



Suggested changes to the Guidance Notes on the requirement for customer service lines to use 'basic rate' numbers

With effect from 1 July 2015, the "UK Calling" provisions introduced by Ofcom made it much easier to identify 'basic rate' numbers, as the "Service Charge" component of the cost of calling 084/087/09/118 numbers became transparent.

The charging structure also changed, ensuring that the cost of calling these numbers could never be less than that for calling 01/02/03 numbers.

The Guidance issued at the initial implementation of #41 of The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013, published at section J of the Implementing Guidance, should, as promised at J.14, have been reviewed and the terms of the Regulation amended, or at least the Guidance revised, to reflect the clearer situation.

The suggested changes to the Guidance which follow represent a minimalist approach to what is necessary, retaining the original wording that remains relevant. A side-by-side revision-marked approach is used to highlight the changes.

Original Version	Suggested Revisions
<p>J. Prohibition on customer helplines charging more than basic rate</p> <p>How can I comply with the basic rate requirement?</p> <p>1. Where a telephone helpline is provided, the basic rate requirement means not charging more to phone a trader about something you have bought than to call a friend or relative, that is to say the simple cost of connection. This telephone number provided should not provide the trader with a contribution to their costs</p> <p>2. The following numbers, if used by traders, would comply with the regulations:</p> <ul style="list-style-type: none"> • Geographic numbers or numbers which are always set at the same rate, which usually begin with the prefix 01, 02, or 03; • Calls which can be free of charge to call, for example, 0800 and 0808 numbers. In certain circumstances charges to these numbers can be applied, for example, for those ringing from a mobile. However, OFCOM's proposed reforms will mean these numbers will soon become free in all circumstances; • Mobile numbers, which usually begin with the prefix 07. 	<p>J. Prohibition on customer helplines charging more than basic rate</p> <p>How can I comply with the basic rate requirement?</p> <p>1. Where a telephone helpline is provided, the basic rate requirement means not charging more to phone a trader about something you have bought than to call a friend or relative, that is to say the simple cost of connection. This telephone number provided should not provide the trader with a contribution to their costs.</p> <p>2. The following numbers, if used by traders, would comply with the regulations:</p> <ul style="list-style-type: none"> • Geographic numbers or numbers which are always set at the same rate, which usually begin with the prefix 01, 02, or 03; • Numbers which are free of charge to call, for example, 0800 and 0808 numbers; • Standard mobile numbers (as typically used by a small business as their main or only contact point), which usually begin with the prefixes 071 to 075 or 077 to 079.



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3. Premium rate numbers would not comply. They begin with the prefix 09.

4. Other revenue sharing numbers would not comply. These are numbers in which a portion of the call charge can be used to either provide a service or make a small payment to the trader. These usually have the prefix 084 or ~~0871, 0872 or 0873~~.

~~5. Numbers with the prefix 0870 are not revenue sharing numbers. However, they can be higher than a geographic cost, and will vary depending on the tariff of the consumer's telecom company. They would therefore not comply. Following OFCOM reforms in 2015 these numbers will permit revenue sharing and in any case would no longer comply with the basic rate requirements.~~

6. OFCOM has ensured those wishing to change from a ~~0845~~ number have access to 03 numbers where the only change will be the substitution of the digit '3' instead of the '8' in the prefix.

3. Premium rate numbers would not comply. They begin with the prefix 09.

4. Other revenue sharing numbers would not comply. These are numbers in which a portion of the call charge can be used to either provide a service or make a small payment to the trader. These usually have the prefix 084 or **087**.

5. OFCOM has ensured those wishing to change from **an 084 or 087** number have access to 03 numbers where the only change will be the substitution of the digit '3' instead of the '8' in the prefix, **for example, where 0845 becomes 0345**.

Do the regulations say that I have to provide a telephone helpline?

7. No. Regulation 41 on charges for customer helplines only applies if you offer a telephone line on which consumers can contact you about something they have bought.

~~8. Nor does the Regulation require that all numbers operated by a business are at a basic rate. Only that where the trader provides a telephone line so that the consumer can contact them about a contract concluded, there should be a number available on which the consumer can call for this purpose at no more than the basic rate. For example, as there are times when consumers may prefer 0845 numbers to geographic numbers it may be desirable in some circumstances to maintain both access numbers. If traders take this approach the 'basic rate' compliant telephone number should be communicated as prominently as one that is not.~~

9. Sales lines, and those offering services paid for through a phone bill (e.g. a weatherline) are unaffected.

Do the regulations say that I have to provide a telephone helpline?

6. No. Regulation 41 on charges for customer helplines only applies if you offer a telephone line on which consumers can contact you about something they have bought.

7. Sales lines, and those offering services paid for through a phone bill (e.g. a weatherline) are unaffected. **The regulation only applies to lines that are used for customer service, either exclusively or alongside other functions.**





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<p>Do I have to subsidise the phonecall?</p> <p>10. No. There is no requirement to subsidise the phone call.</p>	<p>Do I have to subsidise the phonecall?</p> <p>8. No. There is no requirement to subsidise the phone call. A subsidised phone call could be one where the call is free, for example, numbers beginning with the prefix 0800 or 0808.</p>
<p>I am a sole trader using a mobile number. Is this permitted?</p> <p>44. Yes, standard mobile numbers are permitted.</p>	<p>I am a sole trader using a mobile number. Is this permitted?</p> <p>9. Yes, standard mobile numbers are permitted. These numbers usually begin with the prefixes 071 to 075 or 077 to 079.</p>
<p>I sell computers and offer technical phone support. I use a revenue sharing arrangement with my telephone provider to fund this service. Does the number have to comply with regulation 41?</p> <p>42. Where a trader offers a technical support line, this need not come under regulation 41, provided it is a discrete service, and not one on which the caller is also expected to call to discuss problems with a purchase already made. Provided the trader makes it clear that it is a separate service for which a separate fee (paid for through the enhanced cost of the call) is payable and not one for post purchase problems, regulation 41 will not apply. Horoscope and weather lines are similarly excluded. Regulation 41 applies where a phone line is offered which allows a customer to contact the trader about a problem which may have arisen with a product already purchased or to exercise cancellation rights.</p> <p>43. If, however, a consumer having contacted a 'paid through a telephone bill' service, is unhappy and wishes to raise an issue (for instance the recording was muffled and they could not hear it properly) then, if the provider offers a phone line for such complaints, that phone line should comply with regulation 41.</p>	<p>I sell computers and offer technical phone support. I use a revenue sharing arrangement with my telephone provider to fund this service. Does the number have to comply with regulation 41?</p> <p>10. Where a trader offers a technical support line, this need not come under regulation 41, provided it is a discrete service, and not one on which the caller is also expected to call to discuss problems with a purchase already made. Provided the trader makes it clear that it is a separate service for which a separate fee (paid for through the enhanced cost of the call, commonly declared as the 'Service Charge') is payable and not one for post purchase problems, regulation 41 will not apply. Horoscope and weather lines are similarly excluded. Regulation 41 applies where a phone line is offered which allows a customer to contact the trader about a problem which may have arisen with a product already purchased or to exercise cancellation rights.</p> <p>11. If, however, a consumer having contacted a 'paid through a telephone bill' service, is unhappy and wishes to raise an issue (for instance the recording was muffled and they could not hear it properly) then, if the provider offers a phone line for such complaints, that phone line should comply with regulation 41.</p>
<p>14. The Government will review implementation of the provision on basic rate, after OFCOM's reforms are also implemented in 2015.</p>	