

## P1-1 – Contract renewal and burden of proof (BT → EE migration)

### Narrative Report

I raised this case because a customer denied agreeing to a new contract after being moved to EE, and I needed to establish what specific evidence was required to prove enforceability before holding him to Early Termination Charges.

**Daniel Mark Jackson (22/08 13:44):** "He's considering cancelling and has been informed about HTTC, but he claims he never agreed to a new contract. What do we need to provide to prove that the contract is enforceable?" <sup>1</sup>

The initial advice suggested simply checking for a call recording, so I challenged the underlying assumption that the customer bears the responsibility to disprove the contract, suggesting the onus of proof should lie with EE.

**Daniel Mark Jackson (22/08 14:08):** "Is it not for ee to prove that he is under contract, rather than for the customer to prove that he isn't... I'd have thought it would be inflammatory going back to him and saying it's down to him to prove he isn't in contract" <sup>2</sup>

Despite my attempt to discuss the legal requirement for consent, the Subject Matter Expert (SME) insisted that the mere act of sending correspondence, if not challenged by the customer, constituted a binding agreement.

**SME 2 (22/08 14:30):** "yes if we contact a cx with contract info and they dont call in to object it is a binding agreement!" <sup>3</sup>

When I questioned this logic regarding evidence of consent, the SME dismissed my concerns entirely, claiming that regulators would automatically side with the company and that the customer is solely responsible for reading correspondence.

**SME 2 (22/08 14:34):** "where did you get that from? that's known as a burden of proof but we have proof... OfCom wont agree with the cx and an Ombudsman would explain the cx is responsible to read and agree/object to all correspondence from service providers" <sup>4</sup>

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### Analysis of Potential Concerns

- Potential Compliance Issue – Ofcom General Condition C1.5 (Contract Summary and Consent):  
The SME's assertion that a contract is binding simply because "we contact a cx with contract info and they dont call in to object" <sup>5</sup> presents a significant compliance risk. General Condition C1.5 requires providers to provide a Contract Summary and obtain express consent from the customer. Relying on a customer's silence or failure to object as proof of a contract ("negative option billing" or "inertia selling") is generally contrary to these requirements.
- Potential Compliance Issue – Evidence and Burden of Proof:  
The SME explicitly states that "OfCom wont agree with the cx" <sup>6</sup> and that the

customer is responsible for reading and objecting to correspondence. This ignores the provider's obligation to keep records of the customer's affirmative consent.

Advising an agent to tell a customer that the burden of proof is on them to disprove a contract 7 could mislead the consumer about their rights and escalate a complaint unnecessarily.

- Dignity and Working Conditions – Dismissive Support Culture:  
When the agent attempted to discuss valid regulatory concepts ("evidence of consent"), the SME's response was dismissive ("where did you get that from?" 8). Instead of explaining the company's specific compliance mechanism (e.g., how the "glitch" mentioned 9 might have affected the record), the SME shut down the inquiry with incorrect or legally dubious assertions. This discourages agents from raising legitimate compliance concerns, effectively penalizing diligence.

## P1-2 – Repeated failed credits and premature complaint closure

### Narrative Report

I raised a case regarding a customer who was being pursued for a £317.86 debt that had been promised to be removed multiple times, asking for a way to expedite the resolution given the significant delay.

> Daniel Mark Jackson (22/08 14:56): "[redacted] has 317.86 outstanding on account, and has been promised multiple times this would be removed. I should resubmit to credit chat? anything we can do to speed things up, considering the delay?"

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Sarah advised that a manager review was mandatory because the amount exceeded £200. I explained that my Team Leader, Noel, was absent and, crucially, that the standard process had already failed twice, with complaints being closed without the action actually being completed.

> Daniel Mark Jackson (22/08 15:07): "Noel isn't in today unfortunately, there have been two complaints opened and closed about this already, one closed two months ago, the other closed three months ago, both complaints stated that the credit had been approved and submitted to TL. He's very unhappy"

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Despite my flagging that previous "approvals" had resulted in closed complaints but no actual credit, Sarah did not offer to intervene or escalate the issue immediately. Instead, she instructed me to simply use the same team chat channel that had failed previously and to delay the customer further with a callback.

> Sarah Jane Fleming (22/08 15:15): "can you follow up with those agents , you can still pop it in your teams credit chat even if your TL isn't there... apologise to the cx set a call back to update him"

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### Analysis of Potential Concerns

\* Potential Compliance Issue – Ofcom General Condition C4 (Complaint Handling):

The agent explicitly identified that two formal complaints had been closed despite the underlying issue (the credit) remaining unresolved. Under Ofcom General Condition C4, providers must have and comply with a procedure that ensures complaints are resolved effectively. Closing a complaint on the assumption that a credit will be applied, without verifying it has been applied, represents a failure in the complaint handling process and risks consumer harm through continued collection activity on incorrect debt.

\* Working Conditions – Lack of Proactive Support and Ownership:

When the agent presented a clear case of systemic failure (two wrongly closed complaints and an angry customer) to a Team Leader, the support provided was passive. Rather than recognizing the risk and escalating the issue immediately to ensure the credit was finally applied, Sarah directed the agent back to the standard process ("pop it in your teams credit chat"). This leaves the agent to manage the customer's justified anger without the necessary authority or meaningful support to fix the problem.

### P1-3 – Prolonged wait times and selective support responses

I raised a request for support regarding a billing refund, but despite SMEs being active in the chat, I received no acknowledgement for nearly an hour before a TL arrived and also initially ignored the request.

- \* 0 minutes: I posted my initial request for assistance.
- \* +12 minutes: I followed up asking if anyone was available to confirm, but received no response despite SMEs being active in the chat.
- \* +55 minutes: TL Jessica O'Driscoll posted a message responding to a different agent's query, ignoring my outstanding request.
- \* +1 hour 04 minutes: I posted again stating I was still looking for assistance.
- \* +1 hour 06 minutes: TL Jessica O'Driscoll finally responded to me.

#### Analysis of Potential Concerns

##### \* Working Conditions – Excessive Wait Times:

The agent was left waiting for over an hour for a simple confirmation. During the first 55 minutes, SMEs were active in the chat but did not acknowledge the query. This forces the agent to keep a customer on hold for an unacceptable duration or promise a callback without guaranteed support, directly contributing to work-related stress.

##### \* Support Culture – Selective Engagement:

The evidence shows that when a TL finally entered the chat after a nearly hour-long delay, they prioritized a different, later query while ignoring the agent's long-standing request. This demonstrates a lack of a fair queuing system or supportive oversight, creating an environment where agents feel invisible and unsupported despite following protocol.

## P2-1 – Public performance management and team culture

### Narrative Report

Shortly after joining the team, I witnessed the Team Leader posting messages in the public group chat regarding overdue tasks. While I was not personally named, the public listing of colleagues' outstanding actions established the tone of the working environment.

> Noel Curran (13:24): "All these Actions are Overdue, HOW can we have so many... these must be closed today or else will be documenting, this level for 3 agents is crazy"

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### Analysis of Potential Concerns

\* Dignity and Working Conditions – Public Reprimand: The Team Leader's use of a public forum to criticise performance—employing capitalised text ("HOW"), derogatory descriptors ("crazy"), and threats of formal action ("documenting")—constitutes public shaming. This approach fosters a culture of pressure and fear, humiliating staff before peers instead of addressing workload issues through private, supportive coaching.

### Assessment of Analysis:

The analysis is objective based on the text provided. The use of specific formatting (caps) and threats ("documenting") in a group setting is factually verifiable in the source text and aligns with the definition of public shaming. There is no ambiguity here that would cast doubt on your interpretation.

## P2-2 – Disputed call divert charges and support abandonment

### Narrative Report

I requested guidance regarding a customer who entered a contract specifically based on a "call divert" feature, but was not informed by the sales agent that these diverted calls would be chargeable. After a 12-minute wait, the SME responded by asking if the customer was explicitly told calls would be free. When I clarified that the cost was simply not mentioned, the SME argued that the customer was liable because the contract did not state charges wouldn't apply.

I felt this guidance was inadequate given that the customer's decision to buy relied on this specific feature, but I agreed to relay the decision and asked if the SME could handle a potential escalation that evening. The SME asked when I was calling back; I replied immediately, "I can do it now," but received no further response. As is common, the SME did not reply for the rest of the shift, requiring me to raise the issue afresh with another staff member and duplicate the work.

> SME (05/09 18:49): "im done at 7pm, when you calling them back?"

> Daniel Mark Jackson (05/09 18:49): "I can do it now"

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### Analysis of Potential Concerns

#### \* Potential Compliance Issue – Material Omission:

The SME's stance—that a customer is liable for charges simply because they were not explicitly told a service was free—risks violating regulations regarding misleading omissions (Consumer Protection from Unfair Trading Regulations 2008). If a specific feature (call divert) is the primary motivation for the sale, failing to disclose significant associated costs could be considered a lack of transparency under Ofcom General Condition C1.

#### \* Working Conditions – Support Abandonment:

The SME engaged to the point of asking when the callback would happen, but when the agent confirmed immediate readiness, the SME ceased communication. This "ghosting" forces the agent to restart the support process with a new colleague, duplicating effort and increasing handling time while the customer waits.

## P2-7 – Escalation rejection and "Final Bill" delays (07/09)

### Narrative Report

I queried termination charges appearing on a customer's account, suspected to be an error caused by a new contract order. TL Jason Campbell advised that we could not confirm the error immediately.

> Jason Campbell (07/09 17:19): "in that case we would have to wait for the bill to be produced to see for certain"

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This advice reflects a common internal process where we are guided to instruct customers to contact us again once a final bill is produced, rather than resolving the dispute at the point of contact. When I explained that the customer found it unacceptable to face a potential £395 charge and wait a month for clarity, and was requesting to escalate, TL Keelyn Ryan intervened after a seven-minute delay to reject the request.

> Keelyn Ryan (07/09 17:36): "is the cease charges an error ? we cant do anything until that bill is out"

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I informed her that although the customer had ended the call, I had promised a manager would contact him, and I explicitly offered to reconnect them immediately if she agreed to take the escalation.

> Daniel Mark Jackson (07/09 17:37): "he has actually gone, I said someone would contact him tomorrow. but I'm sure he'll take a call now if you'd like to take it on"

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I received no reply to this offer. The escalation request was effectively ignored, leaving me unsupported and forcing me to explain the entire situation to a different Team Leader the following day.

### Analysis of Potential Concerns

\* Potential Compliance Issue – Ofcom General Condition C4 (Complaint Resolution):

The internal guidance to close a query by instructing the customer to wait for a future bill and contact the provider again likely fails the regulatory requirement to facilitate dispute resolution. Treating a complaint as resolved simply because the agent has advised the customer of a waiting period shifts the administrative burden onto the consumer and delays the rectification of evident billing errors.

\* Working Conditions – Escalation Avoidance and Support Abandonment:

The Team Leader explicitly rejected a clear request for escalation regarding a high-value dispute, citing process limitations rather than addressing the customer's dissatisfaction. Furthermore, the failure to respond to the agent's specific offer to arrange an immediate callback left the agent unsupported and necessitated the duplication of work with a new manager.

## P2-8 – Escalation delay and vulnerable customer (08/09)

### Narrative Report

I requested a leader for an escalation regarding a customer listed as vulnerable who felt misled about a deposit refund. Eamonn O'Shea (TL) initially responded but, six minutes later, announced he was taking a different escalation call, leaving me without support.

> Eamonn OShea (08/09 14:39): "Going on an Escalation Call"

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SME 1 continued the conversation but did not engage with my specific request for escalation, instead reiterating policy. After they stopped responding, I waited eight minutes until SME 2 joined, who also only discussed policy. Frustrated by the lack of support and the delay, I sought advice from Copilot AI, which confirmed that my instinct to escalate was correct given the customer's frustration and the complexity of the issue. I posted this AI analysis in the chat to validate my request.

> Copilot AI (posted by agent 08/09 14:55): "Escalation Request: If the customer explicitly asks to speak to a manager or TL... Unresolved Frustration: The customer is clearly unhappy... if they're losing trust or becoming irate, a TL might help de-escalate."

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After a 17-minute wait, Eamonn returned and offered a Webex chat. Following our discussion, I posted a message at 16:09 expressing concern that, despite his advice, I still lacked sufficient information to offer the customer a meaningful resolution or progress the case.

> Daniel Mark Jackson (08/09 16:09): "I'm going to feel a little silly calling back regarding the request to speak to a manager, if I am then unable to progress the case forward... What do you think?"

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What followed was a significant delay. I sent updates at 16:40, 16:49, and a detailed summary of my callback to the customer at 17:22, all without response. At 17:27, Eamonn finally replied asking for the account number—details which were already in the chat. I replied immediately. I did not receive another response until 2 hours and 12 minutes later.

> Eamonn OShea (08/09 18:40): "I'll follow up"

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### Analysis of Potential Concerns

#### \* Potential Compliance Issue – Vulnerable Customers:

The customer in this case was identified as vulnerable. Ofcom General Condition C5 requires providers to give special consideration to the needs of vulnerable consumers. The disjointed support process—involving multiple SMEs, a TL who disappeared for hours, and a lack of clear escalation ownership—delayed resolution for a vulnerable customer over a financial matter (deposit refund), potentially failing the fairness and accessibility standards required by the regulator.

#### \* Working Conditions – Support Abandonment:

The agent was left in limbo for significant periods (e.g., the 2-hour gap between providing the account number and receiving a commitment to follow up). The TL's request for an account number that was already visible in the chat history suggests a lack of attention. Furthermore, the final response ("I'll follow up") came so late in the shift that it provided the agent with little confidence that the action would actually be taken, increasing anxiety about the unresolved customer promise.

### P3-1 – Vulnerable customer and support insensitivity (12/09)

#### Narrative Report

I requested a Team Leader (TL) to discuss a highly sensitive case involving an elderly, bedbound customer who likely had dementia and was facing a landline disconnection. I explicitly raised "duty of care" concerns regarding the risk of the customer losing their essential communication service.

After an 11-minute wait for a response, TL Eamonn O'Shea replied with functional guidance on cancelling the order but did not engage with the specific vulnerabilities I had highlighted. In the same public message, he criticised me for not raising a complaint, using capitalised text and multiple exclamation marks.

> Eamonn OShea (12/09 20:05): "Also, you did NOT raise a complaint on behalf of the customer!!!"

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Concerned about the aggressive tone and the lack of support regarding the customer's welfare, I requested a Webex chat. However, the subsequent guidance remained procedural, focusing on call-back limits rather than safeguarding, leaving me feeling unsupported in managing a high-risk situation.

#### Analysis of Potential Concerns

\* Dignity at Work – Unprofessional Communication: The Team Leader's use of capitalisation and multiple exclamation marks in a public group setting constitutes aggressive communication that can be perceived as shouting. This public admonishment focused entirely on a procedural point while ignoring the distressing welfare context the agent was managing, demonstrating a lack of professional empathy.

\* Potential Compliance Issue – Ofcom General Condition C5 (Vulnerable Customers): The support provided for a high-risk case (bedbound, dementia) was largely procedural, focusing on system processes rather than the specific needs of the vulnerable consumer. This raises concerns under Ofcom General Condition C5, which requires providers to give special consideration to the needs of vulnerable consumers to ensure they are not disadvantaged.

\* Working Conditions – Inadequate Support and Stress: The agent was left to manage a high-stakes safeguarding issue with only rigid procedural guidance and a public reprimand. This discourages agents from escalating legitimate safety concerns and contributes to cumulative work-related stress by prioritising process compliance over ethical duty of care.