

# **Ofcom Voluntary Code of Practice regarding Broadband Speeds**

## **1. Background**

Ofcom is introducing a voluntary Code of Practice for ISPs aimed at increasing the information available to consumers regarding broadband speeds so that they can make more informed choices when selecting a broadband provider.

Kingston Communications intends to adopt this code of practice for both its Karoo and Eclipse brands.

## **2. The Spirit of the Code of Practice**

Ofcom believes that because broadband speeds are a complex area for consumers, and because of the large disparity between headline speeds advertised by ISPs and those typically achieved by broadband users, ISPs should do what they can to reduce confusion and ensure potential customers have all the information they need regarding the speeds they can expect before signing up to a broadband service.

## **3. The Principles of the Code of Practice**

Ofcom's Code of Practice centres on eight Principles, which are summarised below:

### **1<sup>st</sup> Principle: Training**

We need to provide appropriate training to any employees involved in selling or promoting broadband products and services to ensure that they:

- understand the products and services they are selling / promoting
- understand the spirit and purpose of the Code of Practice
- can carry out the principles of the Code of Practice

### **2<sup>nd</sup> Principle: Information at Point of Sale**

We must do what we can to provide consumers accurate and meaningful information on broadband speeds before they sign up to a broadband service, whether the signup process takes place online, over the phone or in person. This means:

- Providing information regarding the customer's estimated line speed (over the phone or via an online line speed checker) as a single number rounded to the nearest Mbps (or ½ Mbps for speed estimates below 4Mbps)
- Highlighting that this line speed is only an estimate, explaining the factors that can influence the actual line speed the customer receives, and making it clear that the throughput speed achieved is likely to be lower than the line speed estimate
- Ensuring that customers can only sign up to a service once this estimate has been provided
- Providing customers with a record of the estimate (e.g. via email or letter or by encouraging the customer to make a written note of it)

### **3<sup>rd</sup> Principle: Accuracy of information on access line speed provided by ISPs**

This principle is about taking all reasonable steps to ensure that the line speed estimate provided is as accurate as possible and updated whenever necessary to reflect any new information.

#### **4<sup>th</sup> Principle: Managing consumers' speed-related problems**

This principle is about managing customers' problems when they report that they are not receiving the speeds expected on the basis of the line speed estimate. This means we need a process in place to:

- Identify cases where a problem reported by a customer relates to a lower than expected line speed
- Log these cases as technical faults if appropriate
- Identify whether the problem is within our control and monitor it through to resolution or until we have done as much as we can to resolve it
- Advise the customer if the cause appears to be within their control (e.g. a result of poor internal wiring etc) and advise how this might be rectified
- Offer the customer an alternative broadband package (if a lower speed package exists) with no change of package penalty if the problem persists after the steps above have been taken

#### **5<sup>th</sup> Principle: Presentation of broadband information on the website**

This principle is about displaying our policies regarding fair usage, traffic management and traffic shaping clearly and prominently on our websites.

This means:

- Setting out our criteria for determining breaches of our fair usage policies
- Providing a facility whereby customers can monitor their usage
- Where possible, notifying customers when they exceed their usage limit and telling them what the consequences are in terms of any costs or speed restrictions imposed
- Possibly giving customers advance notice when they are approaching a usage limit

#### **6<sup>th</sup> Principle: Timescales**

Upon signing up to the Code of Practice we must do whatever we can to implement it within six months of signing up.

#### **7<sup>th</sup> Principle: Monitoring of compliance with the Code**

We need to provide Ofcom with written information regarding our compliance with the Code of Practice at their request. Our compliance with the Code may be monitored by Ofcom, for example, through mystery shopping exercises.

#### **8<sup>th</sup> Principle: Consumers' awareness of ISPs' adoption of the Code**

We must make reference to the Code of Practice during the sales process and provide a full copy of the Code through an easily accessible link on our websites.