



## Zen's Code of practice as a provider of fixed line telephony services for Zen Home Talk and Zen Business Talk Services

### Introduction:

As a provider of fixed line telecommunications services, we are required by OFCOM to have in place and comply with a code covering the sale and marketing of our Zen Home Talk and our Zen Business Talk products (together, the "Zen Talk" products). This Code has been prepared in accordance with guidelines published by and approved by the communications industry regulator OFCOM.

### The Purpose of this Code of Practice:

The purpose of this Code is to:

- inform you about our products, services and customer care policies to show that we adopt responsible best-practice selling techniques when marketing the Zen Talk products;
- help our customers (and potential customers) understand the Zen Talk products and the level of behaviour to be expected from our representatives;
- show that we provide our customers with higher standards of protection than consumer law requires; and
- set out clearly what is good practice in the sales and marketing of the Zen Talk products.

Compliance with this Code does not guarantee compliance with any legal requirement and non-compliance with this Code does not affect the validity of any contract we enter into, unless otherwise provided by law.

### Sales, Marketing, Advertising and Promotional activity:

We make customers aware of and promote the Zen Talk products by various methods. In all cases, we will act responsibly and in compliance with this Code when selling, promoting and marketing the Zen Talk products.

We will respect the legal rights and wishes of our customers, in particular, where they have registered with any relevant preference service, including the Mailing Preference Service, the Telephone Preference Service, the Fax Preference Service and the E-mail Preference Service.

We will comply with the British Codes of Advertising and Sales Promotion and all other applicable advertising codes in force from time to time.

## Zen's Code of practice as a provider of fixed line telephony services for Zen Home Talk and Zen Business Talk Services



We will ensure that all of our advertising and promotional literature for the Zen Talk products shall be clear, unambiguous, accurate and fair and we will ensure that it contains no false or misleading information about price, value or service and, in particular, it will not denigrate other Providers.

### **Recruitment and sales training:**

We will ensure that appropriate procedures are put in place for the selection of staff who are in direct contact with customers for the purposes of selling and marketing the Zen Talk products. We will also ensure that any that any sub-contractors or third party agencies used in the selling, promotion or marketing of the Zen Talk products also set up equivalent selection procedures. Our remuneration systems are documented and do not encourage misleading or exploitative sales practices

We will ensure that (whilst operating within current employment legislation), when we recruit sales staff we will check and take into account any references and relevant convictions for criminal offences and will have regard to any evidence of mis-selling or lack of integrity in any previous selling employment.

For sales staff we require proof of National Insurance number, proof of address and two references (the two referees cannot be related to the applicant and business referees cannot both be from the same company).

Where a sales person leaves for any reason a copy of his or her sales records (including all recordings and notes on sales) will be retained for a minimum period of six months and we will retrieve the identification badges of staff leaving the company.

We will train our staff to ensure that they have a sufficient understanding of the Zen Talk products and to ensure that any relevant advice given by such staff is not misleading. Such training shall include:

- arrangements for competition in the supply of telecommunications in the UK;
- the different telephone options provided by us and how these differ from other competitive telecoms products (which may or may not be offered by us); for example, Indirect Access, Carrier-Pre Selection, Wholesale Line Rental or Wholesale Calls;
- the process for ordering Zen Talk products;
- the relevant principles of consumer protection law;
- our prices and terms and conditions of service and, in particular, the methods of payment, duration of contract and any termination fees;

## Zen's Code of practice as a provider of fixed line telephony services for Zen Home Talk and Zen Business Talk Services



- the nature, and cost, of any additional services on offer;
- the process for cancelling the contract both during the cooling-off period and at any time following commencement of the service; and
- the existence of this Code and the benefits provided by it; and
- our procedure for handling customer complaints.

The person accountable for ensuring that we observe the Code and for handling complaints relevant to this Code is our Service Improvement & Regulatory Manager.

### Customer contact:

Our sales staff are given clear guidelines on contacting residential customers at home, particularly during the hours of darkness. Our sales staff must not telephone before 8am or after 9pm, unless you ask them to.

On making contact, our sales staff will immediately identify themselves, state our company name, the purpose of the call and how long it should take.

Our sales staff are trained to be courteous, to use appropriate language and to offer clear and straightforward explanations. They must offer only factual and accurate information about our services and contracts and must not misrepresent our services or those of other companies. They must check that if you enter into a contract you fully understand the terms and are sure that this is what you want to do.

Our sales staff will cease contact with anyone who indicates that the contact is inconvenient, unwelcome, inappropriate or too long. At your request, the discussion will be ended immediately.

Our sales staff will not abuse the trust of vulnerable customers, for example people who are elderly or who have special needs, or whose first language is not English. Our sales staff will not pursue sales presentations to Customers whom they believe may be vulnerable. We will not knowingly direct sales or marketing activity at people who are under the legal age for entering into contracts.

To ensure we maintain these standards, we keep the records of our sales and marketing activities for at least six months, including the date, the approximate time of the contact with you and the identity of the salesperson(s) that made the call.

## Zen's Code of practice as a provider of fixed line telephony services for Zen Home Talk and Zen Business Talk Services



### Entering into a contract:

We take all reasonable steps to check that the person entering into a contract with us is authorised to sign a contract for the Zen Talk Product and be responsible for bills at the premises in question.

We will ensure that our order forms and contract forms are designed so that the contractual nature of the document is clear.

In all cases we will give you the following information:

- confirmation of our company's identity and full contact details (including our address, telephone, fax and e-mail contact details);
- a description of the service you have chosen, including how it works, the cost and payment terms;
- arrangements for providing the service, including the order process and, as accurately as possible, when it is likely to start;
- your right to cancel and how to use it;
- how long the charges will remain valid; and
- the minimum period of contract and minimum contract charges, if any.

We will provide you with a full written summary of our tariffs upon request. When you sign an order form, or enter into a written contract, we will give you a copy of the order form or contract, as well as information about any after-sales services or guarantees and arrangements for ending the contract either at the same time as you sign, or within 5 working days, unless you received it in writing before signing the contract.

Orders placed with us by distance-selling methods (such as phone, fax or internet) comply with distance-selling regulations. In the case of internet orders, a well signposted hyperlink to this information is prominently displayed and the information is readily available for downloading and printing.

We will tell you that you have the right to change your mind during any switchover / transfer period.

Regardless of our method of selling, you may cancel orders and end contracts by telephone, in writing or by e-mail.

## Zen's Code of practice as a provider of fixed line telephony services for Zen Home Talk and Zen Business Talk Services



### Contract review:

We confirm orders by sending a notification of transfer letter to the customer in accordance with the industry-agreed process by post or electronically by email where you have initiated contact by applying online, and have confirmed online that you wish all future correspondence to be sent electronically or where you have made a request to receive correspondence electronically.

The letter, which is clearly dated, gives details of the transfer, including the date of transfer, and information on any services and features which may be affected by the transfer. The letter also provides contact details for any questions.

We will terminate the contract without charge or other penalty to you if we find that you did not understand the contract or it was not what you intended or if it was finalised before the expiry of the switchover period, and you wish to cancel.

We keep our contract procedures under review and take steps to prevent the recurrence of any problem identified through our internal audit procedure.

### Transfers between Communications Providers:

We are also required by OFCOM to have in place and comply with a code covering the transfer of our Zen Talk products to another communications provider.

We comply with OFCOM's General Condition 24 which governs the transfer of fixed line telephony services between communication providers ("GC24").

A copy of GC24 can be found on our website (<http://www.zen.co.uk/policies/gc24.aspx>), or, alternatively, we will make copies of this document available to you on request, free of charge and in a reasonable range of formats.

## Zen's Code of practice as a provider of fixed line telephony services for Zen Home Talk and Zen Business Talk Services



### **Audit:**

We carry out regular audits of the systems, procedures and documents we use in the sales and marketing of our services to ensure that we comply with all aspects of this Code.

### **Customer complaints procedure:**

Complaints about sales and marketing are dealt with under the procedures set out in our Complaints Procedure. Our complaints procedure sets out how you may complain, and this includes complaints about the sale and marketing of the Zen Talk products. It specifies what to do next if you believe the complaint has not been dealt with satisfactorily.

We will ensure that all our staff who deal directly with customers are made aware of this procedure and we will liaise regularly with OFCOM and the relevant consumer groups to monitor the number and nature of complaints under this Code.

### **Universal Service Obligation:**

Under this code, we are not obliged to offer the same products and services that BT's Business and Retail Division's must provide under their Universal Service Obligation (USO) under OFCOM regulation. This means that certain services, such as text messaging, may not be available for our customers to purchase and certain services may not have been made available from our wholesale suppliers for re-sale.

### **Distributing the code: creating awareness**

We will make copies of this Code available on request, free of charge and in a reasonable range of formats.

A copy of this Code has been sent to OFCOM and the Citizens Advice and any subsequent update to the Code will also be provided.



# Zen’s Code of practice as a provider of fixed line telephony services for Zen Home Talk and Zen Business Talk Services

## Useful addresses

**CISAS** - 24 Angel Gate, City Road, London EC1V 2PT

Tel: 020 7520 3827 [www.cisas.org.uk](http://www.cisas.org.uk)

**Ofcom** - Riverside House, 2a Southwark Bridge Road, London SE1 9HA

Tel: 020 7981 3000 or 0300 123 333. [www.ofcom.org.uk](http://www.ofcom.org.uk)

**Direct Marketing Association** - DMA House, 70 Margaret Street, London W1W 8SS Tel: 020 7291 3300 [www.dma.org.uk](http://www.dma.org.uk)

If you wish to find details of your nearest Citizens Advice Bureau or local Trading Standards Department you can search on the following websites:

**Citizens Advice** - [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk) and **Institute of Trading Standards Administration** - [www.tradingstandards.gov.uk](http://www.tradingstandards.gov.uk)

## How to contact us:

**Zen Internet** – Sandbrook Park, Sandbrook Way, Rochdale OL11 1RY

[www.zen.co.uk](http://www.zen.co.uk)

<p><b>Technical Support</b> <b>(Fault reporting)</b></p>	<p>Telephone: 0845 058 9009 or 01706 902 009</p> <p>8am - 8pm weekdays, 9am - 5pm weekends (fault reporting)</p> <p>9am - 5pm weekdays (fault response)</p>
<p><b>Customer Services</b> <b>(Checking of transfer and installation dates and general enquiries)</b></p>	<p>Telephone: 0845 058 9000 or 01706 902 000</p> <p>9am - 5pm weekdays</p> <p><a href="mailto:customerservices@zen.co.uk">customerservices@zen.co.uk</a></p>

Zen's Code of practice as a provider of fixed line telephony services for  
Zen Home Talk and Zen Business Talk Services



<p><b>Sales</b> <b>(New services and service re-grades)</b></p>	<p>Telephone: 0845 058 9000 or 01706 902 000</p> <p>9am - 5pm weekdays</p> <p><a href="mailto:homeenquiries@zen.co.uk">homeenquiries@zen.co.uk</a></p> <p><a href="mailto:businessenquiries@zen.co.uk">businessenquiries@zen.co.uk</a></p>
<p><b>Customer Billing</b> <b>(Billing enquiries)</b></p>	<p>Telephone: 0845 058 9000 or 01706 902 000</p> <p>9am - 5pm weekdays</p> <p><a href="mailto:customerbilling@zen.co.uk">customerbilling@zen.co.uk</a></p>
<p><b>General Enquiries</b></p>	<p>Telephone 0845 058 9000 or 01706 902 000</p> <p>Fax: 0845 058 9005</p> <p><a href="mailto:info@zen.co.uk">info@zen.co.uk</a></p>
<p><b>Please Note:</b></p> <p>We are closed on Bank Holidays</p> <p>Calls made to our 0845 numbers from a Zen Home Talk or Home Talk PLUS service are charged at 5ppm during the day and 2ppm during the evening and weekend. Calls made from mobile telephones will be higher.</p> <p>Zen Broadband Voice and Zen Business Talk SIP customers can call us free by dialling 777 from their Broadband Voice Service.</p> <p>Calls may be recorded for training and monitoring purposes.</p>	