



# Highland Community **Broadband**

## HIGHLAND COMMUNITY BROADBAND COMMUNITY INTEREST COMPANY CUSTOMER COMPLAINTS CODE AND PROCESS

### Purpose

This code says how customers of HCB can make formal complaints and how HCB will deal with them. It complies with Condition C4 and annex of OFCOM's General Conditions which came into force on 1<sup>st</sup> October 2018.

This code is available free of charge in hard copy, as required under section 2 18 (c) and (d).

Customers should **not** use this procedure to report service faults.

### General Introduction

We will promptly take and continue to take active steps to resolve a customer's complaint to the customer's reasonable satisfaction until the complaint has been resolved or otherwise closed.

We will endeavour to provide a quick, fair and considered response to complaints and try to resolve a complaint to the customer's reasonable satisfaction. If we decide a complaint is not well founded, we will tell the customer why.

Please bear in mind that we are a small, community owned and operated company, with only one part-time employee. Your complaint will be handled by volunteers who, like you, are also shareholders of the company and customers so please be polite to them. We will do our best to handle complaints politely, quickly and thoroughly, but we may not always have the resources to resolve your complaint quickly. Please bear with us as we will always strive to do the best we can.

## **Customers with Disabilities or who are vulnerable**

If you need extra help to raise a complaint or if you are a 3<sup>rd</sup> party acting on behalf of a disabled or vulnerable customer to make a complaint for them, please let us know and we will do all we reasonably can do to facilitate your making the complaint.

## **How to make a Complaint**

You can make a formal complaint by: -

**Email:** - by emailing: - [Complaints@hcbroadband.co.uk](mailto:Complaints@hcbroadband.co.uk) [info@hcbroadband.co.uk](mailto:info@hcbroadband.co.uk) and make the subject of your email "Complaint".

**Telephone:** - by calling: - 01854-335011 (Monday to Thursday, 9am till 5pm) and asking to make a Complaint. Alternatively, leave a message.

**Post:** - address your stamped letter to: - Complaints, Highland Community Broadband, Radio House, Ullapool, Highland IV26 2UN.

You must tell us your name and postal address, what the complaint is about and whether you want us to respond to you by telephone, email or post and you must give us the relevant telephone or email address you want us to use. It will help if you can also give your Customer ID.

Our preference is to receive and respond to complaints by email.

## **How we will deal with your complaint**

### **Stage 1: Acknowledgment**

We will acknowledge your complaint in your preferred response method, telling you the process we will follow to investigate the complaint with a view to resolving it to your satisfaction and the timeframes in which we will try to carry out our investigation into your complaint.

We will acknowledge your complaint within 3 working days of receiving your complaint.

We will not take complaints we reasonably consider to be frivolous or vexatious beyond Stage 1, except to tell you that in our acknowledgment.

### **Stage 2: Investigation**

We will investigate your complaint.

Registered Office: Radio House, Mill Street, Ullapool, Ross-shire. IV26 2UN. Company No: SC545398

Telephone 01854 335011 <http://www.hcbroadband.co.uk/> [info@hcbroadband.co.uk](mailto:info@hcbroadband.co.uk)

We will try to complete our investigation and report back to you with the outcome within a further 10 working days.

Occasionally, or in complex complaints, we may not be able to complete our investigation and report back to you with the outcome within the 10 working days. As soon as we recognise this, we will tell you and give you the best estimate we can of how long it will take for us to complete our investigation and report back to you with the outcome.

### **Stage 3: Report back to you with our outcome**

We will report back to you with the result of our investigations and say whether we agree with your complaint. If we do this over the telephone, we will send you written confirmation.

If we agree with your complaint, we will tell you how we will resolve it e.g. an apology, putting right the problem which caused you to complain in the first place.

If we don't agree with your complaint, we will tell you why we disagree.

The report back will also tell you the following extra information that OFCOM requires us to give you: -

1. that we may consider it reasonable to conclude that your complaint has been resolved to your satisfaction if we have promptly told you the outcome of our investigation and you do not let us know within 28 days that you consider the complaint is still unresolved; and
2. where a copy of this Code can be found on our website and the contact details for the ADR scheme of which we are a member.

Therefore, we will keep your complaint open until we have received confirmation from you that you are satisfied with the result of the investigation and our intended resolution, or 28 days have elapsed from the date of our outcome report back without your telling us that you remain unsatisfied.

### **Stage 4: Referral to External Review by UKWISPA**

If you are not satisfied with our outcome report back at Stage 3, you can ask us to refer your complaint to the UK Wireless Internet Service Providers Association ("UKWISPA") for external review by them at no charge to you. We are a member of UKWISPA.

If you tell us you want to do this within 28 days of us giving you our outcome report back, we will send them a summary of the case to date. We will, at the same time, send you a copy of that and their contact details, so you can directly follow their progress with your case. They are committed to providing a response to the parties within 2 weeks of receiving our summary of the case.

We are committed to accept the outcome of the UKWISPA review. UKWISPA contact details: -

**Post:** - Member Complaints, UKWISPA, 4 Croftside Court, Cullingworth, Bradford BD13 5DE

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Telephone 01854 335011 <http://www.hcbroadband.co.uk/> [info@hcbroadband.co.uk](mailto:info@hcbroadband.co.uk)

**Telephone:** - 03333-660036 **Email:** - [info@ukwispa.org](mailto:info@ukwispa.org)

### **Stage 5: Access to Alternative Dispute Resolution (“ADR”)**

If: -

1. you are not satisfied with the outcome of UKWISPA’s external review (at Stage 4);
2. we have sent you an ADR Letter (see below for an explanation); **or**
3. your complaint remains unresolved after 8 weeks have passed since the date on which we received your complaint;

then you can refer your case to our OFCOM-approved UKWISPA Alternative Dispute Resolution scheme (“ADR”), free of charge to you for their services.

Our ADR Scheme is administered by The Ombudsman Service Limited of 3300 Daresbury Park, Warrington, Cheshire WA4 4HS. They are independent of us and we will pay their charges for their services in your case.

You can submit your case via their website at [www.ombudsman-services.org](http://www.ombudsman-services.org). Their contact details are: -

**Post:** – Communications, Ombudsman Services, PO Box 730, Warrington WA4 6WU

**Telephone:** - 0330-440-1614

**Email:** - [osenquiries@oscommunications.org](mailto:osenquiries@oscommunications.org)

This information is included in the bills we send customers (except where sent by SMS).

We are committed to comply with the ADR scheme and to abide by any final decision of Ombudsman Services in your case within any time period specified in that final decision.

#### **“ADR Letter”**

- 1. OFCOM Condition C4 and annex requires us to issue you with an ADR Letter when all**

**the following 3 criteria are met: -**

- 1. We have told you the outcome of our investigation into your complaint;**
- 2. You have told us that you consider the result or resolution we have proposed does not resolve your complaint to your satisfaction; and**
- 3. We do not intend to take additional steps to resolve the complaint to your satisfaction that would produce a different outcome.**

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2. **OFCOM Condition C4 and annex also requires us to issue you with an ADR Letter if the complaint remains unresolved after 8 weeks have passed since the date on which we received your complaint, unless we have already sent you an ADR Letter.**

**The ADR Letter will tell you that, because your complaint has not been/cannot be resolved to your satisfaction so far, you have the right to take your complaint to our ADR scheme at no cost to you. It will be written in plain English, provide information solely about your complaint, give the name and contact details of the provider of our ADR Scheme and say that the ADR scheme is independent of us. It will be provided in a durable medium.**

### **When we can close a Complaint**

**A. Under OFCOM Condition C4 and annex, we must not close a complaint unless:-**

1. The Complaint has been resolved in one of the ways laid down in section B below;
2. An ADR Letter has been issued to you; or
3. It is reasonable for us to consider your complaint to be frivolous or vexatious.

**B. OFCOM says a complaint is “resolved” where: -**

1. you have expressly agreed that your complaint has been resolved to your satisfaction;

**or**

2. it is reasonable for us to conclude that the complaint has been resolved to your satisfaction because we have informed you of the outcome of our investigation at Stage 3 above with the extra information OFCOM require us to give at that point and you have not come back to us within 28 days to say that you consider your complaint remains unresolved.

### **Record Keeping**

**A. For each complaint received, OFCOM requires us to keep a record in writing of:**

1. the date on which the complaint was received;
2. how the complaint was made (e.g. by email or telephone);
3. the identity and contact details of the customer;
4. a description of what the complaint is about;

5. all communications made or received between us and you regarding the complaint (including as a minimum:- the date on which it was made or received, how it was made or received (e.g. by email or telephone); a description of what was contained in the communication (e.g. advice given and/or action proposed to be taken and /or action agreed with you to resolve the complaint):and copies of any written communication; and

6. the date on which the complaint was resolved or otherwise closed.

**B. We must also keep a record of how your complaint was resolved as follows:-**

1. Where your complaint is resolved by your express agreement, we must keep a written record of your express agreement.

2. Where we have notified you that we may conclude that you are satisfied in the absence of notice from you that you do not consider the complaint resolved to your satisfaction within 28 days in our outcome report-back and you have not let us know within 28 days that you consider the complaint remains unresolved, we must keep a record that the notification and time conditions were met.

3. If your complaint is resolved by our reasonably considering it was frivolous or vexatious, why we so considered it.

**C. Monthly Records**

We must make and retain monthly records relating to complaints as required by OFCOM Condition C4 annex point 23.

**D. Record Retention**

We must retain written records for a period of at least 12 months. In the case of individual complaints, that means 12 months after the complaint was resolved or otherwise closed.