

Customer Transfer Preference Policy

Slamming; what is it and what does it mean for your business?

'Slamming' is the term used for an extreme form of miss-selling where your telephone or broadband service are switched, or attempted to be switched, without your knowledge or consent.

Often, the first you will know about this is when you received your first bill from the new company out of the blue or in extreme circumstances when you lose service.

Ofcom have introduced tough rules to clamp down on this practice.

What are we doing about this?

We support the Ofcom position that this is unacceptable and are committed to protecting the interests of our customers and we actively operate within the regulations applied by Ofcom's General Conditions of Entitlement.

After notice of termination in accordance with clause 12 of our Terms and Conditions, or before where applicable, in the event that a customer fails to contact us in writing within 48 hours prior to the transfer date, We Do Your Communications may cancel any order made with a third party provider under the 'Cancel Other' process in an effort to prevent Slamming.

Before we take any action using the 'Cancel Other' process we will take reasonable steps to establish that Slamming and/or Failure to Cancel has actually taken place.

What do you need to do?

After notice of termination in accordance with Clause 12 of our Terms and Conditions, or before where applicable, in the event that a Customer wishes to transfer their Telephone Line Rental or Broadband Service you will need to contact us, in writing, a minimum of 48 hours before the Transfer Date to inform us of the change. Failure to do this may result in us cancelling the order with the new Communications Provider.

The technical bit!

NOTE TO READER: this is an extract from the Consolidated Version of General Conditions of Entitlement as at 28 May 2015. The full set of the latest consolidated version of the General Conditions of Entitlement of available on Ofcom's Website.

Cancel Other – As taken from Annex 1 to Condition 22

1.2 The Losing Provider shall only be permitted to use Cancel Other in the following circumstances:

- a) where Slamming has occurred;
- b) at the Customer's request, where the Gaining Provider has failed to cancel the Transfer Order after being directed by the Customer to do so ("Failure to Cancel");
- c) where the telephone line is or will be, ceased during the Transfer Period ("Line Cease");
- d) for other specified reasons not related to a Customer's request to cancel a transfer, as agreed by the relevant industry forum and approved by Ofcom; and
- e) in such other circumstances as defined by Ofcom.

1.3 Before using Cancel Other in cases of Slamming and/or Failure to Cancel, the Losing Provider shall take reasonable steps to establish that Slamming and/or Failure to Cancel has actually taken place.

DEFINITIONS

“Cancel Other” means the industry term for a functionality that enables the Losing Provider to cancel, during the Transfer Period, wholesale orders placed by the Gaining Provider;

“Communications Provider” means a person who provides Communications Services;

“Communications Service” means a Broadband Service and/or a Fixed-line Telecommunications Service;

“CPS” or “Carrier Pre-Selection” means a facility which allows a customer of a Publicly Available Telephone Service to select a provider designated in advance to apply on every occasion where no other providers have been pre-selected for the use of a telephone number;

“Customer” means a person who is an End-User of Communications Services provided by a different Communications Provider or a person who is seeking to become an End-User of a Communications Provider;

“Failure to Cancel” means failure by the Gaining Provider to cancel a transfer, after a request from the Customer during the Transfer Period;

“Gaining Provider” means:

- I. the Communications Provider to whom the End-User or Customer is transferring; or
- II. the Communications Provider to whom the Inbound Customer or End-User makes a Home-Move Request;

“KCOM” means KCOM Group plc;

“Losing Provider” means the Communications Provider from whom the End-User or Customer is transferring;

“MPF” or “Metallic Path Facility”, means a circuit comprising a pair of twisted metal wires between an End-User’s premises and a main distribution frame that employs electric, magnetic, electro-magnetic, electro-chemical or electro-mechanical energy to convey signals when connected to an Electronic Communications Network;

“Openreach” means the BT group business offering Communications Providers’ products and services that are linked to BT’s nationwide Electronic Communications Network;

Slamming means where:

- a) a request for CPS, WLR, SMPF and/or MPF has been made,
- b) in the case of KCOM a request to transfer Communications Services to another Communications Provider has been made, or
- c) a Transfer Order or a Working Line Takeover Order has been placed on Openreach or on KCOM (as applicable), without the Customer’s express knowledge and/or consent; that is in the following circumstances:
 1. where the Customer has never contacted, or has never been contacted by, the Gaining Provider;
 2. where the Customer has contacted, or has been contacted by, the Gaining Provider, but has not given the Gaining Provider authorisation to transfer some or all of their Communications Services;
 3. where the Customer has agreed to purchase a product or service from the Gaining Provider and the Gaining Provider has submitted an order for a different product or service which the Customer has not agreed to purchase; or
 4. where the Customer has agreed to transfer some or all of the Communications Services to the Gaining Provider having understood as a result of a deliberate attempt by the Gaining Provider to mislead, that they are making an agreement with a different Communications Provider;

“SMPF” or “Shared Metallic Path Facility” means access to the non-voiceband frequencies of the MPF;

“Terms and Conditions” refer to our Terms and Conditions as contained on our website at wedoyourcomms.co.uk

“Transfer Order” means an order submitted by, or on behalf of, the Gaining Provider to Openreach, or other applicable wholesaler, requesting for the Target Line to be transferred from the Losing Provider to the Gaining Provider;

“WLR” or “Wholesale Line Rental” means a regulated wholesale service sold by BT or KCOM, which is used by the Communications Provider to provide retail customers with exchange lines and in turn, access to other Narrowband telephone services (for example, telephone calls, facsimile and dial-up);

“Working Line Takeover” means a process by which

- I. a Communications Provider takes over a WLR or MPF line in order to provide Communications Services or,

- II. in the case of KCOM a process by which a Communications Provider takes over the provision of Communications Services to the Inbound Customer or End User, where that line is being used by that same or a different Communications Provider to supply Communications Services to the Incumbent End-User;