



## Code of Practice for handling complaints and resolving disputes

**The ASDA Mobile Code of Practice for handling complaints and resolving disputes has been approved by Ofcom for the purposes of section 52 of the Communications Act 2003.**

### **A guide to our services and what to do if you have a problem**

The aim of publishing our Code of Practice is to give you a clear guide to our services and to explain our procedures for complaint handling and dispute resolution in the event you have a problem. It doesn't affect your legal rights, or form part of a contract between you and us.

### **Registered Office**

ASDA Mobile is operated by ASDA Financial Services Limited, and the registered office is:

ASDA House  
Great Wilson St  
South Bank  
Leeds  
LS11 5AD

Telephone ASDA Mobile: 0845 303 2732

Website: [www.asda.com](http://www.asda.com)

e-mail, please use the form by visiting [www.asdamobile.com](http://www.asdamobile.com) and click on contact us.

Our code of practice on Customer Service

ASDA Mobile provides mobile voice and data communications services in the UK and in other countries through a Mobile Virtual Network Agreement with Vodafone UK. ASDA's services include voice calls, text and picture messaging, making and receiving video calls (if you have a 3G handset) and mobile internet access.

You can obtain a handset and connect to ASDA Mobile or find out more about our services via the ASDA Mobile website ([www.asda.com](http://www.asda.com)), or in an ASDA store that sells ASDA Mobile (please see ASDA Mobile store locator on the ASDA Mobile website).

### **Pricing**

Please visit the ASDA Mobile website ([www.asda.com](http://www.asda.com)) for details of our price plan

### **Checking for performance and quality**

With our network partner Vodafone we regularly monitor to make sure we're achieving customer satisfaction and network quality.

Vodafone's metering and billing systems are independently assessed by the British Approvals Board for Telecommunications (BABT) to meet Ofcom's required standard. For more information, visit [www.ofcom.org.uk/telecoms/groups/mandb/](http://www.ofcom.org.uk/telecoms/groups/mandb/).



All handsets we distribute are under guarantee from their manufacturers and comply with health and safety standards. In Europe, this is shown by the CE mark.

### **Our exchange and refund policy**

ASDA Mobile's full up to date exchange and refund policy can be found either by visiting an Asda Store where this will be made available to you upon request at the customer service desk, by email by requesting it from us by either calling 2732 from your ASDA Mobile or 0845 303 2732 from a UK landline or on-line via our web site – visit [www.asdamobile.com](http://www.asdamobile.com) and click on Legal Stuff

### **If your mobile is stolen**

If you let us know your mobile has been stolen, we will add it to the UK's database of stolen mobile phones. This will quickly stop it being used on any UK mobile phone network.

### **Cancellation**

If you have an ASDA Mobile pay as you go mobile, you can simply stop using it.

### **Complaints**

We do all we can to make sure that you receive great customer service but sometimes you might have an issue you want to raise with us. Please contact our ASDA Mobile Helpline on 2732 from your mobile (calls cost 25p per call in the UK no matter how long your call is, price correct at 30/04/07) or 0845 303 2732 from any other UK phone if you need to (the call charge will be charged at your providers standard local rate) and we would be delighted to help.

If you are not happy after speaking to our ASDA Mobile Helpline colleagues, you can also write to us at ASDA Mobile, ASDA House, Southbank, Great Wilson Street, Leeds LS11 5AD setting out your name, address and a contact number; ASDA Mobile number if available; and details of your complaint. Alternatively you can e-mail us using the e-mail form by visiting [www.asdamobile.com](http://www.asdamobile.com) and click on contact us.

### **Alternative Dispute Resolution**

If after three months we still can't sort the problem out for you, or if we have written to you explaining that we have reached deadlock, you can then refer the issue to **Otelo** (the ombudsman service) for independent resolution. They will provide a free, independent service to investigate your complaint, provided it falls within their terms of reference, though you must have gone through our own complaints procedure first before they can help you. Such a request can be made at: [www.otelo.org.uk](http://www.otelo.org.uk), on 0845 050 1614, or on 01925 430049, or in writing to Otelo, PO Box 730, Warrington, WA4 6WU.

### **Keeping your number**

If you currently have a mobile phone on a different network and want to change to ASDA Mobile, you can keep your mobile number when you transfer. This is known as 'mobile number portability'. To transfer your number, you have to contact your current network provider and ask for a porting authorisation code (PAC), this usually takes 48 hours. Your current network provider can explain the transfer process to you and they may charge you for this. If you wish to take your ASDA Mobile number to another network, please call the ASDA



Mobile Helpline on 2732 or 0845 303 2732 and request a PAC code. If we have provided you with your Mobile handset, your Mobile is likely to be locked to the ASDA Mobile network. You must not insert another operator's SIM card into the Mobile without an unlocking code (which is not your PIN code). We will on request provide an unlocking code for a fee at our sole discretion (please contact the ASDA Mobile Helpline for details). Failure to enter the correct unlocking code may result in your Mobile becoming permanently blocked. We can accept no responsibility for Mobiles being blocked in this way. Contact the ASDA Mobile Helpline for further information on the qualifying period, applicable conditions and charges.

## Regulation

### Ofcom

Ofcom (the Office of Communications) is the independent regulator and competition authority for the UK communications industries, with responsibilities across television, radio, telecommunications and wireless communications services. You can call them on 0845 456 3040 (local-rate number) or 020 7981 3040, Fax: 0845 456 3333. Or, you can write to them at:

Ofcom Contact Centre  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA

- [www.ofcom.org.uk](http://www.ofcom.org.uk)
- [contact@ofcom.org.uk](mailto:contact@ofcom.org.uk)

### ICSTIS (Independent Committee for the Supervision of Standards of Telephone Information Services)

The aim of ICSTIS is to make sure that you get appropriate protection when you use premium-rate information and entertainment services (please see below for "Our Code of Practice for handling customer enquiries and complaints about Premium Rate Services"). ICSTIS provide a free service to check premium rate numbers on their website [www.icstis.org](http://www.icstis.org), alternatively you can call them on 0800 500 212, or write to:

ICSTIS  
Clove Building  
4, Maguire Street  
London SE1 2NQ

### The ASA



Our advertising follows the code of practice that the Advertising Standards Authority (ASA) issues. The ASA deals with all advertising. You can visit their website at [www.asa.org.uk](http://www.asa.org.uk), call them on 020 7492 2222, or write to them at:

Advertising Standards Authority  
Mid City Place  
High Holborn  
London WC1V 6QT

### **How to obtain copies of this code**

This Code of Practice is published on our Web site at [www.asda.com](http://www.asda.com). Additional copies and alternative formats are available on request and free of charge - please call the ASDA Mobile Helpline by dialling 2732 from your ASDA Mobile or 0845 303 2732 from any UK landline.

## **Other**

### **Handset recycling**

Customers can collect a Freepost recycling envelope from any store and return their old mobile phone for recycling. For every mobile phone received which is functioning, a donation of £1.50 is made to ASDA's Tickled Pink charities, in addition, a donation is given to Tree Aid which enables them to plant a tree in Africa. If the phone no longer works, a donation of .50p is made to ASDA's Tickled Pink charities.

### **Stop command for premium texts**

If you want to stop receiving unwanted premium rate text messages, simply send a reply to the service with the word **STOP** at the start of your text message. All services are now obliged to recognise the STOP command so that you can easily unsubscribe from the premium text service. If the service continues for whatever reason, please contact an ASDA Mobile Helpline colleague by dialling 2732 from your ASDA Mobile handset and inform them. There is a five digit shortcode which identifies the source of each message.

### **Unwanted text marketing messages**

It is unlawful for any business to send marketing messages by text, mms or video to your mobile phone without your consent. If you receive an unwanted text marketing message on your ASDA Mobile handset, please report this to a colleague on the ASDA Mobile Helpline. We use the information reported to us to assist the different regulatory authorities to take action against offending businesses.

### **Unwanted phone sales calls**

If you are registered with the Telephone Preference Service (TPS) it is illegal for any business to make marketing calls to your registered phone number unless you have previously agreed that a particular business may, in fact, call you. To find out more about the TPS, you can visit their website at [www.tpsonline.org.uk](http://www.tpsonline.org.uk), call them on 0845 070 0707, or write to them at:



Telephone Preference Service  
70 Margaret Street  
London SW1Y 4EE

If you receive an unwanted marketing or sales call to your ASDA Mobile handset, and you are registered with the TPS, you should try to get as much information as possible from the person making the marketing call such as which company they are calling from, where they got your number, etc. and then make a formal complaint either to the TPS at the address above, or write to the Office of the Information Commissioner (address given below).

### **Malicious calls**

If you receive malicious calls or text messages, call 2732 and report them to our customer services. If it happens three times and you let us know, we can give the caller's details to the police so they can investigate for you.

### **Offensive or illegal content on the internet**

Child abuse images hosted worldwide and criminally obscene and incitement to racial hatred content hosted in the UK should also be reported to the Internet Watch Foundation - [www.iwf.org.uk/](http://www.iwf.org.uk/).

### **What directory do you want to be in?**

We do not automatically include your personal contact information in any directory or directory assistance service. If you do want your personal contact information to appear in a directory, please call the ASDA Mobile Helpline and a colleague will explain what we can arrange for you – ask for a BT Mobile Directory listing. If you choose to be included in such services, we will be legally obliged to provide your personal contact information to other non-ASDA directory and directory assistance service providers. Although these organisations may be subject to the same data protection laws as ASDA, we have no means of controlling how they might use or share your personal contact information.

### **Data protection**

We work within a strict legal framework that regulates the way companies process personal information. The Office of the Information Commissioner (OIC) oversees this framework. You can find more details on their website at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk) or write to them at:

The Office of the Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

### **Services for customers with impaired vision or hearing**

If you have special needs and need ASDA Mobile literature in alternative formats please contact the ASDA Mobile Helpline and speak to a colleague. They will be happy to help you get what the literature you need in the right format for you.

## **Our Code of Practice for handling customer enquiries and complaints about Premium Rate Services**

This Code commits us to providing you with readily accessible and accurate information on premium rate services available from your ASDA Mobile. Contractual responsibility for premium rate services lies with the company providing the premium rate service itself (the 'service provider'), but this Code sets out useful customer information and advice, and information on how we would handle any enquiries and complaints you may have.

### **What are premium rate services?**

Premium rate services offer some form of information or entertainment that comes off your credit balance. Typical services include:

- TV votelines (such as *Big Brother* and *I'm A Celebrity...Get Me Out Of Here!*)
- competitions
- mobile ringtone and logo downloads
- technical helplines (for example, for computer or Internet problems)
- competition scratchcards
- phone chat
- horoscopes
- charitable fund-raising
- sports results
- information (weather, traffic etc)
- directory enquiry services

Some premium rate services including gambling and other 'adult' content are not appropriate for anyone under the age of 18. As we understand that parents are concerned about their children getting access to content of this nature, we have Content Control on our network. This bars access to adult services behind premium rate number ranges unless the customer's age has been verified. This service comes as standard on all our phones, giving parents the highest level of reassurance. For parents concerned about the cost of premium rate calls, ASDA Mobile offers free call barring of the premium rate number range.

### **How do I recognise premium rate services?**

Services are advertised on either phone numbers beginning '09' or, in the case of mobile text services, on four or five-digit short access codes followed by a descriptive key word (for example, 82828 VOTE). Premium rate directory enquiry services are advertised on six-digit numbers beginning '118'.

### **How much do premium rate services cost?**

The cost of how much a premium rate service should cost should always be made clear, but if you would like more information on your tariff and a specific premium rate number, simply dial 2732 on your ASDA Mobile to speak to a Helpline colleague. Full details of other ways to contact us are available on our website under the 'contact us' icon. Calling services from your mobile phone may cost more than the advertised rate, as you will be billed for the cost of the premium rate service plus the cost of carrying the call. The cost of carrying the call will vary depending on your service package. Many services available on your mobile phone (for example, football goal alert text messages or ringtone downloads) will be charged at a fixed rate per call (for example, 50 pence per text message or £1.00 per download). You may also find the number checking facility on the premium rate regulator's website useful, which is available at [www.icstis.org.uk](http://www.icstis.org.uk). The regulator is discussed in more detail below.

## Where does the money go?

Premium rate services are charged on a different basis to ordinary telephone calls. The money paid by users for services is shared between the telephone company carrying the service and the organisation providing the content. This arrangement is known as 'revenue sharing'. You pay for premium rate calls via your mobile phone bill or pay-as-you-go card in the normal way. We will then 'share' that money with the company providing the content.

## What are premium rate text subscription services?

When you download a favourite tune as a ringtone for your phone or put a picture of a celebrity on your mobile's screen, you're probably using a premium rate text (also called 'SMS') subscription service. You usually access a premium rate text subscription services by texting a four or five-digit shortcode, like 82828, followed by a word describing the service you're after. This might be VOTE if you're voting someone off the *Big Brother* House, or JOKE for the latest jokes. The most likely way you'll be asked to pay is by 'reverse-billed' premium rate. This is where you pay to receive, rather than send, text messages. Services are often advertised on TV, radio, or in magazines offering ringtone or logo downloads or updates on football scores. You will only be charged if you send back instructions to the number advertised. The premium rate service will start sending you your requested message and you'll then get another message or series of messages for more downloads until you tell them to stop.

## How do I stop receiving premium rate text subscription services?

If you decide you no longer want to receive the messages, simply text 'STOP' to the shortcode you got the service from. This will end the service and stop any more payments being taken from your account or pay-as-you-go card. If you have mistakenly signed yourself up to an unwanted service, simply text the word 'STOP' to the sender. This will unsubscribe you from reverse-billed messages.

## Who regulates PRS?

ICSTIS is the UK regulator for PRS. The name ICSTIS stands for the Independent Committee for the Supervision of Standards of Telephone Information Services.

## What is the role and remit of ICSTIS?

ICSTIS regulates the content, promotion and overall operation of all premium rate services. It does this using its Code of Practice, which sets out the rules with which all providers of premium rate services must comply. ICSTIS' role is to prevent consumer harm. Among other things, it requires:

- clear and accurate pricing information
- honest advertising and service content
- appropriate and targeted promotions

It investigates all complaints received about premium rate services. Where it decides that its rules have been broken, it can fine the companies responsible, bar access to their services, and bar the individual behind a company from running other services under a different company name. Lesser problems can be dealt with by it issuing formal reprimands or ordering companies to come to it for prior approval. Its service is free to consumers and independent.

## How do I make a complaint to ICSTIS?

You can make a formal complaint by:

- completing the online form on the website at [www.icstis.org.uk](http://www.icstis.org.uk)
- calling its free helpline on 0800 500 212
- writing to ICSTIS at FREEPOST WC5468, London SE1 2BR

It helps ICSTIS investigations if the promotional material for the service, together with any other relevant details, could be provided.

### **Can I find out more about the company running the premium rate line?**

If you want to check a premium rate number on your bill, you can use ICSTIS' number checking facility on its website at [www.icstis.org.uk](http://www.icstis.org.uk). As well as identifying the premium rate service, the facility will let you know whether it is under investigation for any reason and of any action ICSTIS is taking.

### **How can I avoid receiving unsolicited communications?**

The Telephone Preference Service (TPS) helps you to make sure your telephone number is no longer available to organisations, including charities and voluntary organisations, who may telephone you with offers and information.

The TPS can be contacted at:

Telephone Preference Service (TPS)  
DMA House  
70 Margaret Street  
London W1W 8SS  
TPS Registration line - 0845 070 0707  
E: [tps@dma.org.uk](mailto:tps@dma.org.uk)  
W: [www.tpsonline.org.uk](http://www.tpsonline.org.uk)

The Facsimile Preference Service (FPS) helps you to make sure your fax number is no longer available to organisations, including charities and voluntary organisations, who may fax you with offers and information.

The FPS can be contacted at:

Facsimile Preference Service (FPS)  
DMA House  
70 Margaret Street  
London W1W 8SS  
FPS Registration line - 0845 070 0707  
E: [fps@dma.org.uk](mailto:fps@dma.org.uk)  
W: [www.fpsonline.org.uk](http://www.fpsonline.org.uk)

### **Can I bar access to premium rate services?**

If you feel that you do not want to risk calling premium rate services at all, ask us about placing a bar on calling numbers with 09 prefixes.

### **What can I do to try to get a refund?**

This may not always be possible, but you should speak to us in the first instance to discuss any problems with your bill. If you believe that you have been the victim of a premium rate scam, you should contact ICSTIS. In certain circumstances, ICSTIS will instruct the company running the premium rate service to offer a refund. You should contact the company providing the service directly to ask for the refund. ICSTIS informs all those who complain to it of the outcome of its investigations and, if a refund is instructed, it will inform you of the company's contact details.

### **Is there an Ombudsman service to look into disagreements?**

ASDA is a member of Otelco, also known as the Office of the Telecommunications Ombudsman. It has been set up to sort out disagreements between members (such as ASDA) and their customers. It provides a free and independent service that has been



approved by the regulator, Ofcom. Its job is to investigate complaints fairly by listening to both sides of the story and looking at the facts.

Otelo can be contacted at:

Otelo

PO Box 730

Warrington WA4 6WU

T: 0845 050 1614

E: [enquiries@otelo.org.uk](mailto:enquiries@otelo.org.uk)

W: [www.otelo.org.uk](http://www.otelo.org.uk)