complaint handling.
5. Issues raised by end-users with Service Providers may not be resolved after an initial attempt and may therefore become complaints.
6. The measures mean that in addition to the current requirements in place, Service Providers must implement the following, at a minimum, for complaints.
  - (i) All channels which can be used by end-users to make a complaint must be set out in the Service Provider's Code of Practice
  - (ii) At a minimum the first points of contact available for making complaints must be:
    - A Freephone (1800) number or a 19XX Customer Support Short Code number or a geographic or mobile telephone number or a number that is free to all end-users, and
    - An electronic means of contact, including an e-mail address and/or a complaints online form or direct online communication plainly associated with making a complaint that offers the ability to attach a document and does not have a word character restriction and provides a record in a durable form to the end-user, and
    - An Address (excluding an address for an electronic means of contact)
  - (iii) Complainants cannot be transferred to a telephone line or any other service costing more than the cost of a call to a geographic number or mobile telephone number
  - (iv) The complaints acknowledgement is to be provided to the complainant within 2 working days and must contain the following minimum specified details:
    - a. Acknowledgement of the complaint,
    - b. Confirmation that the complaint is recorded,
    - c. A timeframe for Complaint Response and Resolution and any other steps in the process,

---

<sup>5</sup> See ComReg Document No. 17/62

- d. Details of the unique reference number to identify and track the individual complaint,
  - e. Appropriate contact details for the end-user to use in order for the consumer to contact the undertaking,
  - f. Next steps in the process,
  - g. Details of the internet/world wide web link to the Code of Practice.
- (v) The response to complaints is to be provided within 10 working days and where a final resolution cannot be provided within 10 working days the complainant is to be provided with a timeframe for resolution and the details of the Service Providers internal escalation process and details for contacting ComReg.
- (vi) Complaints received must be tracked and recorded. The following minimum details must be recorded.
- a. The complainant's name, account number and contact details including a phone number;
  - b. The date the complaint was raised by the end-user and dates of all communication throughout the life cycle of the complaint to final closure;
  - c. A copy of the written complaint or notes made from the voice / online communications with the complainant relating to the complaint;
  - d. All communications with the complainant including details of the response to the complaint, final resolution and any determination in respect of the complaint with associated documentation;
- (vii) The mechanism whereby complainants can avail of refunds process is to be specified in the Code of Practice.
- (viii) Service Providers must publish their Code of Practice in the following ways.
- a. a direct link to the Code of Practice must be clearly displayed on the Home page of the corporate website, and web pages established by the Service Provider for dealing directly with end-user complaints including web pages established by third parties where possible.
  - b. the Code of Practice is to be returned or displayed to end-users using search terms which include 'code of practice', 'complaint', 'how to make a complaint' or 'how to complain', using the search facility of its corporate website and any web pages created for dealing directly with end-user complaints.

- c. details of an internet/web link to the Code of Practice must be included in the Complaint Acknowledgement;
  - d. on receipt of a request from an end-user, Service Providers must provide a copy of their Code of Practice to the end-user in a format accessible to that end-user.
7. Service Providers have until 31 December 2017 to implement the new rules however, some Service Providers may have already put in place some aspects of the new measures.

### 3: ComReg's Consumer Line

8. ComReg's Consumer Care Team provides information to consumers who have a query/complaint and need information. We aim to provide consumers with the relevant information so that they be informed and deal with their service provider. We also aim to ensure that service providers have adequate procedures in place to address any of their customer issues (not all issues are complaints).
9. The Team can help consumers who wish to raise a complaint about their telecoms service, a premium rate service or a postal service.
10. ComReg cannot act on your complaint until you have raised it with your service provider and their complaint handling process is completed. This is because the main responsibility for resolving a complaint lies with your service provider, as they have the direct relationship with you.
11. However, if your complaint is not resolved at ten working days, we can then contact the service provider directly, put forward your complaint and seek a response.
12. ComReg's consumer line can be contacted using any of the below methods:

By Telephone: 01 8049668

By E mail: [consumerline@comreg.ie](mailto:consumerline@comreg.ie)

Online Form: [www.comreg.ie](http://www.comreg.ie)

Webchat: [www.comreg.ie](http://www.comreg.ie)

SMS:

Text so we can call you back – Send a text with the word COMREG to 51500 (standard SMS rates apply) to receive a call back.

Text so we can text you back – Send a text with the word ASKCOMREG to 51500 (standard SMS rates apply) outlining the issue you need assistance with and we will respond to you by text. IMPORTANT – Please use keyword ASKCOMREG in all text messages, including replies.

Irish Sign Language:

ComReg offers a remote interpretation service in association with the Sign Language Interpretation Service (SLIS).

Address:

One Dockland Central,

Guild Street,

Dublin 1,

Ireland,

D01 E4X0