

Cisco Response to UK Ofcom Regulations 2003 (including 2008 and 2010 revisions)

PB613797

Ofcom is the UK regulator of broadcast, postal, and telecommunications (<https://www.ofcom.org.uk>). It is responsible for enforcing the Communications Act 2003, and issues periodic opinions on enforcement priorities such as the 20-December-2016 policy on the persistent misuse of an electronic communications network or service. For the statement of policy, visit: https://www.ofcom.org.uk/data/assets/pdf_file/0024/96135/Persistent-Misuse-Policy-Statement.pdf.

This document is a high-level response to the points raised by Ofcom in the revised statement of policy and supersedes any prior guidance. Cisco recommends the use of Cisco® Outbound Option Version 10.5(2) and later for compliance purposes.

In the interest of brevity, this document sets out the high-level points of compliance that are specifically related to outbound dialing technology, and a Cisco response to each.

1. Silent calls, in which there is no live agent or message after the call is answered. These may be caused by agent hang-up, malfunctioning answering-machine detection, or automated overdialing. The Ofcom opinion is that consumers should not be subject to silent calls under any circumstances, and has stated that this is its primary enforcement priority.
 - **Cisco response:** The Cisco Outbound Option allows administrators to configure campaigns so that if an agent is unavailable for an answered call, a message can be played from the interactive voice response (IVR). This configuration should prevent silent calls. If there is concern that answering-machine detection is returning a high rate of misidentified calls that become silent calls, it can be turned off to eliminate the possibility of silent calls.
2. Abandoned calls, in which an agent is not available after the call is answered or, in the event of a messaging campaign, in which the customer requests an agent through the IVR but receives a message instead. Ofcom has indicated that this is a secondary enforcement priority. Note: The latest Ofcom opinion does not provide for an allowable level of abandoned calls.
 - **Cisco response:** The Cisco Outbound Option allows administrators to configure the maximum abandon rate for predictive campaigns. The predictive algorithm uses this rate to control the dialer pace such that the maximum abandon rate is not exceeded. Administrators can select Preview or Direct Preview campaigns, which do not overdial and will reduce or eliminate abandoned calls.
3. In the event of an abandoned call, the Ofcom opinion recommends that a very brief recorded informational message be played within two seconds of an individual beginning to speak, containing at least the following information:
 - a. The identity of the party on whose behalf the call was made
 - b. An explanation that the party attempted to contact the recipient
 - c. Details of a basic-rate number that the recipient can call so they can decline to receive further calls from the calling party

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- d. Includes no marketing content
- **Cisco response:** You can configure the Cisco Outbound Option to support all these requirements by using the IVR platform to provide these messages. The outbound dialer can transfer abandoned calls to IVR applications. You can use both the Cisco Unified IP Interactive Voice Response (IP IVR) and Cisco Unified Customer Voice Portal (CVP) as queuing and prompting platforms. You can configure Abandon to IVR by entering a route point in the "when no agents are available" field in the Skill Group Selection window. The content of the IVR message (for example, no marketing content) is determined by the administrator.
4. Calls that are not answered must ring for a minimum of 15 seconds before being terminated.
- **Cisco response:** This stipulation requires appropriate configuration of the Cisco Outbound Option. The default behavior of the dialer is to cancel calls when no agents are available. With Abandon to IVR configured, the dialer does not cancel calls, and the call rings until the ring no-answer limit is reached. To ensure that this situation is compliant, administrators need to set the ring no-answer limit to at least 15 seconds.
5. When an abandoned call has been made to a particular number, any repeat calls to that number in the following 72 hours, or in the following 24 hours in cases in which AMD equipment used by the call center has identified an answering machine, may be made only with the guaranteed presence of a live operator.
- **Cisco response:** Cisco offers two options to meet this requirement, to allow flexibility in the type and purpose of the outbound calling program:
 - Administrators can turn off call retries. Then, based on call results, administrators can create a new import list to target calls abandoned previously. This list can then be imported into campaigns running in Preview mode to ensure that a live agent is present to handle calls.
 - You can use the Dialer Abandoned Delay setting to ensure that call retries wait a minimum amount of time before the next attempt is made. Administrators can use this setting to prevent repeat calls within a 72-hour window. Similarly, you can use the Dialer Answering Machine Delay setting to ensure that call retries for calls in which an answering machine was detected wait a minimum amount of time before the next attempt is made. Administrators can use this setting to prevent repeat calls within a 24-hour window.
6. For each outbound call, a CLI number is presented to which a return call may be made. This is either a geographic number or a nongeographic number adopted as a Presentation Number that satisfies the Ofcom guide to the use of Presentation Numbers.
- **Cisco response:** This feature is standard for Cisco Outbound Option. Administrators can set a Campaign prefix digit that allows administrators to customize the automatic number identification (ANI) that customers see.
7. Any call made by the called person to the contact number provided shall not be used as an opportunity to market to that person without that person's consent.
- **Cisco response:** This action is customer based and does not depend on Cisco product features.
8. Records are kept for a minimum period of six months that demonstrate compliance with the above procedures.
- **Cisco response:** Cisco Outbound Option includes out-of-the-box reports that allow administrators to track detailed dialer metrics such as number of calls attempted, answered, and abandoned.
9. Other forms of misuse:
- Calls that ring too long when they cannot be answered.
 - Calls that ring too short to be answered.

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- Excessive hold times waiting for service.
 - Improper agent behavior.
 - Scams to defraud or lure consumers to dial high-toll numbers.
 - Violations of Privacy and Electronic Communications Regulations (PECR).
 - **Cisco response:** These forms of misuse can be mitigated by proper contact center operations, staffing, and agent training.



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