



Sales and Marketing Practices: A Guide to Ofcom Regulation

Orange is committed to brilliant customer service. We work hard to ensure you have the best customer experience possible from the moment you first step into one of our shops. We always do our utmost to sell our products and services responsibly and we have measures in place to ensure this is the case, whether you buy our products directly from us, or from one of our partners.

We also abide by Ofcom's regulation of mobile operators' sales and marketing practices. This regulation is known as "General Condition 23" and came into force on 16th September 2009. Its core aim is to combat mis-selling. The key principles of the regulation apply to all consumer and small business mobile handset/airtime sales and upgrades, with specific requirements in place for paymonthly customers.

We have put together this summary of the regulation to help you understand what the regulation means. If you want to see a full copy of the regulation, [click here](#) or give us a call and we'll send you a copy.

What does General Condition 23 require Orange to do?

The regulation requires Orange to follow a set of minimum standards to prevent mis-selling. Under the regulation, we are required to do the following things:

- We must ensure that we sell responsibly and honestly – we must not be dishonest, misleading, deceptive, aggressive or contact the customer inappropriately (for example, after 8pm at night).
- We must make sure all our sales staff are properly trained to meet the minimum standards set out in the regulation and take steps to ensure our dealers do the same too.
- We must provide our customers with information about Ofcom's regulation upon request
- We must keep a close eye on our dealers to help make sure they do not mis-sell, that they keep records of sales and upgrades (in the case of Pay Monthly contracts), and that they take steps to adhere to Ofcom's regulation. We do this by monitoring the unresolved complaints we receive from customers about our dealers and will take action where there is evidence that dealers have not followed the regulation.
- Before we sign a new dealer up to sell our services, we have to perform certain checks to make sure they are responsible businesses.

If you are signing up to a Pay Monthly contract, we and our dealers must make sure that we:

- Check you understand that you are entering into a contract and have the right proofs to confirm your identity.
- Provide you with written details about your contract before you sign up/upgrade. If you are signing up/upgrading via telesales, you should be provided with full details of your contract on the call and we will make sure you are sent confirmation of this information in good time after the sale is made. This information should tell you what you need to know about the service you're signing up to, how much it will cost per month, and what you need to do if you change your mind.
- Keep records of the sales, upgrades and sales offers that are made.

Does Ofcom's regulation cover sales incentives (e.g. cash back)?

Ofcom's regulation also sets out minimum standards for "sales incentives". These are the sales offers made that are dependent on your commitment to an ongoing contract (for example cashback or the promise of a games console after you've been on the contract for a certain period of time).

You must be provided with written details about the sales incentive before you sign up. If you are buying/upgrading on the phone, all the information must be provided to you on the call and confirmed in writing afterwards. The information provided must explain what the sales incentive is, how you can redeem it, the terms and conditions and which company is offering the sales incentive. This gives you the opportunity to check you really want to sign up for the specific offer.

Remember, some sales incentives will be offered to you directly by a third party dealer and not by Orange, so be sure to check you understand all the details before you sign up.

Also, dealers should not make it unnecessarily difficult for you to make your claim (for example, require you to send an original bill (rather than a copy) in order to redeem your gift).

If you are concerned that you have been mis-sold a contract or sales incentive by one of our dealers and your dealer has not resolved the issue when you've contacted them, you should call Orange Customer Services with details of the dealer and we will look into it for you.