



ITSPA Complaints Procedure

ITSPA recommends that customers choose VoIP providers who are members of ITSPA and comply with our strict Code of Practice.

The ITSPA Code of Practice enables customers of ITSPA members to make complaints about a breach of the ITSPA code of practice directly to ITSPA. ITSPA cannot become involved in complaints regarding non-ITSPA members.

The following information should be read before making a complaint about an ITSPA member:

- The complaint against an ITSPA member should first be registered with the member in question.
- The ITSPA member must respond to the complainant within 5 working days, copying the Secretariat into the response. If the member is unable to respond, they must contact the Secretariat to explain their position.
- The ITSPA member must endeavour to resolve the complaint within 10 working days. The complainant should be informed via email, letter, telephone call or in person.
- If a complaint cannot be resolved, then the complainant should contact the Secretariat. The complaint should be set out in an email or letter, which the Secretariat will forward on to the member.
- The ITSPA Council will review the complaint and decide on appropriate action within 3 months.

Further details are provided within the ITSPA Code of Practice itself, including the possible sanctions that the ITSPA Council can pursue, should a member contravene the Code of Practice. These details are provided below. The Code of Practice can be viewed in its entirety on the ITSPA website (<http://www.itspa.org.uk/cop.htm>).

14.2 Complaints about breaching the ITSPA Code of Practice

- 14.2.1 Where a complaint is made that a member has acted in breach of the ITSPA Code of Practice, the complaint shall be investigated and adjudicated by ITSPA in accordance with its rules and procedures on complaints.
- 14.2.2 ITSPA may refuse to adjudicate on a complaint where the subject matter of the complaint is the subject of legal proceedings or for any other reason ITSPA sees fit, details of which must be supplied to the complainant.
- 14.2.3 Where a complaint appears to fall within the ambit of a particular regulatory body or self- regulatory body (for example PhonepayPlus or the Advertising Standards Authority), ITSPA may refer the complaint to that body as well as, or instead of, ITSPA adjudicating on the complaint.

14.3 Sanctions

- 14.3.1 Where the Council decides, pursuant to Clause 14.2.1 above, that a Member has breached the Code, the Council may, having taken all relevant circumstances into account:
- (a) require the Member to remedy the breach; and/or
 - (b) require an assurance from the Member, relating to future behaviour, in terms dictated by the Council; and/or
 - (c) suspend the Member from ITSPA without any reimbursement of membership fees in whole or in part; and/or
 - (d) expel the Member, in accordance with Article 3 of ITSPA's Articles of Association.
- 14.3.2 Prior to its resolution, the details of any complaint to which the ITSPA complaints procedure has been applied, shall be kept confidential by ITSPA and the relevant member. ITSPA shall impose an obligation of confidence on all complainants as a pre-condition of ITSPA initiating the ITSPA complaints procedure.