DMA Guide to Dialler Use

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Responsible Marketing

Data & Marketing Association

Contents

/ Introduction

This document seeks to cover recommended steps for the procurement and use of automated dialling solutions in a contact centre environment.

Throughout this guide reference will be made to several regulatory factors that should always be considered and adhered to, irrespective of the technological solution you use to make calls to your customers/prospects. As a bare minimum, you should ensure without fail that your organisation adheres to all regulations laid out by **Ofcom**, the **ICO** and also all relevant Data Protection Legislation.

Links to the latest important key guidance and regulations can be found below:

Ofcom Persistent Misuse Policy

DMA's Guidance on Ofcom's Policy

ICO's Privacy and Electronic Communications Regulations guidance

ICO's Guide to the GDPR and 2018 Data Protection Act

In addition, if you are a DMA Member, then you will find that adhering to the DMA Code, which is a prerequisite of your membership will ensure compliance with relevant legislation and regulatory requirements.

For the sake of this guide, an Automated Dialling Solution is defined as one which is able to present records and make calls for agents, whether this is by manually selecting to dial them or the system having total control over record presentation and dialling logic and performance. The term Dialler will also be used and these can be used interchangeably.

/ Choosing a Dialling Solution

There is a lot of confusion, within the industry about dialling solutions, some of which has been vendor driven over the years, but outbound calling is not a black art, more of an exact science.

This section seeks to dispel some of these myths and provide clarity around the most important items to consider when procuring a dialling solution, whether this be your first such system or a replacement for an incumbent solution.

This first thing to decide when embarking on the procurement of a dialler is what type of dialling that you are going to be conducting, both now and in the future. Other pieces of legislation that are likely to apply include:

Dialling Modes Explained

The most common dialling modes are defined below.

Manual Dialling – When an agent will physically dial a telephone number, regardless of whether the number is supplied by an application or taken from a manual source, such as a spreadsheet.

Preview Dialling – When a system will present a record for an agent to dial and they will then select when call the customer/prospect, typically by clicking a button to make this dial without typing in a number. In this mode, the call is dialled from the agent extension and they will handle all call outcomes.

Progressive Dialling – Sometimes referred to as Automated Preview. When a system presents a record to an agent and, after a specified time, the system will then dial the record for the agent. Again in this mode the call is made from the agent extension and they will handle all call outcomes.

Power Dialling – The next step up from Progressive Dialling. In this mode, the call is made from the dialler, not the agent extension. The dialler will only ever dial 1:1 in terms of making one call per available agent so as not to generate abandoned calls. Unproductive calls such as no answer and unobtainable will be dispositioned by the dialler, not the agent, and only connected calls route to the agent.

Predictive Dialling – The most productive form of dialling, but the mode which requires the most care, caution and diligence. When used correctly, predictive can deliver significant productivity gains. The basic premise of predictive dialling is that the system, via complex probabilistic algorithms, will try and calculate how many calls it will need to dial and when in order to make agents as productive as possible.

Unattended Dialling – This has sometimes been referred to as Robocalling and is when an outbound call is made with no live operator and a recorded message is played when the call is connected. TThere are very strict guidelines as to how and for what this is used in the UK. This should never be used for marketing calls, unless you have specific consent to contact customers via this method of calling. If in doubt, please consult your compliance specialist about using this dialling method or your DMA representative.

Technology Base

If you do not have a strong technical background or are working in an organisation light on IT resources, then some of the terms used by vendors may be somewhat confusing. The most common deployment methods available for dialler solutions are described below.

When deciding on a supplier, you should have a clear idea of which deployment method best suits your organisation's needs and skillsets in terms of support and ongoing maintenance.

On Premise/Private Cloud – This model relies on your organisation providing the actual hardware, network and connectivity for your chosen vendor to install their product.

Some solutions will need to have servers provided, whereas others will merely require space in server racks/data centres. In most instances, the support and maintenance of the infrastructure used will be the responsibility of your organisation and not the vendor.

Typically you will also be supplying the connection to the PSTN in the form of either ISDN lines or SIP channels. Some businesses will choose to outsource the hosting of this infrastructure to a data-centre provider who will offer both the infrastructure and support for these services (if required).

Public Cloud – This model means that the servers are provided and hosted in a data centre by an external provider and available over the internet to an end user. **Microsoft Azure**, **Amazon AWS** and companies such as **Rackspace** are excellent global providers of such services.

Support models can also be purchased alongside servers to ensure that if your business is light on IT resources, servers are kept up to date and their performance is optimised.

Pure Cloud/Fully Hosted – This type of solution is a one stop shop, where the vendor will offer a web-based solution that you connect to through your existing network and the internet. They will host and manage the solution, which you would then configure for your use.

The End of ISDN and the Move to SIP

BT have announced that by 2025, they will have terminated all of their existing PSTN (Public Switched Telephony Network) and ISDN (Integrated Services Digital Network) and will be moving to a single IP (Internet Protocol) network.

Whereas ISDN has been a recognised standard for many years, its replacement with SIP (Session Initiated Protocol) is not yet a universal standard and therefore care should be taken in appointing a supplier.

Suppliers and Carriers – a Note of Caution

When appointing a SIP Supplier, you should make a point of understanding who the actual call 'carrier' is. A number of companies viewed as suppliers are in fact merely carriers for providing another company's actual supply (in some cases, several companies concurrently), who they commonly refer to as 'upstream suppliers'.

You should always ensure that you are aware of who the actual carriers are and that in the event of any issues or investigations, your supplier is able to adequately obtain detailed traces from the upstream provider to aid in issue resolution.

Based on regulatory guidelines, you also need to ensure that all the features you require to be compliant are available on all of the networks and carriers that will be in use. It is your responsibility to ensure you undertake adequate due diligence in appointing a supplier and ensuring that their network and supply is capable of meeting all the required regulations all of the time.

Any contract put in place with them should ensure that they accept liability in case of enforcement action being taken against your business in the event of their failure, ensuring their supply or upstream carriers are able meet the legal and regulatory requirements currently in place in the UK.

SIP and Calls Per Second Limits – Another Note of Caution

Some SIP suppliers are currently more 'dialler friendly' than others when handling high volumes of concurrent calls. SIP suppliers will have a set limit of Calls Per Second (CPS) that they will allow you to make on their network.

If this limit is exceeded, the supplier will take automated action to restrict the call traffic to stay within these limits. There are several ways in which they can do this, some of which can cause more harm than others.

Some will merely 'throttle' call requests and allow them to stack up behind one another before they are then 'allowed' into the telephony network. This can provide an alarming bottleneck of call requests and should be avoided.

In the worst case event, some suppliers will literally terminate any further traffic, which can also disconnect calls in progress and risk immediate infringement of several regulatory guidelines, as well as potential distress to recipients of calls and even silent calls.

A sensible, responsible and diligent supplier will always listen to your needs and size their provision for your requirements to ensure they are able to fully support your needs and regularly review this with you.

Make sure you know their policy regarding CPS limits and how they will proactively limit the likelihood of any potential issues.

Quick Checklist

When appointing a network carrier for outbound dialling activity, you should ensure you check the following:

- CPS limits that are in place
- Providers support 'dynamic' CLI presentation
- Providers contractually accept liability for adhering to legal and regulatory requirements for all carriers involved
- Call costs are clear and transparent

Features and Functionality

It is important that you know what features you require your dialling solution to have, and it is vital to understand this clearly before you engage any vendors. A good way to do this is to explain to a potential vendor how you would like to use this solution.

If you are procuring a dialling solution for the first time, then the table below will give you a good start regarding what is available on the market and the type of information it is useful for vendors to know.

At this stage, giving them an accurate insight into your business will be invaluable and enable you to appoint a supplier that can understand your business whilst giving you the confidence that their technology can meet your requirements.

It is also important to know what telephony platform you will be dialling through and also what call recording platform you wish to use. You may already have significant existing expenditure in this area and require a vendor to integrate to these solutions. On the other hand, you may wish to purchase a one-stop shop 'out-of-the-box' solution that provides all of the dialling, campaign management and call recording features you desire.

Volume of Agents	How many concurrent agents are you likely to have logged into the platform at any one time? As a multi-channel centre, it is advisable to split these by: • Inbound • Outbound • Blended
Data Input	How you ideally wish to 'load' records into the solution. This could be by one of more methods including a combination of, but not restricted to, the following: • Flat manual files • FTP/SFTP sites • APIs • Internal/3rd party CRM application

Data Volume	How many records do you expect to load into the solution and when?
Data Output	If you need to get data out of the system once loaded, be clear about what you would like out, when and how.
Do Not Call Processes	Be clear about your internal Do Not Call (DNC) requirements. These may be related to TPS/CTPS or your own internally maintained lists (or both).
Campaign Set Up and Delivery	You should be clear about the volume of campaigns you may wish to run on the solution and should consider the following when compiling a features list: • What data and segmentation needs you have • What contact strategies you have • Do you have multiple telephone numbers for your customers? • Are agent owned/private recalls required? • Are you calling across multiple time zones? • Different campaigns can broadcast different CLIs • How will your campaigns be run and what dialling modes will be used?
Regulatory Requirements	Other than ICO/Ofcom requirements, are there any industry specific regulations you need to adhere by, such as data retention and storage?
Email/SMS	Do you require the ability to send multi-channel messages to customers as a part of your contact strategy?
Agent UI	You should have a clear idea of what desktop agent interface you wish to use and how this will be presented.
Call Transfers	If you have the need to transfer calls, ensure that the types you require are available.
Integration to 3rd party applications	If integration is required with any other applications, this should be clearly detailed and explained along with any connection methods shared. The frequency and nature of the ideal integration should also be explained.

Payment Processing	If you take payments on any calls made via the solution, you should ensure whatever method(s) you deploy of processing payments are PCI compliant (if the solution itself is in scope). If you have an existing solution that you wish you use, you need to ensure your chosen vendor(s) is able to integrate seamlessly with it.
CTI integration	If integrating to an existing PBX, you should ensure you check all functionality you require is available in the middleware that is used to connect the two systems.
Dialling Modes	You should clearly define what dialling modes you require and also indicate what the split of these different modes is likely to be if applicable.
Call Returns	You should be clear about how you would like to handle any customers who call back on the CLI that you broadcast for each campaign.
Reporting	A full MI matrix should be supplied and gap analysis to this undertaken. If any terms or measure are ambiguous, ensure these are clearly refined and understood.

Quick Checklist

When creating your feature/requirements list to discuss with a possible vendor, you should ensure you check the following:

- Compile a full features list and matrix involving technical and operational stakeholders within your business.
- Be clear in your requirements and if any terminology is ambiguous then ensure it is clearly defined.
- Ensure reference site visits are available, so you can see the features you require actually being used in the real world.

Product Support

An important part of choosing a supplier should also be the ongoing product support that they offer.

You should ensure that they are fully transparent around their support SLAs and their service support opening hours align with the needs of your operation. Most suppliers will offer a 24/7/365 service that reflects the needs of the modern contact centre environment.

A worthwhile supplier will as standard ensure regular supplier review meetings are available and also will regularly supply MI regarding their SLA performance.

A number of companies will try and levy financial penalties to suppliers that fail SLAs or try and introduce bonus payments for continued ‘up time’. When negotiating with a supplier around SLAs, it is important to establish a review mechanism, and to have a contract that works for both parties.

The relationship you have with your chosen vendor will hopefully be a long and fruitful one for all parties, so please consider this if advised to try and impose any draconian penalties on a supplier as part of a negotiation.

It is also advisable to ensure you are aware of your supplier’s future roadmap and upgrade path. You should be aware of any future costs that are likely to be incurred during the lifecycle of your contract relating to the deployment of new versions of the product you have purchased.

Quick Checklist

When discussing support SLAs as a minimum ensure the following:

- You have a clear and well defined copy of the suppliers SLAs
- Their support hours mirror those which you require
- You will receive regular Mi regarding SLAs
- Supplier review meetings are available at no extra cost
- Be aware of any future upgrade costs to avoid surprises

Added Value Supplier Offerings

As a part of your procurement process, it should also be important to understand what other services your supplier can offer other than supplying you technology.

Most experienced vendors will employ a team of experienced trainers/consultants, who will be able to continually advise you in terms of best practice use of their product.

It should be an important part of any agreement that regular ‘healthchecks’ of your application set up are conducted by experienced professionals in this area. These should not necessarily be system ‘trainers’, but system performance specialists. They should be people who will help you understand how your business can benefit most from improved use of the solution that you have purchased and help you fine tune performance wherever possible.

Quick Checklist

When evaluating the additional skills and offering available from a vendor, you should ensure the following:

- You have ongoing access to product experts
- The vendor is able to provide best use guidance to you post procurement

Disaster Recovery and High Availability

When choosing a solution for your business, it is imperative that it is functional and reliable and has an 'up time' as close to 100% as possible. People can confuse Disaster Recovery (DR) and High Availability (HA). For the purpose of this guide, they are simply defined as follows:

Disaster Recovery – A managed policy and processes to retrieve or maintain core technology functionally in the event of a significant negative event, whether a natural or human induced disaster/catastrophe.

High Availability – A solution that is able to operate continuously or near continuously (99.9% uptime) in the event of a significant negative event, whether a natural or human induced disaster/catastrophe.

So one term refers to the managed retrieval of a 'lost' solution, which will incur accepted downtime (usually under a restoration-based service level), and the other the continued running of a solution where a 'loss' has occurred (which may feature an agreed 'switch-over' service level if not fully automated and seamless).

There is usually a cost trade off between having one option or the other, and this should be fully investigated in terms of having the benefit of continued service against the cost of managed downtime and restoration.

It is also important to be mindful that some deployment models will require different levels of DR or HA at different points. In the event you use a solution that is integrated to another vendors SIP supply, for example you need to ensure that all stages of your implementation are managed and protected. For instance, if a primary telephony carrier has an outage, another supply should be bought into use as quickly as possible (based around how 'high' you need your 'high availability' to be).

There are a number of different technology solutions for providing DR and HA, and it is recommended you consult your IT subject matter experts to agree what will be most appropriate for your business.

Solution Costs

In considering the above options, ultimately any procurement decision will require a robust business case and collation of the costs and benefits of implementing a dialling solution.

Regardless of whether or not you are choosing to make a Capex-based purchase, (which typically would be based on a larger license purchase cost and a smaller annual support fee) or an ongoing Opex purchase (a lower monthly combined support and license fee over an agreed term), it is suggested that the following be considered by way of gathering total costs that will be required over the duration of your business case.

Whilst not a prescriptive checklist, it encompasses major expenditure items that should be considered and accounted for. This only includes costs which could be 'new' to your business.

If you already pay charges for using technology like PCI payment solutions or integrated address finding software, you should already have these costs to incorporate.

Solution License Costs	The license fees for the number of different users (agents, supervisors, admins, etc) you require to use the system, including any volume-based discounts for large deployments. Be sure the solution is licensed for named or concurrent users, as this will impact the cost.
Solution Support Costs	The ongoing, usually annual support fee charged for the solution. This may be combined with the above for an Opex deployment.
Set Up Costs	The costs incurred for the system installation, set up, new user training and also any project management.
Upgrade Costs	Any ongoing costs that would be incurred for system upgrades over the duration of the business case.
Ongoing Services Costs	Additional professional services costs, usually on a day rate for further training or consultancy.
Hardware Costs	If not choosing a pure cloud model, then costs for any servers, platform licensing (operating systems, etc) and connectivity.
Support Charges	Any additional costs for the ongoing maintenance and support of the above hardware.
Storage Charges	If you need to keep call recordings for a specified length of time, you may incur additional storage costs and these should be considered.
Call Charges	If not a pure cloud solution, you should be able to estimate what your monthly or yearly call costs and volume will be. Note that some suppliers charge for ringing time as well as connected time and the difference in cost between hanging up a not answered call in 20 or 30 seconds can be a LOT over a year.

/ Maximising Efficiency in Operation

One you have procured a dialling solution, it is important you are able to maximise the benefits of this to your business. There are a wide variety of considerations and decisions you need to make in order to do this, which are covered in this section.

Staff Knowledge and Training

It is imperative that you give careful thought to the people within your business who will be receiving training regarding the system that you are using.

Ofcom regulations state that a dialler must be managed by a competent person or persons, and it is advised that evidence of that person or person's competence should be kept and auditable if required.

At this stage, it is imperative you do not forget the end users regarding training and by that we mean agents and supervisors/managers.

As with any positive technology implementation, a dialling solution should not be used as a stick to drive performance with, but should be considered an intelligent enabler to maximise performance and productivity in an engaging way with your contact centre.

Culturally, it is important that your contact centre team is fully engaged with any dialling solution implementation, and that they understand the benefits that this technology will have for them in their roles.

Agents will always know how to increase performance, and their feedback should be utilised in any implementation or ongoing business process improvement work.

Quick Checklist

Within your organisation, you should ensure you are aware of who is performing what tasks with the system and ensure those individuals have received appropriate training in the following areas:

- Data loading
- Campaign management
- Regulatory requirements
- Reporting
- UI creation for agents

Campaign Delivery Hours

It is important to ensure that your campaign is delivered in a way which maximises your performance without causing consumer distress, harm or annoyance. As a result of this, your outbound activity should be carried out during reasonable hours, when there is less likelihood to incur these negative experiences.

Reasonable Hours

Although not defined in any regulatory guidelines the following are recommended as what could be considered reasonable hours:

Monday to Friday:	09:00 – 20:30
Saturday:	10.00 – 16.00
Sunday*:	11.00 – 15.00

*It is recommend that anything other than 'warm' or expected/invited calls are not made on a Sunday.

Calling on bank holidays should also be avoided unless invited by customers.

As we know, customers do not always follow hard and fast rules and your system should give you the option to call customers outside of these times if they request it. An interface should make you aware of these calls and ensure you are able to staff to deliver these commitments.

Consumer Preference

It is important to understand when your customers wish to be called.

This may be possible to know by gathering this information when interacting with them or by examining calling results and trends.

You may identify certain types or demographics of customers who answer the phone more frequently at certain times of day, and you should ensure your system is capable of prioritising these customers at these times.

It may also be advisable to ensure you have the ability to not call work numbers in an evening, and not call home numbers during the day if you know a customer is likely to be at work to avoid any potential annoyance. All good dialling solutions will give you this ability and be able to handle these preferences with basic configuration.

It is always important to monitor your complaints data, and if a trend of complaints caused by calling customers at what they deem to be inappropriate or unsociable times is identified, you should consider altering your calling hours.

Productivity vs Opening Hours

As well as the above, it is important to understand how to staff your campaign to be most effective across your opening hours.

For example, if you are calling B2C and your centre operates using full-time staff, yet your campaign achieves a higher answer and penetration rate in the evenings, the following would be advisable to consider implementing:

- Ensuring higher staffing volumes at peak call connect/answer times
- Scheduling training/meetings/1-to-1s during less productive segments of the day
- Scheduling breaks and lunches around unsuccessful calling periods

Quick Checklist

When setting your campaign calling hours, ensure you have considered the following:

What do you consider 'reasonable'? Remember this may differ for different campaigns.

- Customer preferences in terms of time to call
- Ensure you know your best times to call
- Always monitor complaints data and be prepared to make changes

Call Recycling

Every dialling solution will give you the ability to be able to recycle calls which have not been connected to a customer – this is where you decide what happens next based on the previous outcome.

There are a huge variety of solutions on the market, some of which give very basic functionality, and others which allow complex and customised contact strategies and plans to be deployed. What suits your business and campaigns best is up to you to decide.

In this day and age, when most people generally have more than one telephone number, you should ensure your system is capable of handling multi-number dialling and recycling.

Maximum Call Attempts

It is important that you ascertain what the maximum number of call attempts is that you intend to make for a campaign, and that your system is capable of adhering to this. It should be possible to configure this to be different for each campaign, if required.

Typically most campaigns will have a 'sweet spot' in terms of the optimum number of attempts to establish a successful call with a customer. Once this is passed, the law of diminishing returns takes over and the propensity to connect typically nose dives.

It is also incredibly important to ensure your contact strategies are not perceived to cause customers to feel harassed by constant call attempts. So, again, interrogating your statistics and complaints data is important in this area.

There could be the possibility that, on the final attempt, a customer actually requests a direct callback from you and so you should ensure you have a method built into the system to handle these types of calls which fall outside of the usual BAU campaign rules.

Non Connected Calls

As a general rule of thumb, the following are advised time periods that could be deemed reasonable to wait until you attempt a second call:

- No Answer: 3 Hours
- Busy/Engaged: 10 Minutes
- Answer Machine: 3 Hours
- Unobtainable*: 3 Hours

*To save wasted dial attempts, you may want to only call a number that is unobtainable twice before not dialling it again for the remainder of that contact strategy.

Times of Day

Some systems will enable you to switch call attempts between different numbers at different times of the day and week to improve your chances of a successful call.

For example, you may wish to only call a work number from 10.00 to 16.00 on weekdays, a home number from 18.00 to 20.00 on weekday evenings and then a mobile number on a Saturday. Your system should give the ability to be able to implement these more complex types of rules.

Customer Requested Callbacks

On all outbound campaigns, you will contact customers when it is not convenient for them to talk to you, and you should have the ability to be able to reschedule a call at a convenient time for the customer and on their preferred number to be contacted on. The system should then deliver this call to an agent at this time to call the customer.

It is advisable to dial these calls in a preview mode, even in predictive campaigns and your system should give you the flexibility to be able to do this.

In these circumstances, it should be made clear to an agent that these are calls as a result of a conversation that has been had before with the customer, and if any notes have been taken on previous calls, these should be available to the agent to digest prior to making the call.

It is important that you also decide and have a process in place for how you handle these callback commitments that are not met for whatever reason (for example agent absence). You may wish to allocate these calls to another agent to make and your system should allow this (with their knowledge).

Some systems also have an inbuilt UI, which will give agents visibility of their customer call,backs so they know to expect these calls and when, which can also enable them to prepare for making them in advance.

As mentioned elsewhere, you should have the ability to be able to handle these types of calls outside of your campaign hours if deemed appropriate.

Quick Checklist

When building recycling and recall plans, you should ensure you consider the following:

- What are the maximum number of times you should try to call?
- What are reasonable periods of time to leave between calls?
- When do my customers want to be contacted?
- How do I minimise the risk of being perceived to call too often?
- Have a process in place for customer callbacks and those that go ‘off piste’

Regulatory Compliance and Best In-Class Practice

There has been a large degree of confusion within the industry for many years about what is considered to be ‘compliant’ outbound calling, and a commonly mis-held belief that certain regulations only applied to calls which were made using a predictive dialler.

In recent years, the industry and communications regulators have moved towards a more principles-based approach to what is commonly referred to as compliance. This has allowed a greater degree of interpretation to be made around what is required of an organisation, and this guide seeks to provide some guidance and clarity around what practices and behaviours should be followed within your organisation.

If after reading this, you still have questions or uncertainties around any of this guide, please contact your DMA representative and they will put you in touch with an experienced resource that can help you through this process.

It is also imperative to ensure you are up to date with the latest regulations that exist and again the DMA can help guide you towards copies of these, if you do not know where to locate them.

This guide deals purely with the use of technology and relates to **Ofcom** and **ICO** regulations regarding the use of Automated Calling Systems. This assumes that you are aware of associated data protection legislation and what permissions and consent are required to undertake desired activities. If in doubt, please refer to the DMA Best Practice Guide for Outbound Campaigns or contact your DMA representative.

Nuisance Calls

Upon the publication of the latest **Ofcom** regulations, a clear distinction was made to separate nuisance and abandoned calls for the first time, and it should be recognised that these are different things - although in some instances could be one and the same.

It is therefore possible to make a nuisance call using any method of dialling, even a manual dial from a handset.

You should ensure that your organisation has a clear definition of what constitutes a nuisance call and that appropriate processes exist to capture the volume, frequency and root causes of these.

Typically most businesses have a fully auditable complaints process, and it is recommended that the definition and capture of nuisance call volumes and their associated frequencies, root causes and any remedial actions taken should be incorporated into this process.

The root causes of nuisance calls could take many forms, and the below is a non-exhaustive list of some obvious and less obvious examples that may be encountered along with suggested remedial actions that could be taken should what you deem excessive volumes of these be encountered.

Nuisance Reported	**Evidenced By**	**Suggested Action**
Abandoned Calls	Customer complaining about a dialler abandoned call despite following all correct processes.	Audit to ensure that correct processes have been followed and then monitor their volume. If frequency increases or volumes are deemed to be excessive, consider dialling at a more sedentary pace. If correct processes have not been followed – such as a recorded message being played – ensure these are put in place as soon as is practical.
Silent Calls*	Customer answers phone and neither an agent speaks or a recorded message plays within two seconds, which is confirmed by listening to the call.	Immediate high priority investigation and root cause identified and remedied as soon as practically possible. It is recommended that if an immediate solution to silent calls is not found, you should consider suspending anything other than preview dialling until this issue has been resolved.
No Marketing Permission	Customer complains you do not have permission to call them.	Check marketing permissions for this customer and ensure you feed back to them the outcome of an investigation and treat in line with GDPR guidelines and principles.
Called Too Many Times	Customer complains you have called them an inappropriately high number of times.	Audit the call history for the customer and feedback to them the results of this investigation. If this is a frequent cause of dissatisfaction, you may wish to consider changing your calling strategies.

Called at an Inappropriate Time	Customer complains that it is not appropriate to call them at this time (maybe on a particular number).	Review the call to ascertain if this is convenience related such as, the customer is watching a favourite TV show or is about to eat, or more inappropriate calling during work hours which may not be welcome. If this becomes or is a frequent source of dissatisfaction, you should consider reviewing your calling strategies to see if this volume reduces.

*It should be noted that a silent call can also be caused by inappropriate or inconsistent agent behaviour. This could be when a customer is routed through to them and they accidently remain on a mute microphone setting or worse, they may consciously choose not to speak to the customer.

As mentioned, this list is an example and non-exhaustive.

You should ensure you have adequate processes in place to record all instances of dissatisfaction caused by outbound calling, monitor their volumes and respond to them accordingly.

Quick Checklist

To ensure you are able to adequately manage the handling and recording of nuisance calls please ensure you follow the below:

- Define what constitutes a nuisance call
- Ensure all staff are aware of this definition
- Ensure processes exist for capturing all instances of nuisance calls
- Ensure processes exist for analysing nuisance call data, volumes and root causes
- Ensure you have checks in place to identify possible agent causes of nuisance calls and processes to take appropriate action where these are identified
- Ensure records are kept of any remedial actions taken as a result of high volumes of nuisance calls or increases in volumes
- If you experience silent calls consider immediately suspending any automated dialling until you have found and addressed the root cause

CLI Presentation

CLI simply stands for Caller Line Identity and is the telephone number that should be displayed by your business on a customer's device when you call them.

For many years, this has been a prerequisite for making outbound calls and should be displayed for all outbound calls made to a customer and not just for calls which are made via a dialler.

Recent changes to guidelines have been introduced, which now outlaw the practice of 'spoofing' CLIs in a way that could be seen to encourage a call recipient to answer by misleading the person about the location of the calling party.

For example, calling customers in Manchester then broadcasting a CLI starting with 0161 could be more likely to lead the call recipient to answer the phone, despite the fact the calling party is neither in Manchester nor has a presence there. This practice is now rightly viewed as misuse as it misleading. There is are two exceptions to this.

One is if calling from a central contact centre that has disparate site locations, each of which have a local customer base (for example a central automotive call centre phoning customers of regional dealerships about a service reminder). In this instance, it would be permitted to use a local number as a CLI for each customer group, as you are calling to represent a local presence.

The second is for outsourcers or organisations who can broadcast different CLIs for the different brands or companies they call on behalf of.

There are simple guidelines that you must adhere to regarding the number that you broadcast, as a customer may choose to call it back in the event of a missed call. These are as follows:

- The CLI must be valid and 'ringable'
- It must uniquely identify the calling party
- The CLI when dialled is no more than a basic rate number

Quick Checklist

- Ensure the CLI broadcast matches the campaign/brand being called
- If you are using 'local' numbers to broadcast, ensure you are calling on behalf of a local presence only
- Ensure you check that your line provider is capable of dynamic CLI presentation

Minimum Ringing Time

This relates to the minimum time a phone should be allowed to ring before being dispositioned and should be easily set on your platform.

Although a lot of organisations believe a minimum ring time is only required to be set when using an automated dialler, it is recommended that this be in place for all outbound calls, regardless of whether they are generated from an agent extension or a dialler.

There is one note of caution regarding ringing time, and that is to be sure that the device at the recipient end will actually be ringing. With recent changes to SIP telephony trunks and also the wide variety of networks you can both call out over and receive calls on, there is not yet a universally accepted set of codes or protocol that mirror the established ISDN cause codes. What this means is that different providers and networks can send different codes back to your dialler for connection and ringing signals.

The best way to be sure calls are ringing is to test on various networks and providers and also conduct audits listening to calls. Some dialler vendors will record a call in its entirety and not just from connection, which will allow you to measure this.

If in doubt, ask your vendor how they calculate ringing time. Some basic applications may only start a counter when they receive a connected signal, whereas others will start only when they get a ringing signal. The more advanced vendors will have options for both if both are received, and in the event of receiving one then the other they will feature a counter 'reset'.

To expand on this point, some networks will only send back to your platform the fact a call is 'connected' at the recipients' end, some go further and will then also specify that the call is now 'ringing'. If there is a gap between the two events, your platform should ensure it 'resets' any ringing timer when the second message arrives.

If your provider does not send such detailed events then you should conduct a series of lab tests to ensure you know how only getting a connected event reflects on the customer experience and adjust your minimum ringing time accordingly. You may need to increase this by several seconds based on your results.

This document does not seek to specify that all carriers should display the above behaviours, but that as a responsible provider of outbound services, you should ensure you understand how your various systems behave and perform and adjust them accordingly.

It is also important to understand the behaviour of your call recipients, and if it would be more advantageous to increase this timer based on their speed of answer. If during your data analysis you find that on average your customers are more likely to answer the phone if it rings for, say, 20 seconds, then it would be advised to use this or a slightly higher duration than this to ensure optimum answer rates.

This not only ensures a greater percentage of calls being answered, but is also less likely to cause harm or distress caused by making a higher volume of what will be 'missed calls' to the call recipient.

Quick Checklist

- Ensure all calls if not answered are ringing for a minimum of 15 seconds
- Test the effectiveness of this in your lab using different landlines and mobile services and adjust your parameters if required based on your findings
- Know your customers and adjust timings accordingly to ensure maximum answer rates whilst minimising the likelihood of missed calls
- If in doubt, check with your vendor how they calculate and recognise both connection and ringing time

Retaining Information

It is a requirement that auditable records regarding dialling activity should be maintained for a minimum of six months should you ever be investigated by a regulatory body and need to supply evidence of how your business has conducted its dialling in the period under investigation.

Please note this does not just relate to using a predictive dialler, but any automated dialling solution.

When encountering this requirement, most organisations will just save a history of campaign data and performance. It is hugely advisable to also record not only what is classed as campaign performance, but also campaign and system settings each day, which can provide invaluable information as to how responsibly your solution is being used. This can then be used to demonstrate not only how well the solution is used, but also changes based on consumer feedback.

Most dialling solutions will have a simple and clear UI that allows key individual settings to be easily visible for each campaign. A simple screenprint or 'snip' of these should be retained on a daily basis for each campaign. As an absolute minimum ensure the following is visible:

- The dialling mode being used
- Abandoned Call Rate (if predictively dialling)
- Minimum ring time that has been set
- The CLI that is being presented

According to the dialling activity your business undertakes, you may need to also include other settings.

Quick Checklist

- Ensure auditable records are maintained for at least six months
- Include relevant campaign and system settings along with traditional 'MI'

Predictive Dialler Use

This section concentrates exclusively on the best practice as well as legal and regulatory compliance you should follow when using a predictive dialler or your solution in a predictive mode if you are able to 'blend' different activity across campaigns.

Used well and responsibly, a predictive dialler can give your contact centre vast productivity and efficiency gains whilst still minimising complaints and the risk of consumer harm or distress.

The first thing to consider when deciding if you are going to use a predictive dialler or call in this mode is the volume of data and its relationship to the predictive algorithm that is used.

Traditionally it was always an accepted belief within the industry that you had to have large volumes of agents and huge pools of data to enable a predictive dialler to be effective. Whilst having a large pool of both agents and data will always minimise the risk of abandoned calls, modern diallers are capable of dialling in a predictive mode with smaller data pots and a smaller numbers of agents.

Depending on the dialler vendor, some will advise that they can effectively predictively dial with teams as small as six agents, whereas others will specify a minimum of 12-15. It is always advised to check any claims made by vendors with their customer base in terms of reference visits and checks prior to deciding a tool is or isn't right for your business.

Whilst the algorithms themselves will always be closely guarded commercial secrets, and in some cases even fully patent protected, vendor representatives should be able to advise you as to how to get the best and most productive use of the dialler that you choose.

Dialler Pacing

Any dialler will have built in self-pacing mechanisms as a part of the algorithms described above, which are designed designed to keep your agents productive whilst minimising abandoned calls and any likely distress or harm caused to potential recipients of your calls.

Most tend to pace themselves asymptotically to not exceed the maximum rate of abandoned calls that has been set within your system.

There are a number of variables that can contribute to the speed of an automated dialler.

The table below explains some of the key items you should consider, some of which can also be 'levers' to carefully increase productivity within your centre if appropriate.

Variable	Explanation
Connect Rates	The amount of calls which are connected/answered from the total volume that are dialled. This is a huge factor in a dialler determining the total volume of calls it will need to dial to maintain productivity. As an approximate rule of thumb, this ratio is usually around 1:5 of connected calls to calls made (dialling business to consumer), although this can be impacted enormously by the amount of time the system is allowed to let a call ring before disconnecting it as a no answer. If the connect rate suddenly increases dramatically, this can often cause a spike in abandoned calls or conversely, if it decreases rapidly, this can cause an increase in wait times. Your dialler should be sophisticated enough to be able to rapidly alter its pacing if it encounters a spike in contact rates and conversely should also be able to react accordingly by increasing overdialling should rates drop. Some diallers have a kind of manual 'turbo boost' feature that is designed to give campaigns a manual lift in dialling rates, but these should always be used with caution and combined with sound knowledge and understanding of your data's behaviour and trends.
Ringing Time	Your dialler should have a variable setting that enables you to determine how long a call will ring for before it is dispositioned as a no answer. As a minimum according to **Ofcom** this should be set for 15 seconds. It is always wise to understand the optimum answer times on your various campaigns and set your dialler accordingly. If on average a customer takes 18 seconds to answer a call, and after 20 seconds less than say 5% of your answered calls are being answered, you may want to consider setting a maximum ring time of 19 seconds on this campaign. A good dialler platform will give you the ability to be able to set different times and parameters on different lists as one size will rarely fit all.

Abandoned Call Rate	The Abandoned Call Rate or ACR is usually the ultimate limit that will prevent a dialler from excessive overdialling. Most platforms will give you the ability to set this at a campaign level and have different ACRs for different activity, if you deem it to be appropriate. As mentioned, a dialler will usually be self paced until it either sits just below this threshold for a given campaign or it will allow itself to sit at the limit of this and then reduce its pacing accordingly to maintain an ACR under this limit. This can be a crude lever to pull to increase dialling speed (by increasing the ACR), however is not advised due to the likelihood of increasing potential consumer harm and/or distress by making a higher number of abandoned calls.

Abandoned Calls

It is important to recognise and remember the distinction between abandoned calls and nuisance calls mentioned in section 3.4, as they are not the same thing and should not be confused. Whilst all abandoned calls should be considered nuisance calls, you should remember that the increasing breadth of the definition of a nuisance call now also encompasses any call which is deemed to be a nuisance by the receiving party.

For the sake of this section this refers to abandoned calls, which are 'dropped' by the dialler, as it does not have an agent available to route to call to or there could be a technical problem and it is unable to route the call to an available agent.

It is a fact that all predictive diallers (and power diallers) – no matter how advanced – will make abandoned calls or have the potential to, so you should be prepared for this eventuality even if not predictively dialling, as this could be caused by either agent (mis)behaviour or technical faults.

Abandoned calls are usually measured by tracking the abandoned call rate of which **Ofcom** have published a recommended formula for calculating, which should be referenced in their most recent guidance.

Prior to the most recent updated regulations published by **Ofcom** there was a widely held, although not necessarily accurate, belief that if you dialled predictive campaigns with an abandon call rate of under 3% of live calls that you would be able to consider yourself 'compliant' with industry guidelines. **Ofcom** have confirmed that this is not the case and that there is no 'safe harbour' that is considered acceptable and that they will take investigative and enforcement action on a case-by-case basis where deemed acceptable to do so.

As detailed in Section 3.4, you should ensure that you have auditable guidelines and processes in place which detail your approach to deciding abandoned call rates and also what measures are in place for reporting on them and what mitigating action you should take and have taken where these have been exceeded.

The “Two-Second Rule”

There is a lot of misunderstanding in the industry to what has been called the two-second rule in the past and a detailed explanation of what this refers to have been included below:

1. Your dialler should class any call that it has connected yet is unable to be routed to an agent within two-seconds from the connection time as an abandoned call.
2. It is a regulatory requirement that in the event of making an abandoned call, within a maximum of two-seconds of either the system connecting a call or a call recipient speaking, if no agent is available to route the call to, an information message must be played to the call recipient before being dropped. As a minimum, this message must contain the following:
    - Identify the calling party
    - Explain the party has tried to contact the call recipient
    - Provide details of a basic rate number the recipient can call back to decline further calls
    - Do not include any marketing content in the message

The “24-Hour Rule”

In addition to the **two-second rule** you may also hear mention of the **24-hour rule**. This refers to how a dialler abandoned call should be recycled once it has been made.

After making an abandoned call to a telephone number, this **should not** be called again by an automated dialling solution for a minimum of 24 hours.

The only exception to this is if the number is redialled with the guaranteed presence of a live agent, for example this is next dialled as a preview call.

It has never been specified whether this rule should be enforced at a telephone number or customer level (in the event of having a customer record with multiple telephone numbers), but the DMA would recommend this applies at a customer level in the interest of consumer protection.

Quick Checklist

- Ensure you understand how your different campaigns perform and how differently metrics impact one another
- Ensure you have auditable processes in place that specify what your abandoned call rates are for all campaigns

- Ensure your abandoned call information message contains the prescribed content
- Always apply the two-second rule
- Always apply the 24-hour rule
- Test, test and test again

Answer Machine Detection

Answer Machine Detection (AMD) is a term long used within the contact centre industry for a dialler feature which has the ability to automatically disposition a call connected to an answering machine or service as just that, without the intervention of an agent. This is used to increase productivity by preventing these calls from reaching agents, who are then left to handle more productive calls.

This is an often requested traditional solution feature that has the potential to cause a variety of unsavoury issues for recipients of dialler-instigated calls if not totally accurate in its operation.

Traditionally, the method of Answer Machine Detection used by most dialler manufacturers was known as the 'Cadence Method', which relies on a tonal pattern being broadcast via the phone line to the dialler. This could be hideously unreliable and at times the chance of detecting a person versus an answering machine would be no better than flipping a coin – despite the spurious, overstated claims of many manufactures about the accuracy of their particular solution.

Due to the above, it is an indisputable fact that where this technology has previously been used on a large scale, a huge volume of call recipients have been incorrectly classified as answer machines by diallers (this precise misclassification is known as a false Positive). According to the latest regulations and modern jargon, this caused silent calls.

Providing safe and accurate Answer Machine Detection has long been a cure-all of solutions providers in the industry, and a variety of new and innovative solutions are available on the market today that claim to now deliver unbridled levels of accuracy of Answer Machine Detection and the near complete eradication of false positives (remember that silent calls are a priority for **Ofcom** to investigate).

It is advised that any claims made by a vendor be forensically investigated prior to accepting and deploying a possible solution, and that sufficient and suitable independent references are available to be interrogated. It should also be noted that any claims a vendor may make to have a solution that is either **Ofcom** or **ICO** approved is more than likely to be a falsehood, as neither organisation would ever give 'approval' to a particular vendor or piece of technology, as this is outside of their remit.

The DMA do not recommend the use of 'traditional' AMD and would advise that any more modern solution that you may use in your centre be thoroughly tested and re-tested. When assessing the accuracy and reliability of a solution, it is recommended that as an absolute minimum the following is completed outside of a 'lab' environment and the results are retained for any auditing should this ever be required:

- Always test using a production replica platform
- Testing a variety of recognised landline answering services
- Testing using a variety of mobile answering services and providers
- Using an extensive statistically valid data set and testing across several days
- If testing produces any false positives then you should immediately discontinue its use in a live environment and report this to your vendor to seek their assistance

Please therefore ensure if you intend on using a feature that provides any form of AMD that this is used in a wholly safe, cautious and responsible way. Again if in doubt ,please seek advice from your chosen dialler vendor or the DMA.

/ Summary

This guide has been produced in order to act as a useful reference for both new and experienced users of technology-based automated dialling solutions.

This should always be read alongside the latest **Ofcom** regulations, as outlined in the introduction as well as the previously published DMA companion guide to these which can be found here.

Having read this and all of the additional recommended documents, if you still have any questions or queries that remain unanswered, or you are unsure about any aspect of dialling solution use, then please contact your DMA representative.

They will always be happy to put you in touch with a member of the DMA Contact Centre Council, who wrote this guide, or can put you in touch with one of their recommended experts who will be able to help and assist you with your query.

/ About the DMA

The Data & Marketing Association (DMA) is the driving force of intelligent marketing.

Guided by our customer-first principles enshrined in the DMA Code, we champion a rich fusion of technology, diverse talent, creativity, research, and insight to set standards for the UK's data and marketing community to meet in order to thrive.

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