Code of Practice for Complaints

A. Foreword:

i.   This document is formulated to comply with "The Telecom Commercial Communications Customer Preference Regulations released dated July 19th, 2018 by the Telecom Authority of India (TRAI). ('TCCCP Regulations 2018').

ii.   This document can be here after named as "Code of Practice-Complaint handling or CoP-Complaint"

iii.   The Code of Practice formulated in this document only refers to the complaint handling related to the complaints received to Access provider by its subscribers for Unsolicited Commercial Communication.

iv.   For avoidance of doubt, in the case of any difference between texts, the text set out in the TCCCP Regulations, 2018 shall take precedence. In case of any confusion in interpretation or clarification needed, the clarifications thus provided by Vodafone Idea Limited (VIL) shall be final and binding.

v.   The CoP will take effect from the date mentioned in Section-I Effective Date. It's technical and system solutioning and implementation will start post said Effective Date and its timelines would be as per the Section I.

vi.   Any modification to this CoP would be well within the right of VIL, with no liability of any financial claim or damages or any other adverse action, subject to suitable information of such changes being provided to concern Entities.

B. Sections

Section I. Effective Date

1. Being a huge change in the entire chain of ecosystem (i.e. system, business processes and functions to be performed by associated parties), there is a need for seeking guidance of TRAI on the first CoP, before solutioning the architecture, its development and deployment.

2. As per Regulation, TRAI can direct TSPs to make changes in CoP post its submission. This CoP being first of its kind involving huge change in ecosystem and development, it is fair at VIL end to wait for TRAI's inputs before further steps are taken towards its implementation. Therefore, this CoP will be effective after 15 days from the date of submission to TRAI ("CoP Effective Date"). In case of any observations from TRAI within such 15 days, this CoP will be effective once such observations are addressed by VIL and agreed with TRAI.

3. The solutioning of architecture, processes, its development and deployment activities will start after CoP Effective Date as per point no 2 above.

4. The estimated timelines for above is at least 6 months (on best effort basis) post CoP Effective Date (except Migration of existing, wherever applicable) and it would need to be reviewed post actual requirements emanating from finalized CoP.

5. The effectiveness of new ecosystem and processes would depend on its concurrent deployment by all TSPs on a common date. In case, any TSP continues to work on earlier ecosystem and processes, it would give unfair advantage to the said TSP while dis-incentivizing the other TSP(s) who would develop the new system and processes earlier.

Section II. Scope

The Scope of this CoP is to:

1. Comply with the TCCCP Regulation, 2018.

2. Effective and timely handling and resolution of UCC complaints raised by customers.

3. Cover process and modes for registration of complaints by customers. Complaints raised within 3 days of UCC event, will be treated as valid.

4. Process for complaint handling, verification and resolution, including necessary action on

UCC made by RTM & UTM.

5.   Provide Network system functioning conditions including SLAs and architecture.

6.   Provide minimum set of information which will be put on DLT system for sharing with different Entities and in between TSPs.

Section III. Process for Complaint registration, verification and resolution

A Modes of Complaint Registration

1. Procedure for UCC Complaint registration through Voice Call

Sr.no.	Procedure
1	Customer to dial Toll Free number 1909 to register the UCC complaint.
2	Customer to provide following details to customer care executive. a) Date & approx. time of UCC communication received. b) SMS Header or Telephone number from which UCC received. c) Brief description of UCC received.
3	Customer care executive will validate the complaint for below conditions a) The subscriber is registered in DND with preference of related category being blocked. b) Consent given for such UCC c) Date of UCC is not greater than 3 calendar days from complaint registration date. d) The call is being made from the same number on which UCC received.
4	a) After successful validation, the customer care executive will register the complaint in respective system and communicate the unique complaint number to customer. Further, an automated SMS containing unique complaint number will be sent to customer within 15 minutes of complaint registration. b) If validation unsuccessful, the customer care executive will inform the customer accordingly.

2. Procedure for UCC Complaint registration through SMS

Sr.no.	Procedure
1	Customer to send SMS in below format on Toll Free number 1909 to register the UCC complaint. "The details of unsolicited commercial communication, XXXXXXXXXX, dd/mm/yy" Where XXXXXXXXXX– is the telephone number or header of the SMS, as the case may be, from which the unsolicited commercial communication has originated. Explanation: The telephone number or header and the date of receipt of the unsolicited commercial SMS may be appended with such SMS, while forwarding to 1909, with or without space after comma. In case of UCC over voice, customer may provide content of communication in brief.

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2	If SMS format is incorrect, an automated error reply SMS will be sent to customer along with correct format.
3	If format is correct, the complaint will be registered in VIL system & an automated SMS with unique complaint number will be sent to customer within 15 minutes of complaint registration.

3. Procedure for UCC Complaint registration through Web Portal

Sr.no.	Procedure
1	Customer to visit VIL's website for registering UCC complaint.
2	Customer to select respective Circle & enter his/her mobile number, below inputs to be mandatorily filled by the customer a) Date & approx. time of UCC received. b) SMS Header or Telephone from which UCC received. c) Brief description of UCC received.
3	After providing all inputs, customer will get an option to generate OTP.
4	On receipt of OTP, customer will key-in the OTP and after online validation of OTP, Complaint will be auto raised in VIL's system and confirmation of successful validation will flashed to the customer during the session itself. Further, an automated SMS containing unique complaint number will be sent to customer within 15 minutes of complaint registration.

4. **Procedure for UCC Complaint registration through Any Other mode:** VIL may choose to take and register UCC complaints from customer on any other mode / platform as decided by VIL from time to time.

Section IV.   Process for Complaint Resolution and Remedial action against sender(s)

1. **Complaint Mechanism:**

   A. TAP shall also verify if the date of receipt of complaint is within three days of receiving commercial communication and in case the complaint is reported by the customer after three days, the TAP shall communicate to the customer about the closure of his complaint in accordance to this CoP and change status of complaint on DL-Complaint as a report instead of complaint.

   B. Post receipt of complaint through above-said modes, Terminating Access Provider (TAP) shall record the complaint on DL-Complaints and shall notify the details of the complaint to the concerned Originating Access Provider (OAP) in real time.

   C. Post above, TAP shall examine within one business day from the date of receipt of complaint, to check the occurrence of complained communication between the complainant and the reported telephone number or header from which UCC was received and update the findings

on DL-Complaints. In case, occurrence not available then, complaint/report to be updated as invalid.

D. **In case the Complaint is related to Registered Telemarketer (RTM):** The OAP (it includes the TSP who is both TAP and OAP), in case the complaint is related to RTM, shall examine, within one business day from the date of receipt of complaint, whether all regulatory pre-checks were carried out in the reported case before delivering Unsolicited Commercial Communications.

    i. <u>Pre-checks would involve checking:</u>

        a. CDR to check occurrence of complained communication
        b. Sender and Header/CLI was registered
        c. Whether scrubbing done through TAP and availability of token for the said promotional/service/transactional message.

    ii. In case, all regulatory pre-checks were carried out and delivery of commercial communication to the recipient was in confirmation to the provisions of the regulation and related CoPs, OAP shall communicate to TAP (along with related token id) to inform complainant about the closure of complaint as 'No Action required as Consented Commercial Communication'. In case of CDR showing no such occurrence of complained communication, the OAP shall communicate to TAP to inform complainant about the closure of complaint as 'No Occurrence found at OAP end'.

    iii. In case, any of the regulatory pre-checks were not carried out, the OAP shall within two business days from the date of receipt of complaint, take actions against the defaulting entity and communicate to TAP to inform the complainant about the action taken against his complaint through DL-Complaints.

    iv. The actions for valid complaints will be as follows:
        a. In case complaint against promotional message: To be incorporated subsequently after discussions with other TSPs
        b. In case complaint against service message: To be incorporated subsequently after discussions with other TSPs
        c. In case complaint against transactional message : To be incorporated subsequently after discussions with other TSPs

    v. In case of voice UCC, if complaint mentions use of Auto-dialer and the caller has not informed use of Auto-dialer to OAP, the OAP to monitor the issue and in case of complaints more than 10 in a week, issue a notice to the calling entity seeking explanation.

vi. The OAP shall take appropriate remedial action, as provided for in the Code of Practice(s), to control Unsolicited Commercial Communications so as to ensure compliance with these regulations;

E. In case the complaint is related to Unregistered Telemarketer (UTM): The OAP

    i. Shall examine communication detail records (CDRs), within one business day from the date of receipt of complaint, to check the occurrence of complained communication between the complainant and the reported telephone number or header from which unsolicited commercial communication was received.

    ii. In case of no occurrence of complained communications under sub-regulation (5)(a), OAP shall communicate to the TAP to inform the complainant about the closure of complaint as 'No Occurrence found at OAP end'

    iii. In case of occurrence of complained communications under sub-regulation (5)(a), OAP shall further examine, within two business days from the date of complaint, whether there are similar complaints or reports against the same sender; and

        a) In case, it is found that number of complaints against the sender are from ten or more than ten unique Recipients/complainants over a period of last seven days (for this complaint information from all TSPs available over DLT to be used), the OAP shall put Sender under Usage Cap and at the same time shall initiate investigation as provided for in point number F. below. Usage cap means a limit as defined in TRAI's TCCCP regulation, 2018.

        Provided that such Usage Cap shall be valid till investigation is completed or thirty days from the date of effect of restrictions, whichever is earlier;

        b) In case it is found that number of complaints against the sender are from less than ten unique recipients over a period of last seven days (for this complaint information from all TSPs available over DLT to be used), the OAP shall, from the previous thirty days data of CoP_UCC_Detect System, check whether suspected sender is involved in sending Commercial Communication in Bulk or not. Bulk for this purpose would be as defined by VIL from time to time.

          i. In case, sender has sent commercial communications in bulk, the OAP shall put the sender under Usage Cap, and at the same time initiate investigation as provided for in point no. F. below.

          Provided that such restrictions shall be valid till investigation in this regard is completed under the CoP or thirty days from the date of effect of restrictions, whichever is earlier.

ii. In case, sender has not sent commercial communications in bulk, the OAP shall warn such sender through a notice to be delivered at registered postal address or email id.

F. Investigation of a complaint against UTM:

i. OAP shall issue notice, within three business days, to give opportunity to such sender(s), under sub regulations Ea.) and E. b) i., to represent their case and shall investigate, within thirty business days from the date of receipt of complaint and shall conclude whether the communication so made was UCC or not; and conclusion of the investigation was that sender was engaged in sending unsolicited commercial communications, OAP shall take action against such sender as under: -

a) For first instance of violation, due warning shall be given.
Provided that the first instance of the violation shall include all the complaints against the sender within two business days after the date of receipt of the first complaint, against which the sender is to be warned under this sub-regulation.

b) For the second instance of violation, Usage Cap shall continue for a period of six months; Provided that the second instance of the violation shall include all the complaints against the sender after the issuance of first warning within two business days after the date of receipt of the complaint against which second warning is being given to the sender.

c) For third and subsequent instances of violations, all telecom resources of the sender shall be disconnected for a period up to two years and OAP shall put the sender under blacklist category and communicate to all other access providers to not to allocate new telecom resources to such sender for up to two years from the date of such communication.

Provided that the third instance of the violation shall include all the complaints received against the sender after the date of second warning within two business days after the receipt of the complaint against which telecom resources are being disconnected.

Provided further that one telephone number may be allowed to be retained by such sender with the Usage Cap for a period up to two years, subject to payment of commercial consideration to such effect as decided by VIL from time to time.

d) TRAI may examine such cases at a later date where usage caps have been placed or have been disconnected and may order removal of restriction on usage or restoration of telephone numbers, or removal from blacklist. To meet this, VIL may keep the telecom resources in temporary suspension and not permanently disconnect the same.

G. Appointment of Inquiry Committee by TRAI:

      i.   In case, TRAI appoints inquiry committee as per its Regulation 33 of TCCCP Regulation, 2018, it may also order or direct VIL to disconnect all telecom resources or put all telecom resources under usage caps, for the period up to two years.

     ii.   VIL would have to act within seven business days on receipt of such order or direction from TRAI.

Section V. Information handover over DLT to Entities and/or other TSPs

1. **By TAP: On receipt of Complaint and after doing checks**
   a. Date and time of UCC
   b. Date and time of receipt of complaint
   c. Sender and recipient of complained UCC
   d. Unique reference number
   e. Text as captured during the registration of complaint
   f. Reference number mentioned in complaint, if any.

2. **By OAP, after pre-checks for RTM cases**
   a. Unique reference number
   b. Date and time of receipt of complaint
   c. Date and time of UCC
   d. Complainant Number
   e. Header/number from which UCC is received
   f. TAP name
   g. TAP Service area
   h. Date of UCC referred to OAP
   i. UCC TYPE (Voice or SMS)
   j. Description of UCC
   k. CDR status (Matched/Not Matched)
   l. Action Taken
   m. Remarks

3. **By OAP, after pre-checks for UTM cases**
   a. Unique reference number
   b. Date and time of receipt of complaint
   c. Date and time of UCC
   d. Complainant Number

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e. Header/number from which UCC is received
f. TAP name
g. TAP Service area
h. Date of UCC referred to OAP
i. UCC TYPE (Voice or SMS)
j. Description of UCC
k. CDR status (Matched/Not Matched)
l. Action Taken
m. Remarks

4. **By OAP, Action taken on RTM and UTM cases**
   a. Unique reference number
   b. Date and time of receipt of complaint
   c. Date and time of UCC
   d. Complainant Number
   e. Header/number from which UCC is received
   f. TAP name
   g. TAP Service area
   h. Date of UCC referred to OAP
   i. UCC TYPE (Voice or SMS)
   j. Description of UCC
   k. CDR status (Matched/Not Matched)
   l. Action Taken
   m. Remarks

5. **By OAP, after investigation on UTM cases**
   a. Unique reference number
   b. Date and time of receipt of complaint
   c. Date and time of UCC
   d. Complainant Number
   e. Header/number from which UCC is received
   f. TAP name
   g. TAP Service area
   h. Date of UCC referred to OAP
   i. UCC TYPE (Voice or SMS)
   j. Description of UCC
   k. CDR status (Matched/Not Matched)
   l. Action Taken

m. Remarks

Section VI. Consequence management

1. In case of UCC emanating from telecom resources allocated to RTM, VIL may impose suitable and deterrent penalty, as per the agreement signed between VIL and RTM.

Section VII. System Functioning Conditions

1. **System Architecture**

   Depending upon CoP finalization and discussions with vendor, the system architecture freezed by VIL for implementation may be incorporated in this CoP as well.

2. **Standards, Specification and SLAs**

   An SLA will be agreed between TSPs interconnecting over DLT layer, from time to time and same will be translated into technical SLAs.

3. **Flowchart of Complaint Registration**
   The flowchart for complaint registration is enclosed at Annexure-A.

Section VIII. Amendment to CoP

This CoP can be amended by VIL at any given point in time subject to following:

a) It is understood that CoPs stipulate various requirements which are interlinked with CoPs of other TSPs as well. Considering the same, wherever the amendment can lead to change in information sharing with other TSP and/or billing, processing etc with other TSP, such amendment should be shared with two weeks advance intimation before actually implementing the same.

b) Wherever there is any material change for any existing Sender(s) which impacts performance of its obligations, an advance notice of at least 7 calendar days along with changes and its effective date for such existing Sender(s), should be given on their respective registered email-id.

Section IX. Publication of CoP

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This CoP may be published by VIL on its website after the implementation of the new systems and processes. A digital copy of the same should be sent to below, on their appointment/registration:

a) Entity - HR
b) Entity – Consent Template Registrar
c) Entity - Consent Registrar
d) Entity - Content Template Registrar
e) Entity – Content Template Verifier
f) Entity- Telemarketer functional Entity registrar
g) All registered Sender(s)
h) All registered Telemarketers
i) All registered Aggregators

Further, on any amendment to the CoP, same may be published by VIL over its website and also sent to above over their registered email-ids.

Section X. Definitions

The definitions would be as per the definitions contained in TRAI's TCCCP Regulations, 2018.

Section XI.   Version History

Sr. No	Version Number	Date of Submission to TRAI	Effective Date of CoP	Main/Amendment Number
1	VIL_CoP_Complaints 1.0	17th October 2018	As per clause mentioned in CoP	Main

Annexure – A to CoP Complaints

Complaint Registration

```
                    ┌─────────────────────────┐
                   (  Customer want to make    )
                   (  the complaint for         )
                   (  Commercial                )
                   (  communication received    )
                    └─────────────────────────┘
                                │
                                ▼
                ┌──────────────────────────────────┐
                │ Modes available to the customer for│
                │ making the complaint               │
                └──────────────────────────────────┘
                                │
                                ▼
```

Voice Call / IVR	SMS	Any Other Available Mode

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                                │
                                ▼
        ┌──────────────────────────────────────────┐
        │ Validation and Registration of Complaints at TSP │
        │ end                                        │
        └──────────────────────────────────────────┘
                                │
                                ▼
                          ◇ Complaint
                            Related to        ── UTM ──▶   ┌────────────────────────────┐
                            RTM or UTM ◇                   │ TSP Will take the action   │
                                │                          │ against UTM as defined in  │
                                │                          │ CoP                        │
                               RTM                         └────────────────────────────┘
                                │
                                ▼
        ┌──────────────────────────────────────────┐
        │ TSP will upload the complaint in DL-       │
        │ Complaint for further action, as defined in│
        │ CoP                                        │
        └──────────────────────────────────────────┘
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