

**SECTION 43(3) DISPUTE
RESOLUTION PROCEDURES**

COMREG DOCUMENT 14/87

**AN POST RESPONSE
18 September 2014**

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1. INTRODUCTION

An Post welcomes the opportunity to submit its views on ComReg's proposals on Dispute Resolution Procedures.

The fundamental objective envisaged by the present consultation is to give effect to Section 43(3) of the Communications Regulation (Postal Services) Act 2011 ("the 2011 Act").

Customer Service is critically important to An Post and it is a key element of our overall service. An Post's Customer Charter sets out its commitments to its customers including what can be expected from An Post in resolving complaints. An Post encourages feedback and aims to make its policies in relation to complaints very clear and accessible. In 2012, An Post Customer Services received ISO 9001 accreditation for its complaint handling processes. This has subsequently been renewed in 2013.

An Post handles 2.5m items per day and receives 25,000 written complaints per annum. The number of complaints received is very small but it is important that they are handled in a professional manner.

An Post has implemented the guidelines issued by ComReg in January 2014 in relation to Complaints and Redress Procedures (ComReg document 14/06).

The current process is set out in the "Getting it Sorted" brochure published on the An Post website at www.anpost.ie. This process will continue to apply and in the vast majority of complaint cases will result in the complaint being satisfactorily dealt with. The proposed new guidelines provide a further option in the overall Complaints Resolution process and are to be welcomed as it provides a further mechanism for the few customers who feel they have not had their complaint handled fully.

The guidelines set out by ComReg in relation to the dispute resolution process as required by Section 43(3) of the 2011 Act appear to be sensible and An Post agrees in principle with the approach adopted.

2. RESPONSE TO CONSULTATION QUESTIONS

Q. 1 Do you agree with ComReg’s proposed Section 43(3) dispute resolution procedures set out in Appendix: 1? Please give a detailed explanation for your answer.

ComReg proposes a clear dispute resolution process in line with the Section 43(3) requirements.

An Post agrees in principle with the proposals but recommends that the process timelines be adjusted to take into account the December holiday period.

1.1 An Post proposes that Appendix 1, A 1.18 be amended to state “The Postal Service Provider must respond within 14 calendar days (or 21 calendar days if notified in the month of December) of the date of communication of the decision to commence resolution of the dispute.” This is to recognise the holiday shut down period in December.

Q. 2 Do you agree with ComReg’s proposals in Section 3.2 regarding how postal service users should be informed by their service provider of the availability of a Section 43(3) dispute resolution process? Please give a detailed explanation for your answer.

ComReg proposes that all postal service providers inform postal service users of the possibility of applying for Section 43(3) dispute resolution.

An Post agrees in principle with these proposals. There are practical implications in terms of updating brochures and websites and An Post would expect that ComReg provide a period of time before these proposals are required to be implemented.

Q. 3 Do you agree that the Application form for submitting a dispute for Section 43(3) dispute resolution (See Appendix: 2) is appropriate? Please give a detailed explanation for your answer.

An Post agrees in principle with the proposed Application form but recommends that Appendix 2 be adjusted to give the Postal Service Provider some feedback on the perceived failure of the standard complaints handling process.

3.1 An Post proposes that Appendix 2, 3.1 be amended to state “In the space below, please provide details of your dispute and why you consider that the postal service provider has acted in an unreasonable manner in this case. Please use additional pages if necessary.”

Q. 4 Do you agree that the Guidance note on completing the Application form for submitting a dispute for Section 43(3) dispute resolution (See Appendix: 3) provides adequate guidance to postal service users submitting a dispute for resolution? Please give a detailed explanation for your answer.

An Post can agree in principle with the proposals.

3. CONCLUSION

An Post is committed to continuing to provide its customers with a complaints and dispute resolution process that comprehensively meets their needs. An Post hopes that ComReg will review its proposals in the light of the above comments.



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17 September 2014

RE: Consultation 14/87 Section 43 (3) Dispute Resolution Procedures

Dear Ciara,

In relation to the Consultation issued by ComReg on 21/08/14, in relation to dispute resolution procedures, DX Ireland would like to submit the following points:

1. 3.2.

Informing postal service users of the Section 43 (3) Dispute Resolution Procedures.

DX:

In our experience, it is prudent to hold back at providing too much information about dispute resolution early in the complaint procedure in order to avoid premature applications. For example, we believe the following wording would be appropriate: *"in the event that DX does not handle your complaint to your satisfaction, you may have the right to refer your complaint to an independent dispute resolution service. We will provide details about this at the appropriate point."*

2. Appendix 2: 2.3.

Please confirm that you have exhausted the procedures for resolving disputes of your Postal Service Provider?

DX:

DX believes that it would be helpful for ComReg to refer explicitly to a *"dead-lock Letter"* from the Postal Service Provider indicating that the Postal Service Provider acknowledges that the procedures have been exhausted. This would prevent applications to ComReg prior to the process being fully exhausted.

The above information is not confidential and should you have any further queries, please do not hesitate to contact me.

Yours sincerely,

Kevin Galligan
Regional Director, Ireland



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Dear Ms. O'Donovan

Re: Consultation 14/87

I refer to the above consultation issued by the Commission for Communications Regulation ("ComReg") on 21 August 2014 relating to ComReg's discretionary power to establish dispute resolution procedures to apply between (1) postal service users; and (2) postal service providers.

Based on a review of the scope of the Communications Regulation (Postal Services) Act 2011 ("Act") and ComReg's own guidance FedEx is not within the scope of regulation under the Act or this consultation. FedEx is therefore unable to provide any responses to the items raised within this consultation.

Should you require any further information then we will of course be willing to assist. In such circumstance please contact:

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Your sincerely

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