



Commission for
Communications Regulation

Submissions to Consultation

Complaints and Dispute Resolution Guidelines for Postal Service Providers who provide postal services within the scope of the universal service

Submissions received from respondents

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Contents

An Post

DX Network Services Ireland Ltd (DX);

Irish Charities Postal Users' Forum (Charities Forum)

TICo Group Ltd and TICo Postal Services Ltd (TICo).

An Post response to ComReg's consultation paper 07/71r 'Complaints and Dispute Resolution Guidelines for Postal Service Providers who provide postal services within the scope of the universal service'.

23 October 2007

1. Background

In May 2003, ComReg published D11/03 (document 03/50 'Postal Services – Universal Service Obligation, Tariff Principles and miscellaneous issues') which, *inter alia*, at Decision No. 7¹ required An Post to submit a Code of Practice following certain Complaints and Dispute Resolution Procedure Guidelines.

Several draft versions of the Code of Practice followed, which were developed by An Post in conjunction with ComReg but which also took account of the evolution of the non-mandatory Standard IS:EN 14012:2003. However during this time, a CERP (2004)² study showed that the costs of implementation of the Standard were likely to be too high, and a revision of the Standard was initiated by the CEN/TC 331 working group³. Meanwhile, An Post continued to improve the draft Code, with a final draft submitted to ComReg on 1 November 2006.

2. General Comments

As a matter of good commercial practice, An Post wishes to implement a Customer Charter⁴, and to enable this, wrote to ComReg in July 2007 requesting that ComReg finalise its position on the draft Code.

Although the An Post interpretation of ComReg's role as set out in law differs from that presented in the consultation paper, An Post considers that the approach taken by ComReg which seeks to set guidelines rather than prescribe text is a constructive one. It is also welcome for consumers that guidelines apply to all operators operating within the universal service space.

Whereas it is the intention of An Post to draw up its Charter in accordance with the guidelines to be issued by ComReg, it should be noted that final approval of the Customer Charter is a matter for the Board of An Post.

3. Response to specific questions

Q.1 Do you agree with the guidelines as set out in 3.2 and 3.3 above? If not, what amendments would you consider appropriate?

An Post intends to launch a Charter which is easily accessible, clear, and communicated to all postal customers. Therefore An Post agrees with the principles as set out in Section 3.2 and 3.3. In many cases, these codify existing An Post policy⁵. There are, however, some minor qualifications that An Post would make: (i) to facilitate speedy complaint resolution, it is envisaged that customers complaining to

¹ This was formally advised to An Post by letter on 21 May 2003

² See page 5 of the current draft revision of EN 14012; prEN 14012:2007 (July 2007)

³ At a CEN/TC 331 meeting of 1 June 2007, it was stated that the current draft revision of EN 14012 was sufficiently stable to enable organisations to implement it, with formal sign-off to follow in 2008.

⁴ Previously, the words 'Code' and 'Charter' have both been used. Essentially, a Code contains the elements that fall within Regulation 15 of the European Communities (Postal Services) Regulations, S.I. 616 of 2002, and a Charter may contain extra (e.g. non-USO) elements. For reasons of completeness and practicality, it is intended that any public document issued by An Post will be a Charter.

⁵ For example, An Post has recently modified its online customer services site to enable customers to fill out an M58 enquiry form on-line.

staff will be directed to the An Post Customer Service Centre⁶ if the complaint cannot be dealt with immediately at a local level (ii) a separate plan in relation to accessibility to premises by 2015 has been drawn up under the Disability Act 2005 (iii) specifically, in relation to international complaints, the period of 6 months excludes the time which elapses between receipt of the enquiry and the initiation of correspondence between Public Postal Operators (PPOs)⁷.

Q.2 Are the guidelines for communication with the user sufficient in your view? If not, please give reasons for your answer.

An Post considers these guidelines to be sufficient.

With respect to the appeals mechanism, ComReg notes that other utilities' published Charters (save industry-specific bodies), e.g. eircom's Code of Practice refer to the ODCA (now the National Consumer Agency), ComReg⁸, and the NSAI. An Post proposes to add these bodies, together with the Ombudsman, as escalation points⁹. This is without prejudice to any statutory rights that the customer may have¹⁰.

Q.3 Are the maximum handling times for treatment of complaints acceptable? If not, please give reasons for your answer.

In respect of the maximum timeline for handling domestic complaints, An Post suggests that this should reflect EN 14012 which allows a period of 30 calendar days. An Post would further note in respect of international claims (Industrialised Countries) there is no requirement to respect the 40 day timeline for non-European members e.g. USA, Canada, Australia, New Zealand etc. Furthermore, in respect of the 40 and the 60 day periods, it is necessary to add the time that has elapsed between receipt of the customer's enquiry and the completion and despatch of the relevant document (CN08) to the PPO.

Q.4 Is the proposal with regard to the requirement that postal service providers publicise what is on offer to consumers in the form of 'Complaints and Redress Code of Practice' sufficient in your view. If not, please give reasons for your answer.

⁶ This Centre accepts complaints by all means that ComReg outline, with the exception of personal callers.

⁷ UPU Letterpost Regulations

⁸ ComReg has recognised that it has no specific powers to deal with postal consumers' complaints (see http://www.askcomreg.ie/post/how_do_i_make_a_complaint.67.LE.asp). As a matter of law, the Ombudsman is the body charged with investigating complaints regarding An Post (see S.I. 332 of 1984 together with the Ombudsman Act 1980). Investigating complaints in the electronic communications sector is a specific function of ComReg under the Communications (Regulation) Amendment Act 2007. However, as a matter of goodwill, An Post will accept escalated complaints through ComReg. An Post has previously requested sight of any co-operation agreements between agencies such as the Competition Authority/National Consumer Agency and ComReg which apply to the postal sector.

⁹ Customers may have recourse to other bodies in respect of complaints about the universal service when they are dissatisfied with the treatment by An Post of their complaint. It is an accepted principle that customers must have exhausted the An Post complaints procedures before approaching these bodies.

¹⁰ For example, pursuing a claim through the Small Claims Court.

Following the approval by the Board of An Post of a Charter, An Post plans to launch/maintain this Charter using all usual marketing communications channels.

Q.5 Is the compensatory principle as outlined sufficiently clear? If not what amendments would you consider appropriate?

An Post does not agree with ComReg's interpretation of An Post's legal requirements with respect to compensation. An Post, by virtue of the protection given to it by law¹¹ concerning compensation claims arising from the provision of the universal service, is not required to offer compensation for items sent using the Standard Post service^{12&13}.

It is clear from a reading of the Regulations¹⁴ and the underlying Directive¹⁵, that a system for reimbursement and/or compensation need only be provided 'where warranted'. The Directive expressly allowed for the decision on whether such a system is warranted to be a decision for the Member State.

As previously set out, the protection from liability of An Post from compensation claims arising out of its provision of the universal service under Section 64 of the Act was expressly included in the Regulations¹⁶. Therefore, An Post does not consider that there is a legal requirement to offer any system of reimbursement and/or compensation, unless such a system is warranted. ComReg does not have the power to amend the Regulations to require a system of reimbursement and/or compensation, and Regulation 15 of the Regulations clearly limits ComReg's function to the drawing up of guidelines in consultation with the provider¹⁷.

However, An Post recognises that any customer-centric organisation should seek to meet customer needs and does, as ComReg note, offer reimbursement to senders of Standard Post items, where those customers have experienced problems with the standard postal service. Specifically, An Post has been trialling a customer service initiative whereby customers having cause to complain about the delivery of Standard Post items receive a number of standard stamps (at a minimum 4). Since its launch in Q2 2007, almost 2000 customers have received reimbursement in this manner and customer reaction to date has been extremely positive.

An Post understands that in a review of 17 European postal operators, 11 did not have any form of compensation applicable to ordinary post service. The other 6 make

¹¹ Section 64 of the Postal and Telecommunications Services Act 1983 ('the Act')

¹² Insurance is provided as part of Registered Post and is also available on other (non-USO) postal services. An Post notes that such services are not in scope of ComReg's consultation.

¹³ Please note that An Post does not accept that industrial action is *never force majeure*. There is no basis in law to exclude all forms of industrial action from the concept of *force majeure*.

¹⁴ S.I. 616 of 2002 European Communities (Postal Services) Regulations 2002 ('the Regulations').

¹⁵ Council Directive 97/67/EC ('the Directive').

¹⁶ By virtue of the exclusion set out in Regulation 4 (7) of the Regulations, it therefore follows that Section 64 of the Act does apply to universal services.

¹⁷ Whereas such procedures should be drawn up in accordance with guidelines laid down by the Regulator in consultation with the provider, there is no function in the Regulations for ComReg to monitor compliance with Regulation 15 (see Regulation 17(1)). ComReg states that USPs 'must comply' with the principles set out and refers to the Guidelines as being 'enforceable'. An Post cannot find, nor does ComReg state, the legal basis in the Regulations or elsewhere which provides ComReg with the power to compel compliance by USPs with the Guidelines.

goodwill gestures in exceptional circumstances. Therefore, the An Post gesture of a gift of stamps should be seen as consistent with best practice in Europe.

An Post will also introduce compensation¹⁸ where timelines in relation to response times and/or maximum handling times of complaints have not been met. This will not apply at the initial implementation of the Charter but will be introduced as soon as practically possible therefore.

Q.6 Are there any additional aspects of the Complaints and Dispute Resolution Guidelines for Postal Service Providers who provide postal services within the scope of the universal service within Regulation 15 (1) S.I. No. 616 of 2002 that require consideration in your view?

- An Post notes that procedures should cover situations where more than one operator is involved and in order to do this, there must be a relatively similar level of detail available from all service providers.
- An Post also notes, and complies with, the requirement under Regulation 15 (3) of the Regulations and Direction 6¹⁹ of ComReg's decision document D11/03 (document 03/50) to publish the annual number of complaints by category in its annual report. An Post intends to amend the complaint categories to reflect those in the latest version of EN 14012.

¹⁸ [This is commercially sensitive and should be removed from any published version].

¹⁹ This states that '[t]he requirements set out in Appendix C shall be advised to An Post and any other universal service providers'. The requirements of Appendix C, known as the Information Determination, were advised to An Post on 21 May 2003.



a: Unit C t: 01 857 9710
Airport Business Campus f: 01 857 9711
Santry
Dublin 9 e: info@thedx.ie
dx: DX 1 DUBLIN w: www.thedx.ie

Sinead Devey
Commission for Communications Regulation
Irish Life Centre
Abbey Street
Freepost
Dublin 1

23rd October 2007

Dear Sinead,

Reference: Submission re: ComReg 07/71

Complaints and Dispute Resolution Guidelines for Postal Service providers who provide postal services within the scope of the universal service – Proposed Guidelines

1. DX Network Services Ireland Ltd welcomes the opportunity to comment on ComReg's consultation document dated 25 September 2007 "Complaints and Dispute Resolution Guidelines".
2. We note that the proposed guidelines do not appear to be particularly onerous and we share ComReg's opinion that the impact on service providers is likely to be minimal. However, we feel that we need to draw ComReg's attention to the facts that one service provider is not identical to another and that there are different types of consumer within the postal market, who need to be treated differently.
3. In respect to service providers, it is quite obvious that there are significant differences between An Post and any other Irish postal operator. Its history and its resulting dominant market position mean that in the eyes of most citizens An Post is the postal service provider. The fact that it delivers 3 million items to 1.7 million addresses every working day means that An Post is the service provider that consumers are most likely to have contact with and, therefore, experience dissatisfaction that could lead to a complaint. Although, as previously stated, the proposed guidelines do not appear unduly onerous for smaller operators, we would wish to caution ComReg against a temptation to strengthen them and still expect them to be reasonable for all operators.
4. Another way in which An Post differs from other postal operators is that its commercial relationship with social mailers is rooted in law (The Inland Post Warrant) and not in commercial contracts such as those that other operators will typically have with their customers. Customers who hold a contract with a postal operator will have negotiated complaints and dispute resolution procedures within the contract and therefore do not need to have the additional protection provided by the guidelines. We would welcome clarification of ComReg's understanding of the respective contractual relationships between An Post and its customers and between other operators and their customers. We believe that operators who have individual contracts with their customers should be exempted from any requirement to comply with the guidelines because to do so would be unnecessary duplication.



5. In view of the differences between An Post and other postal operators we believe that it would not be unreasonable for ComReg to apply less onerous standards to other postal operators than to An Post.
6. We also wish to point out that postal services differ from many other products and services in that the person complaining about a postal service is often not the person who paid for it. This raises the potential problem that one incident might lead to two separate complaints and it is not obvious who should be compensated. We would welcome some commentary from ComReg about its interpretation of this situation.
7. A further difficulty is that most postal services do not have proof of posting and proof of delivery. It is therefore possible for people to make fraudulent complaints in the hope of obtaining compensation. Once again, we would welcome some commentary from ComReg about its interpretation of this situation.
8. We are not convinced that it is really necessary to include the contact details of all of the Office of the Ombudsman, ComReg, Competition Authority and National Consumer Authority on the final communication to the complainant. We believe that it would be better for ComReg to nominate one of these authorities, probably itself, as the competent body to handle unresolved complaints about operators other than An Post.
9. We are concerned about the obligation for operators "to publish (their) code of practice and ensure that it is readily available to users". We believe that it would be acceptable for smaller operators to fulfil this obligation by publishing the code on the Internet or by making it available on application.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Kevin Galligan'.

Kevin Galligan
Managing Director

Irish Charities Postal Users' Forum

Western Road P.O. Box 23 Cork

Tel. 021-4545704 Email msepromotion@eircom.net

22nd October 2007

Submission re ComReg 07/71

Introduction

The Irish Charities Postal Users' Forum is comprised of 18 charities that are large users of the national postal service for fundraising and general administration. Our objective is to research and to co-ordinate the views of our member organisations on postal related matters for submission to relevant organisations including ComReg, the Minister for Communications, the Joint Oireachtas Committee on Communications, and the EU Commission.

We have a policy of sharing information and collaborating with other representative organisations on issues involving the postal service. We believe that shared ideas and information will benefit charities and other users of the service.

As the ComReg conference last week on *Postal Services in the 21st Century* showed the postal service in Ireland and elsewhere is entering a period of significant change and renewal. Users and user groups are major stakeholders in the service. Sectoral regulation and a more enterprising attitude by government towards statutory regulations generally is giving a stronger voice to users of some public services and regulated sectors. This is long overdue. We welcome the recent public consultation by the Minister on *Postal Strategy 2008-2010* which will be a very critical period for postal policy in Ireland.

We commend ComReg on this current consultation that is about recognising the rights of postal users to a declared set of standards and expectations from service providers within the universal service, and giving them a stronger voice as major stakeholders in the postal service going forward.

Our responses to the specific questions posed are as follows:

Q. 1. We agree with the guidelines set out at 3.2 and 3.3 in the consultation document on the understanding that the expectation of ComReg, that all reasonable attempts will be undertaken to resolve a complaint in cases where the appropriate timescale has elapsed, will be respected by An Post and other service providers.

Q. 2. We agree that the guidelines for communication with the user are sufficient. The appeals mechanism is to be welcomed as is the obligation to provide information about other relevant bodies to whom the user can refer a complaint if still dissatisfied with the final response from the service provider.

Q. 3. The maximum handling times for treatment of complaints are acceptable. The enforcement of this timescale within Member States will help in the process of:
a) making the USPs there more efficient, and b) improving overall quality for users.

Q. 4. An adequate Code of Practice that is well publicised is an absolute essential, but we do not consider it sufficient in the case of An Post because of the immunity from all liability that the company enjoys under Section 64 of the Postal and Telecommunications Services Act, 1983. That legislation will take priority over a code, thereby, reducing the real value of the code very significantly.

We believe that the legislative immunity needs to be repealed in order to give practical and legal effect to the code. The unique immunity enjoyed by the USP is a very significant barrier to entry to the market by other service providers. We have asked the Minister to remove it, and if he fails to do so we consider that it would be appropriate for the Competition Authority to examine it.

Q. 5. Again, we believe that the legal immunity conferred on An Post is a major issue in the context of a compensation scheme outside of the registered and insured services. The retention of the immunity would cast the compensation scheme in the role of a “goodwill gesture / ex-gratia payment” that would cause problems for users in pursuing a claim.

Any wording in a scheme such as “put the customer in the position he would have been in had the service been satisfactorily provided” whilst excluding consequential loss would not provide adequate clarity for users and would lead to un-necessary disputes about the interpretation of what was intended by the service provider as against what was understood by the user. A key component of a code is the absolute clarity in language it provides for ordinary users. A code of practice in turn is a determinant of the quality standards adopted by and adhered to by a service provider.

Q. 6. An Post is the current USP with a super dominant position in the market. All the evidence available to date suggests that it is most likely to retain that position in the foreseeable future, e.g. the recent Legg Report commissioned by ComReg, the Departmental briefing paper prepared for the current Minister in June, etc. As the successor of the Dept of Posts & Telegraphs, An Post remains cushioned in a myriad of secondary legislation in the form of warrants, statutory instruments, and schemes. These are the mechanisms that offered unique and absolute protection to the monopoly.

Obviously, with its natural monopoly characteristic the company will seek to retain all of that protection going forward. The continuation of that position would not be in the best interests of users. In many instances protectionist policies can impose an un-necessary cost burden on users, e.g. the creation of a barrier in access to a discounted service, or the unilateral suspension of the Postaim service pre-elections, referenda, Christmas, and during industrial disputes.

Postal legislation – primary and secondary – is scattered around in a large number of legal instruments that are complex and quite difficult for users to know about or to understand. There is a big need to consolidate all of that in a meaningful and customer-friendly manner.

Additionally, postal regulations once in place are very rarely if ever reviewed – even those that are outdated, inefficient, or disproportionate in today’s business environment. This is contrary to government policy as revealed in *Regulating Better*. Importantly, we believe that many of these outdated rules and regulations are incompatible with a code of practice as now envisaged.

Additionally, An Post – as a public sector organisation – is currently obliged to comply with the *Principles of Quality Customer Service* published by the government, but in reality it does not comply in many instances because of its monopoly mind-set and its total focus on its internal operations at the expense of customer focus.

This consultation covers services within the scope of the universal service only. A code of practice within that scope, whilst very important, is limited in the overall context of the postal service. Any service provider that is focused in a genuine manner on its customers would provide a code embracing all services because a code is a declaration that has significant marketing benefits for the supplier ... it is a factor in differentiation and quality assurance in the market. Hence, it is an asset to the service provider.

We anticipate considerable difficulty in devising a realistic code that will be acceptable to users of the universal service because of the legislative immunity referred to here. We suggest that ComReg makes it clear that, if necessary, the issue will be revisited, for example, in the light of changes to the out-dated and un-necessary legislative framework that provides such absolute immunity to An Post and keeps it in monopoly thinking mode.

Matt Moran
Chairman



**Sinead Devey,
Commission for Communications Regulation,
Irish Life Centre,
Abbey Street,
Freepost,
Dublin 1.**

**Response to Complaints and Dispute Resolution Guidelines for Postal Service
Providers who Provide Postal Services within the Scope of the Universal Service
Document No: 07/71r**

23rd October 2007

Dear Ms Devey,

This letter and the attached paper constitute our response to this new consultation 07/71r.

- Document 1: TICO's response to Complaints and Dispute Resolution Guidelines for Postal Service Providers who Provide Postal Services within the Scope of the Universal Service Document No: 07/71r.
- Document 2: To be treated as a confidential document as it contains TICO's procedures that are relevant to this document.

Yours sincerely,

Alex Pigot



RESPONSE

BY
TICO GROUP LTD
AND
TICO POSTAL SERVICES LTD

TO

**Consultation on Complaints and Dispute Resolution
Guidelines for Postal Service Providers who provide
services Within the Scope of the Universal Service**

Document Number 07/71r
Issued by Commission for Communications Regulation

■ Lettershop ■ Data Management ■ Invoice/Statement Production ■ Print Management ■ Postage Management

TICO Group Ltd, Unit T8, Maple Avenue, Sillorgan Industrial Park, Blackrock, Co Dublin, Ireland.
Tel: +353-1-295 9077 Fax: +353-1-295 9079 Email: info@tico-group.ie Web: www.tico-group.ie

IBAN IE15ULSB96533001592077

BIC ULSBIE2D

VAT IE 4085697S

Directors: Alexander Pigol
Jacqueline O'Regan
Reg. Office: Unit T8 Maple Avenue,
Sillorgan Industrial Park
Blackrock
Co Dublin, Ireland
Reg. No. 140451



EXECUTIVE SUMMARY

- **We broadly welcome the Guidelines for Postal Service Providers who Provide services Within the Scope of the Universal Service.**
- **We encourage the Regulator to impose shorter time-scales in relation to complaint acknowledgement and resolution.**
- **We encourage the Regulator to include provision for late delivery of mail in cases where late delivery can be proven.**
- **We encourage the Regulator to recommend more specific terms of compensatory measures in any future complaints and dispute resolution guidelines it publishes.**

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TICO Group Ltd, Unit T8, Maple Avenue, Silllogan Industrial Park, Blackrock, Co Dublin, Ireland.
Tel: +353-1-295 9077 Fax: +353-1-295 9079 Email: Info@tico-group.ie Web: www.tico-group.ie

IBAN IE15ULSB98533001562077

BIC ULSBIE2D

VAT IE 4885697S

Directors Alexander Pigot
Jacqueline O'Regan
Reg. Office: Unit T8 Maple Avenue,
Silllogan Industrial Park
Blackrock
Co Dublin, Ireland
Reg. No. 140451



Introduction to TICo Group Ltd and why they are part of the Irish Postal Service Industry.

TICo Group Limited (TICo) is probably Ireland's largest bulk mail producer.

TICo is a founding member of the Irish Direct Marketing Association. (1989)

TICo's managing director and author of this paper is Alex Pigot, board member and incoming chairman of the IDMA, member of the IDMA Regulatory Affairs Committee, board member of the Federation of European Direct Marketing Associations (FEDMA), a member of the FEDMA Postal Affairs Committee, a member of the Postal Users Group (PUG) – a pan European alliance of major postal users, draftsman of the IDMA position paper on the first postal directive, as well as draftsman for the responses to the consultation papers ODTR 01/28, 01/29, 01/35 and 02/15 and 02/95. TICo has responded on its own behalf to the consultation papers ODTR 02/94 (re terminal dues), ODTR 02/95 re Universal Service, Postcodes and Kerbside Boxes, ODTR/0365 Application by An Post to increase the price of reserved Postal Services, ODTR03/117 Postal Service Authorisations, Reserved Area Controls and Levy, ODTR 03/138 re postcodes, ODTR 04/08 re quality of service single piece mail as well as ODTR 04/54 and ODTR 04/92 in November 2004.

Alex Pigot represents FEDMA on the consultative committee of the UPU.

TICo have also submitted a paper to Department of Communications and to ComReg relating to ComReg's strategic statement (early 2003) as well as submitting our views on the draft VAT directive to the Department of Finance (mid 2003).

TICo produce over 400,000 mail items every week for their customers who include the major banks, financial institutions, IT companies, charities and telcos as well as other SMEs, marketing companies and travel companies. (Based on a total mail volume in Ireland of 780 million pieces of delivered mail TICo therefore produce over 1/38th of all mail items delivered in Ireland).

Over 60% of the mail produced by TICo is Direct Mail – and so is posted in Ireland using An Post's Postaim service. About 35% of TICo's production makes use of An Post's deferred and machineable products services. The balance uses An Post's IBMS service or another supplier's outbound international mail service.

Almost all of TICo's mail production falls in the 50g POP category (i.e. envelopes less than 162mm X 240mm in size and weighing less than 50g).

TICo Postal Service Ltd conducts postal management services on behalf of TICo Group Ltd.

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TICo Group Ltd, Unit T8, Maple Avenue, Sillorgan Industrial Park, Blackrock, Co Dublin, Ireland.
Tel: +353-1-295 9077 Fax: +353-1-295 9079 Email: info@tico-group.ie Web: www.tico-group.ie

IBAN IE16ULSB90533981502077

BIC ULSBIE2D

VAT IE 4805697S

Directors Alexander Pigot
Jacqueline O'Regan
Reg. Office: Unit T8 Maple Avenue,
Sillorgan Industrial Park
Blackrock
Co Dublin, Ireland
Reg. No. 140451



Comments to the Consultation Questions as Listed in Appendix A: Reponse to Complaints and Dispute Resolution Guidelines for Postal Service Providers who Provide Postal Services Within the Scope of the Universal Service

1. Do you agree with the guidelines as set out in 3.2 and 3.3 above? If not, what amendments would you consider appropriate.

In order for any complaints resolution system to be effective the avenues of redress open to customers should be clear, inexpensive and timely. TICo broadly welcomes these guide lines set out in 3.2 and 3.3 as they appear to be in line with what in our view is an effective complaints resolution system for postal services.

2. Are the Guidelines for communication with the user sufficient in your view? If not, please give reasons for your answer.

Section 3.4.1 states that each complaint should be acknowledged to the complainant within 7 calendar days.

TICo believes that service providers should strive for immediacy in their acknowledgement of customer complaints and therefore these time scales should be shortened to within one working day which is in line with the delivery aim of most postal product.

3. Are the maximum handling times for treatment of complaints acceptable? If not, please give reasons for your answer.

Section 3.4.2 states that the maximum handling time for the resolution of complaints within **domestic** universal services should be up to 20 days.

TICo believes that with adequate procedures in place a complaint of this nature can be resolved in a far shorter time scale.

TICo recommends a maximum handling time of 5 calendar days in this instance.

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TICo Group Ltd, Unit T8, Maple Avenue, Sillorgan Industrial Park, Blackrock, Co Dublin, Ireland.
Tel: +353-1-295 9077 Fax: +353-1-295 9079 Email: info@tico-group.ie Web: www.tico-group.ie

IBAN IE15ULSB98533001562077

BIC ULSBIE2D

VAT IE 4885697S

Directors Alexander Pigot
Jacqueline O'Regan
Reg. Office: Unit T8 Maple Avenue,
Sillorgan Industrial Park
Blackrock
Co Dublin, Ireland
Reg. No. 140451



Section 3.4.2 states that the maximum handling time for **international universal** services within industrialised countries should be up to 40 days.

TICO believes that with adequate procedures in place a complaint of this nature can be resolved in a far shorter time scale.

TICO recommends a maximum handling time of 10 working days in this instance.

Section 3.4.2 states that the maximum handling time for the resolution of complaints within **international services to other countries** should be up to 60 days.

TICO believes that with adequate procedures in place a complaint of this nature can be resolved in a far shorter time scale. TICO recommends a maximum handling time of 30 working days in this instance.

4. Is the proposal with regard to the requirement that postal service providers publicise what is on offer to customers in the form of "Complaints and Redress Code of Practice" sufficient in your view? If not, please give reasons for your answer.

In order for any complaints resolution system to be effective the postal service provider should make known to customers the wide range of redress avenues open to them as listed in 3.2. With this in mind TICO welcomes the recommendation for operators to publicise their code of practice for complaints and dispute resolution through the usual communication and advertising mediums.

5. Is the compensatory principle as outlined sufficiently clear? If not what amendments would you consider?

Section 3.7.1 states that at a minimum the customer should be put in the position it would have been in had the service been satisfactorily provided.

TICO broadly welcomes this proposal.

Notwithstanding, TICO believes that the terms of this section are too vague and would recommend more specific compensatory measures to be defined.

Also we feel that this statement is open to interpretation and may include compensation for the aspirations of the mailing to the customer.



6. Are there any additional aspects of the Complaints and Dispute Resolution Guidelines for Postal Service Providers who provide postal services within the scope of the universal service within Regulation 15(1) SI No 616 of 2002 that require consideration in your view?

Regulation 15 (1) si no. 616 of 2002 states that ‘...the regulator in consultation with the provider, draw up transparent, simple and inexpensive procedures for dealing with users complaints, particularly in cases involving loss, theft, damage or non-compliance with service quality standards.’

TICo broadly welcomes the resolution guidelines for postal services within the scope of the universal service.

It must be noted, however, that no provision is made for compensation in respect of late delivery. TICo would recommend that, in light of the emphasis on service quality standards in regulation 15 (1) si no. 616 of 2002, provision is made in respect of late delivery in cases where proof of late delivery can be provided. It should also be noted that late delivery can be as harmful to the customer as non delivery.

☐ Lettershop ☐ Data Management ☐ Invoice/Statement Production ☐ Print Management ☐ Postage Management

TICo Group Ltd, Unit T8, Maple Avenue, Sillorgan Industrial Park, Blackrock, Co Dublin, Ireland.
Tel: +353-1-295 9077 Fax: +353-1-295 9079 Email: info@tico-group.ie Web: www.tico-group.ie

IBAN IE15ULSB998533081582077

BIC ULSSIE2D

VAT IE 48858975

Directors Alexander Pigot
Jacqueline O'Regan
Reg. Office: Unit T8 Maple Avenue,
Sillorgan Industrial Park
Blackrock
Co Dublin, Ireland
Reg. No. 140451



Conclusion

The final draft of the guidelines must include:

- (a) Shorter time-scales for acknowledgement and resolution of complaints.
- (b) Provision for compensatory measures in cases of late delivery.
- (c) More specifically defined compensatory measures.

Alex Pigot
October 2007.

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TICo Group Ltd, Unit T8, Maple Avenue, Stillorgan Industrial Park, Blackrock, Co Dublin, Ireland.
Tel: +353-1-295 9077 Fax: +353-1-295 9079 Email: info@tlico-group.ie Web: www.tlico-group.ie

IBAN IE15ULS698533081582077

BIC ULSBIE2D

VAT IE 4885897S

Directors Alexander Pigot
Jacqueline O'Regan
Reg. Office: Unit T8 Maple Avenue,
Stillorgan Industrial Park
Blackrock
Co Dublin, Ireland
Reg. No. 140451