



REPORT OF THE ADJUDICATOR

WASPA Member (SP):	Celerity Systems (Pty) Ltd
Information Provider (IP): (if applicable)	N/A
Service Type:	Service Levels
Complainant:	WASPA Monitor
Complaint Number:	3863
Code version:	Code v5.7 and Ad Rules v1.6

Complaint

1. On the 13th of April 2008 the WASPA Monitor submitted the following complaint to the WASPA Secretariat:

Date of breach: 5 April - 10 April

WASP or service: Celerity systems - 34011 / 34012 / 34015

Clauses breached: 4.1.5 & 4.1.7

Description of complaint:

Celerity systems run various dating / flirt services on several short codes. All of these services make use of one call centre number: 072 455 4123. Over a 5 day period, in an effort to test call centres on a daily basis, the mail box of this call centre was permanently full. This resulted in not being able to leave a message.

This is poor service levels and this advertiser (who runs daily ads in mags and press titles), should have their mailbox cleared on a daily basis in order to service their customers.

The WASPA Monitor has indicated that this is a serious offence and cannot be resolved informally. The service provider is requested to provide a formal response to the alleged breaches so that this matter can be reviewed by an independent adjudicator.

Response

2. On the 18th of April 2008 the Member responded, the relevant portion of the response reading as follows:

1. The call centre number 0724554123 does relate to dating / flirt services on the short codes 34011 / 34012 / 34015 as administered by Celerity Systems.

2. Celerity Systems has a dedicated staff member who handles all calls on 0724554123. This contact number is supported during Celerity Systems' working hours (Mon-Fri 7am - 5:00pm, Sat 10am - 4pm) and all voice mailbox messages are cleared weekly on a Friday.

3. Prior to and during the period under review this staff member took leave unexpectedly and there was no hand-over of this contact centre number 0724554123 to another staff member.

4. The contact centre number mailbox was cleared and all messages acted on during the course of Friday, 11 April 2008, on the staff member's return from leave.

Celerity Systems wishes to acknowledge that its contact centre service for the number 0724554123 did not meet with WASPA's requirements (as per clauses 4.1.5 and clauses 4.1.7 above) over the period Saturday, 5 April to Thursday, 10 April. Celerity Systems apologises profusely for not ensuring it adhered to its goal of providing service excellence to users of mobile services using its gateway.

Celerity Systems has put in steps to ensure that this situation does not occur again to better manage this contact centre number:

a) A hand-over process to ensure continuity in contact centre services when the staff member is on leave.

b) A more regular review of messages (i.e. daily, during working hours) on the contact centre number 0724554123 to ensure that the voice mailbox can receive incoming messages.

3. It is noted from the above that the Member apologised and set out comprehensive steps that it has taken to ensure that its support service does not grind to a halt if the relevant employee is away from his/her post.

Portion of the Code Considered

4. The following clauses of the WASPA Code of Conduct were considered:

4.1.5. Members must have a complaints procedure allowing their customers to lodge complaints regarding the services provided. Members must acknowledge receipt of complaints expeditiously, and must respond to any complaints within a reasonable period of time.

4.1.7. Any telephonic support must be provided via a South African telephone number and must function effectively. Should the member be unable to provide immediate support, a customer should be provided with the ability to leave a message. Support numbers may not forward to full voice mailboxes.

Decision

5. The allegation made against the Member is merely that it allowed the voice mailbox associated with its support number to fill up so that no further telephonic requests for support could be recorded. There is no allegation that the Member's general complaints procedure is defective, merely its telephonic support service. As the complaint does not relate to the nature and state of the Member's general complaints procedure and infrastructure I will thus deal with an alleged infringement of clause of the Code of Conduct 4.1.7 only.
 6. Unfortunately the WASPA Monitor is silent as to the Member's operation of its support service outside of the dates set out in the complaint, and so I am unable to test the Member's version that the problem was limited to this period only. I have thus to accept the Member's version in this regard.
 7. It is common cause that the Member allowed its telephonic support mailbox to become full over the period 5 to 10 April 2008 and that accordingly it infringed clause of the Code of Conduct 4.1.7 during this period.
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Sanction

8. In imposing the sanction I have taken the following factors into account:
 - 8.1. I have no reason to disbelieve the Member's version that there were unusual circumstances leading to this infringement, which was of a "once-off" nature, and
 - 8.2. The relatively short duration of the infringement, and
 - 8.3. The member's good conduct as a member of WASPA thus far, and
 - 8.4. The fact that the Member has taken steps to prevent a recurrence of this situation.
9. Accordingly I impose the following sanction:
 - 9.1. The Member is fined an amount of R 3 500.00, which fine is suspended for a period of 6 (six) months on condition that no complaints are upheld against it relating to its complaints procedure or support service.
 - 9.2. The Member is issued with a formal reprimand.

Dated this day the 29th of April 2008

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