

Code of Practice on Complaint Handling

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Purpose of this Code

Swains Plc provide market leading technology dedicated to delivering a uniquely responsive communication and data network solution to our UK clients.

This Code of Practice is designed to aid our customers by providing information about their relationship with us, Swains Plc, as telephone supplier. This code aims to:

- Outline the wide range of services Swains Plc offer.
- Let our customers know how to contact us.
- Customers' rights about cancellation and pricing.
- Customers' responsibilities to pay your invoices.
- Explain what to do in the case of a complaint.

Introduction to our Company

Swains Plc is a reseller of communication services and products. We resell voice, fixed line, data (ADSL and other types of Broadband) and associated telephone services from a number of high quality telecom carriers to businesses throughout the UK.

Our primary route to market is via a number of Channel Partners (Swains Service Providers, (SSP)), who sell our products. Although the SSP sells the services to the customer, the decision to accept the contract and responsibility for the provision of services rests solely with Swains Plc.

We are committed to providing you with the highest quality of customer service and as such we have achieved ISO 9001:2000 and Investor in People Certification.

Our operating market is the business community, and as such Swains Plc and their SSPs do not target domestic consumers. Our goal is to supply exceptional value and high quality service to business customers. We pride ourselves on the breadth and quality of our product range, covering both voice and data services.

How to Contact us

Your SSP should be your initial point of contact for all matters. If your SSP cannot assist or if you wish to contact us directly please use the following contact details.

Customer Satisfaction Team:

- Telephone: 0844 257 2800
- Fax: 0844 257 2822
- Email: telecoms@swainsplc.co.uk
- Open from 9:00am until 5:00pm Monday to Friday (excluding public holidays)
- Web: www.swainsplc.co.uk

If you would prefer to write to us instead, please address your letter to:
Customer Satisfaction Team, Swains Plc, Wilson House, Saxon Way, Dersingham, King's Lynn, Norfolk, PE31 6LY

Our Products and Services

Swains provide a wide range of services which include, but are not limited to:

Fixed-Line Services

We can provide for new, or transfer existing BT lines of the following types:

- Standard analogue lines
- ISDN2 digital lines
- ISDN30 digital lines

Voice Calls

Utilising a range of the largest and most well known carriers:

- Direct and indirect phone services
- Carrier Pre-Selection calls

Non-geographic Number Services

This includes number translation services where a person calls a 0800, 0845, 0870 or similar number but the calls are delivered to a standard phone line that you have nominated to us.

Data Services

These services include the provision of Broadband data transmission via a variety of means, which include:

- ADSL
- SDSL
- Leased-lines

ISP Services

We can also provide Internet services such as email, web space etc. If you would like to enquire about a service please contact your local SSP or by email: telecoms@swainsplc.co.uk

Additional Services

Designed to complement the above:

- Audio Conferencing
- Fax to Email

Terms and Conditions

When you subscribe to a service from Swains Plc, you will be asked to read our standard Terms and Conditions and sign an agreement.

If you have any questions, please ask either your local SSP or phone our Customer Satisfaction Team on 0844 257 2800 before signing.

We carry out a credit check as part of our assessment procedures.

It is the customer's responsibility to ensure we receive the correct information to action the agreement.

All services are subject to a minimum contract term of 90 days, although longer contract terms may exist, dependent on your agreement and order.

We aim to provide services as soon as reasonably possible after your original request, subject to availability and installation of any equipment, appropriate lines to your premises and the correct information being supplied. If we need to carry out a survey of your premises, request additional information, or install additional cabling, your SSP will advise you of the revised timescales as soon as possible.

Cancellation

If you decide to cancel your order or agreement before we have provided the services, you may do so without charge up to seven working days from the date of contract. (Except for the provision of new telephone lines where a cancellation fee will apply if the line is cancelled with less than 15 days to installation).

After the minimum term you can cancel any service by contacting your local SSP or Swains Plc in writing (email, fax or letter) giving us 90 days notice. Where notice is not supplied or where notice is supplied during the lifetime of a longer term agreement you will be required to pay a compensation figure which will be calculated using the following formula:

Multiplying the average of the period of the last six monthly charges (or the lesser period that the fixed term has run if under six months) by the number of unexpired whole number months of the fixed term divided by two.

If you decide to move to another provider it is your responsibility to arrange new provision of services.

If Swains Plc are in breach of contract and are unable to resolve the breach within a reasonable timescale then the customer can cancel the agreement by providing 28 days notice with no termination charge, but must pay all amounts due up to the date of termination.

Price Tariffs

Our tariffs are tailored to our customer's requirements. The factors that affect this are call volumes; call types and term of agreement.

Your SSP can provide you with a quotation, proposal, or tariff detailing the charges we will make. We reserve the right to amend the tariff.

If Swains Plc have to increase the tariff due to regulatory requirements (i.e. Ofcom directive) we will provide a minimum of 28 Days notice and as the customer will be obliged to pay the increased charges for the remaining term of the agreement. Should Swains Plc increase charges due to non-regulatory requirements, the customer has the right to terminate their agreement with no penalty, by providing 28 days written notice, providing notice is received within seven days of the date of notification of increases from Swains Plc.

To request a copy of your current tariff please contact your SSP or Swains Customer Services at 0844 257 2800.

Billing and Payment

Customers are invoiced on a monthly basis. Occasionally your account may contain charges from an earlier period. This is due to the late delivery of call or rental data from a network supplier.

We will accept the following methods of payment: Direct Debit.

Other methods of payment may be agreed, although we prefer Direct Debit and reserve the right to levy a handling charge for payments by any other method. Direct Debits will be taken on or around the 25th of the invoiced month.

We provide itemised bills showing calls over 40p via post or all calls via email at no extra cost as part of our service to you.

Debt Management and Disconnection Policy

You have a duty to pay our bill when it is due. If you fail to do so we will contact you to prompt your payment and make you aware of any action we are taking or planning to take. This may ultimately result in your service being disconnected if the bill is not settled. We reserve the right to charge 3% interest per calendar month on any outstanding amounts.

If you have difficulty paying your bill, please contact us on 0844 257 2800 and we will try to arrange a different method of payment. We will do all we can to help our business customers manage their bills and avoid disconnection.

Compensation and Refund Policy

Sometimes errors can happen and if Swains Plc have invoiced you incorrectly, we will rectify this by either:

1. Issuing a credit note.
2. Raising a credit on the subsequent invoice.

If you believe you have been incorrectly invoiced please contact our customer services on 0844 257 2800.

Where there are issues with service provision, compensation claims are judged on a case-by-case basis. If you wish to claim compensation please contact us on the details in the contact section.

Customer Complaints

We make every effort to ensure our customers receive the highest level of service. In the event of something not being to your satisfaction, please inform us at your earliest convenience so that we can aim to resolve any issues efficiently and effectively.

The complaint procedure explains how you raise a complaint and our procedures for resolving complaints.

Should you have a complaint please contact our Customer Satisfaction Team on 0844 257 2800 or email: telecoms@swainsplc.co.uk

You may also send your complaint in writing to us at: Swains Plc, Wilson House, Saxon Way, Dersingham, King's Lynn, Norfolk, PE31 6LY.

Once you have made contact with the Customer Satisfaction Team, we will investigate your complaint and endeavour to resolve the problem as soon as possible. We aim to resolve complaints, or agree a course of action with you, within five working days of receipt of the complaint.

Taking Your Complaint Further

If a complaint is not resolved to your satisfaction, you can take it further within our company, initially to the Operations Manager and ultimately to the Managing Director. This must be a written communication either by email, letter or fax.

If we cannot resolve the problem to your satisfaction within 12 weeks, or if you have received a letter saying your complaint has reached 'deadlock' you can pursue your complaint further through Otelo, an alternative dispute resolution scheme.

Otelo are an independent body that helps customers and telecom providers resolve disputes that cannot be settled between the parties themselves. Any decision by Otelo is binding upon Swains Plc.

- Otelo, PO Box 730, Warrington WA4 6WU
- Telephone: 0845 450 1614 or 01925 430049
- Email: enquiries@otelo.org.uk
- Web: www.otelo.org.uk

Copy of Code of Practice

You can obtain a copy of this Code of Practice free of charge by:

- Telephone: Customer Service Department on 0844 257 2800
- Email: telecoms@swainsplc.co.uk
- Web: www.swainsplc.co.uk

Status of this Code of Practice

This code has been approved by Ofcom and will be reviewed regularly.

Useful Addresses

- Otelo, PO Box 730, Warrington WA4 6WU
Telephone: 0845 450 1614
www.otelo.org.uk
- Ofcom, Riverside House, 2a Southwark Bridge Road, London SE1 9HA
Telephone : 020 7981 3000/0845 456 3000
www.ofcom.org.uk
- ICSTIS, Clove Building, 4Maguire Street, London SE1 2NQ
Telephone : 020 7940 7474.