

fair telecoms campaign

news release



Silent Calls - Ofcom fines npower £60,000 - 'too little too late'

Ofcom has today announced that is fining **npower** the sum of **£60,000** in respect of telephone calls made over a seven week period in February / March 2011.

<u>This announcement</u>, in the **Ofcom** Competition and Consumer Bulletin, follows a Notification issued to **npower** on 6 July 2011 - <u>published here</u> on 6 February 2012.

It is **Ofcom** which is being Silent about these Calls. We have little information about the case itself. This case does however say a lot about Ofcom's failure to *"eradicate the nuisance of Silent Calls"*, as expected by parliament - see <u>this item</u>.

- We have no idea of whether the level of this fine is appropriate. Ofcom does not give out
 details of the amount of nuisance which npower caused then, has caused since and will
 continue to cause.
- The information in the Notification does not even refer to the Silent Calls made by **npower**.
- Ofcom has not used its power to impose a requirement on npower not to make further Silent
 Calls or issue recorded marketing messages. We have no idea of any undertakings given by
 npower in its response to the Notification, which would have been made by 6 August 2011.

The fine detail of this is such nonsense that it is too difficult to explain simply. Suffice to say that **Ofcom** is not focussing on the nuisance caused by callers who hang up in silence when their call is answered. The **Ofcom** policy explicitly permits callers to hang up in silence on a certain percentage of the calls they make each day - the bigger the company, the more Silent Calls they can make!

The penalty imposed on npower is essentially in respect of a few days when it has admitted to exceeding the "abandoned call" percentage limit. **npower** claims to be playing a recorded message whenever it is unable to provide an agent to handle a connected call. This means that it is almost certainly using "Answering Machine Detection" equipment, which is known to be an inevitable cause of Silent Calls. Ofcom explicitly tolerates use of this equipment.

I may be quoted as saying:

"Ofcom is way off track on this issue; it must be brought back in line"

Notes:

- 1. I hope that **npower** will be able to comment about whether it has ceased using Answering Machine Detection equipment, or if it is still making Silent Calls within the **Ofcom** allowance.
- 2. See our earlier release "Ofcom attacked for its failure with Silent Calls".
- 3. Please contact me for further information and comment.

