

## TPS Assured (Call Centre) audit process

The following process will be followed by the TPS Auditor during the onsite audit. Further detail in regards to the type of evidence required is detailed in the TPS Assured (Call Centre) Pre-Application Requirements document

Schedule	Clause	Standard auditor question	Type of evidence required
<b>PECR Regulations 2003, Data Sourcing, Data Management</b>			
1.1.1	<b>Call centres must ensure that written contracts are agreed at the start of service provision that detail the clients and sub-contractors responsibilities for ensuring that telemarketing campaigns are conducted in a compliant manner. It is not sufficient to rely on contractual warranties or other assurances.</b>	<p><b>Do you have a standard contractual template detailing your compliance and assurances towards maintaining such?</b></p> <p>Can you provide evidence of contracts/contractual clauses between you and your client?</p> <p>NB: we are under NDA with you as part of the audit process so all documentation provided remains confidential.</p>	<p>Sample contract terms/templates</p> <p>Existing contract clauses</p>
1.1.3	<b>Where TPS screening is appropriate, call centres should check that all calling data has been screened against the TPS register within 28 days of a call being made.</b>	<p><b>Do you check that telephone data has been cleaned against the TPS register no more than 28 days before calling, where TPS cleansing is applicable?</b></p> <p>How is the provision/allocation of data undertaken between you and your client?</p> <p>Provide evidence of TPS cleansing against outbound calling lists or evidence that your client/data provider follows required process.</p>	<p>Access logs to TPS register.</p> <p>Outsourcing agreements (or clauses from within Current/recent calling lists.</p>
3.1.5	<b>Staff must be trained in the requirements of the TPS and how to respond to call recipients who say that they are registered on the TPS.</b>	<p><b>Do you train all staff with data management responsibility on TPS requirements?</b></p> <p>Provide evidence of staff training on TPS requirements.</p>	<p>Training records.</p> <p>Training materials</p>

Schedule	Clause	Standard auditor question	Type of evidence required
1.1.2	<p>Call centres must also be able to demonstrate that they have an embedded process to satisfy themselves that consumer data used for outbound telemarketing has been obtained fairly and lawfully and that the individuals on a calling list have given their consent to their details being passed to their client for marketing purposes. Schedule 7 – ‘Due Diligence Checklist – Third Party Consent’ provides an example of a detailed checklist that should be forwarded by call centres to end users/clients to help them understand their legal obligations.</p>	<p><b>Do you have third party permission to call TPS registered numbers?</b></p> <p><b>Have you undertaken due diligence against the data provided by your client?</b></p> <p>Provide evidence that your organisation was named as the third party. Or;</p> <p>Provide evidence that your client/client’s brand was named as the third party. Or;</p> <p>Provide evidence that data was cleansed against the TPS register no more than 28 days before calling.</p>	<p>Due diligence checklist</p> <p>Historic evidence of permission.</p> <p>Opt in forms.</p> <p>Data capture forms.</p> <p>Access logs to TPS register.</p> <p>Current/recent calling lists.</p> <p>View examples of how data was captured, cannot accept contractual assurances.</p>
3.1.6	<p>Where a call centre has been requested to source consumer data on behalf of its client, the checklist should also be used by call centres (as part of standard operational procedure) to undertake due diligence with list owners/managers.</p>	<p>You will need to see examples of the data capture process; assurances of compliance in a contract are not adequate.</p> <p><b>Is your data sourced from third parties?</b></p> <p>Ensure all third party sourced data permissions are checked before dialling.</p> <p>Provide evidence of checks and any due diligence undertaken.</p> <p><b>Do you pass details of any opt-out requests or data corrections back to the third party from where you sourced the data?</b></p> <p>Ensure that you pass any opt-out requests or data correction details to the third party that provided you with the data, or from whom you sourced the data, in order to assist them in keeping the data accurate and up-to-date.</p> <p>Provide evidence of opt-out details being passed back or the documented process detailing this action.</p> <p style="text-align: right;"><b>Cont.</b></p>	<p>Data matching, sampling against TPS.</p> <p>Opt-out or data correction forms for provision back to 3rd party data source.</p>

Schedule	Clause	Standard auditor question	Type of evidence required
<b>Call Process</b>			
3.2.10	<b>If call recipients ask where you got their data, you must tell them. This requires that agents know the data source.</b>	<p><b>How do you ensure that your agents know where the call recipient data comes from when they ask?</b></p> <p>Provide indications of the information provided to agents to answer these questions.</p>	<p>Training records</p> <p>Training materials</p> <p>Agent questions</p>
1.1.4	<b>Call centres must be able to demonstrate that they have the capability to suppress the telephone numbers of individuals held on the client's in-house suppression file.</b>	<p><b>Do you have the ability to suppress individual numbers when your client advises that call recipients request not to be called?</b></p>	<p>Suppression process</p> <p>Suppression lists as completed</p>
1.1.5	<b>Call centres must maintain an in-house suppression/do not call list containing the numbers of individuals who have requested that they do not want to receive unsolicited sales and marketing calls from the client's organization, even if their telephone number is not registered on the TPS.</b>	<p><b>Do you maintain your own suppression list when call recipients advise they do not want to be called by your client?</b></p> <p>Provide evidence of internal suppression lists to suppress against specific client calling</p>	<p>Show cleansing against internal suppression list</p> <p>Provide sample dialling list for investigation</p>
1.1.6	<b>Call centres must clean telephone data against their in-house, client specific suppression/do not call file before making any unsolicited sales and marketing calls on behalf of that client.</b>	<p><b>Is calling data cleansed against your client specific suppression file before calling?</b></p> <p>Provide evidence of this internal cleansing process.</p>	

Schedule	Clause	Standard auditor question	Type of evidence required
3.2.4	You must clearly state at the beginning of the conversation all commercial purposes of the call and must restrict the content of the call to matters directly relevant to these purposes.	<p>Are your call scripts worded to ensure the call recipient is not being misled regarding the purpose of the call?</p> <p>Do your call scripts ensure that the agent remains on message throughout the call duration?</p> <p>Provide indicative scripting information or training documentation to demonstrate this.</p>	<p>Call recordings</p> <p>Call scripts</p> <p>Training logs</p>
3.2.9	Pass any opt-out requests or data correction details to the client/third-party that you sourced the data from, in order to assist them in keeping the data accurate and up to date.	<p>Do you return any leads to your client/data provider where the contact has expressly opted-out of contact by that specific party?</p> <p>Provide evidence of this process</p>	<p>Process overview</p> <p>Opt out list</p>
1.1.7	Call centres should ensure that call recipients are provided at the time of the call with the name of the organisation on whose behalf they are calling. On request, they should provide either a business address or a freephone number via which this organisation can be contacted.	<p>Do your agents provide the call recipient at the time of the call with the name of the organisation making the call, or the organisation whom the agent is calling on behalf of?</p> <p>Do your agents provide the call recipient with an address or freephone number they can use to contact your client's organisation if requested?</p>	<p>Call recordings</p> <p>Call scripts</p> <p>Training logs</p>
3.2.1	At the beginning of the call volunteer the name of the advertiser/the organisation on whose behalf the call is being made, and repeat this information on request.	<p>Do your agents provide the call recipient at the time of the call with the name of the organisation making the call, or the organisation whom the agent is calling on behalf of?</p> <p>Provide indications of the information provided to agents to answer these questions.</p>	<p>Call recordings</p> <p>Call scripts</p>
3.2.2	If requested, give the full contact details of the advertiser/organisation on whose behalf the call is being made.	<p>Do your agents provide the call recipient with an address or freephone number they can use to contact the organisation making the call if requested?</p> <p>Provide indications of the information provided to agents to answer these questions.</p>	<p>Call recordings</p> <p>Call scripts</p>

Schedule	Clause	Standard auditor question	Type of evidence required
3.2.3	<b>If you are making a sales or marketing call on behalf of another organisation, on request you must disclose your own organisation's name, address and telephone number.</b>	<b>Do your agents know to provide the details of your organisation when requested to do so by the call recipient?</b>  Provide indications of the information provided to agents to answer these questions.	Call recordings Call scripts Training logs
3.1.9	<b>Only make sales or marketing within the hours of Monday to Friday 8am to 9pm and at weekends between 9am and 9pm unless an express invitation to do so has been received.</b>	<b>Define outbound calling hours for sales and marketing campaigns.</b>  Provide evidence to confirm calling is confined to these hours.	Call platform logs Calling hour restrictions
3.2.12	<b>Avoid calling consumers on public/national/religious holidays.</b>	<b>Define outbound calling hours for sales and marketing campaigns.</b>  Provide evidence to confirm that no calling occurs on national holidays.	Call platform logs Calling hour restrictions
3.1.10  3.1.11	<b>Where the dialling result of an outbound call attempt is no answer or answer phone, the maximum number of dial attempts in a single day should be limited to 3 for any individual customer telephone number and account.</b>  <b>The following minimum redial intervals are recommended unless specifically requested otherwise:</b>  <b>Busy – 10 minutes</b> <b>Unobtainable – 120 minutes</b> <b>No answer – 120 minutes</b> <b>Answerphone – 120 minutes</b>	<b>Define number of outbound call attempts per day and/or minimum call recycle times when call result is recorded as either No Answer or Answerphone.</b>  Provide evidence to demonstrate the call recycle settings currently and historically.	Call platform logs Automated dialling platform settings

Schedule	Clause	Standard auditor question	Type of evidence required
<b>Automated Calling Platforms</b>			
2	Do you use an automated calling platform (Dialler) to make sales or marketing calls?		
<b>Automated Calling Platforms – CLI Presentation</b>			
2.1.15	Always ensure that a Caller Line Identification (CLI) number is presented for outbound calls	<b>If yes, is a CLI presented on all sales and marketing calls from an automated calling platform?</b>	Call logs
2.1.17	Show that the CLI number that is presented for outbound calls can (a) receive return calls, and (b) is either a geographic number (01/02/03) or a non-geographic number adopted as a presentation number.	<b>Is that CLI active and either a geographic number or a non-premium rate non-geographic number?</b>	Call platform configuration
2.2.4	Do not present inauthentic or misleading CLI numbers. Do not send CLI numbers from which it is not possible for the individual to identify the caller and / or return the call.	Provide evidence of all CLI numbers in place for all automated outbound calls made	Confirmation from telecoms providers of all CLIs provided/used
2.2.5	Do not present CLI numbers that are allocated as premium rate or revenue sharing numbers.		
3.1.1	When undertaking outbound calls, you must provide a free or low-cost valid Caller Line Identification (CLI) number to which a return call may be made.	<b>Do you present a CLI for sales and marketing calls even when not made from an automated calling platform (dialler)?</b>  <b>Is that CLI a free or low cost number?</b>  Provide evidence of all CLI numbers in place for all outbound calls made.	Call logs  Call platform configuration  Confirmation from telecoms providers of all CLIs provided/used

Schedule	Clause	Standard auditor question	Type of evidence required
2.1.16	If a call to a UK individual is being made from overseas, the words 'International' may be used in place of a CLI number where technological limits prevent the presentation of a CLI number.	<p><b>Do you make sales and marketing calls to the UK from an overseas based or located contact centre?</b></p> <p><b>If yes, is a CLI presented on all sales and marketing calls?</b></p> <p>Provide evidence of all CLI numbers in place for all automated outbound calls made.</p> <p><b>If no, is this due to technological limitations presented by the country you are calling from?</b></p> <p>Provide details of the countries from where you dial into the UK and any associated technological limitations preventing CLI presentation.</p> <p><b>If no, do you ensure that 'international' is presented in place of a CLI?</b></p> <p>Provide evidence that 'international' is presented on outbound calls into the UK from overseas where a CLI cannot be presented due to technological limitations.</p>	<p>Call logs</p> <p>Call platform configuration</p> <p>Confirmation from telecoms providers of all CLIs provided/used</p> <p>Details of overseas locations where calling takes place and associated telecoms providers used</p>

### Automated Calling Platforms – Abandon Rates & Call Recycling

2.1.1	Use the Ofcom method for calculating the abandoned rate.	<p><b>How is your abandoned call rate calculated?</b></p> <p>Provide evidence to confirm the abandoned call rate and the calculations behind it.</p>	Calling platform reports
2.1.14	Calls that are not answered must ring for a minimum of 15 seconds before being terminated. Keep records showing calls are allowed to ring for 15+ seconds before termination.	<p><b>How long does your automated calling platform (dialler) allow each call to ring for?</b></p> <p>Provide evidence to show this ring time.</p>	<p>Calling logs</p> <p>Calling platform settings</p> <p>Calling platform reports</p>

Schedule	Clause	Standard auditor question	Type of evidence required
2.1.12	Ensure that abandoned call rates are kept below a maximum of 3% of live calls, per campaign or per call centre, over any 24-hour period.	<p><b>What is your abandoned call rate?</b></p> <p>Provide evidence to show this abandoned call rate.</p>	<p>Calling logs</p> <p>Calling platform settings</p> <p>Calling platform reports</p>
2.1.13	Keep records for at least six months showing that the abandoned rate of calls remains below this.	<p><b>How long do you retain records of your abandoned call rate for?</b></p> <p>Provide evidence of historic call abandon rates.</p>	<p>Calling logs</p> <p>Calling platform reports</p>
2.1.2	Where an abandoned call is made, play a brief recorded information message no later than 2 seconds after the call has been picked up, or no more than 2 seconds after the individual begins to speak (as applicable to the technology being used).	<p><b>When a call is abandoned do you play a short, pre-recorded information message?</b></p> <p><b>How soon after the call is answered does the recorded message play?</b></p>	<p>Abandoned call messages</p> <p>Calling logs</p> <p>Calling platform settings</p>
2.1.3	Ensure that this message details the identity of the organisation on whose behalf the call was made, a telephone number that the individual can contact to opt out of further marketing calls.	<p>Provide evidence of the message content and that it is played to the call recipient in the event of an abandoned call</p>	<p>Calling platform reports</p>
2.1.4	Ensure that the contact number given in this message is either freephone, a geographic number (01/02) or a UK-wide number at a geographic rate (03).		
2.2.1	With regard to abandoned calls ensure that these messages are not used as a marketing opportunity.		



Schedule	Clause	Standard auditor question	Type of evidence required
2.1.6	If a call is abandoned, ensure that the number is not called again for another 72 hours, unless it is guaranteed that there is operator available to take the call.	<p>Define number of outbound call attempts per day and/or minimum call recycle times when call result is recorded as abandoned.</p> <p>If you recycle a record last recorded as an abandoned call within a 72 hour period, do you guarantee a live agent be available to speak with the call recipient?</p> <p>Provide evidence to demonstrate the call recycle settings currently and historically for abandoned calls.</p> <p>Provide evidence that abandoned calls, where recycled within 72 hours are made when a live agent is available.</p>	<p>Calling logs</p> <p>Calling platform settings</p> <p>Calling platform reports</p>
2.1.5	Keep dialler and other relevant statistics for a minimum of six months.	<p>Do you ensure that all relevant historic automated calling platform (dialler) statistics are retained?</p> <p>Provide evidence of historic call statistics.</p>	Six months of calling logs.
<b>Automated Calling Platforms - Other</b>			
2.2.2	Do not engage in number-scanning ('pinging').	Do you engage in number scanning (pinging) or fax scanning?	
2.2.3	Do not engage in fax-scanning.		

Schedule	Clause	Standard auditor question	Type of evidence required
<b>Automated Calling Platforms - AMD</b>			
2	Do you use AMD (Answer machine detection)?		Call platform settings
2.1.7	If a call is identified by Answer Machine Detect (AMD) as being answered by an answering machine, ensure that the number is not called again for another 24 hours, unless it is guaranteed that there is an operator available to take the call.	<p><b>Define number of outbound call attempts per day and/or minimum call recycle times when call result is recorded as by AMD as an answer machine.</b></p> <p>Provide evidence to demonstrate the call recycle settings currently and historically for AMD recorded answer machine calls</p> <p><b>If you recycle a record last recorded as an answer machine by AMD within a 24 hour period, do you guarantee a live agent be available to speak with the call recipient?</b></p> <p>Provide evidence that calls recorded as answer machine by AMD; where recycled within 24 hours, are only made when a live agent is available.</p>	Call platform settings
2.1.11	If using AMD, always use an Ofcom method of calculating false positive rates and factoring them in to your abandoned call rates.	<p><b>If using AMD, do you factor false positives into your abandoned call rate calculations?</b></p> <p>Please provide evidence to indicate how this is done.</p>	AMD False Positive Rate Calculation methods
2.1.8	Maintain results of any live sampling or scenario testing undertaken when calculating AMD false positive rates, showing how they were factored in to abandoned call rates.	<p><b>If AMD is used, do you use live sampling or scenario testing to calculate a false positive rate?</b></p> <p><b>Is this testing undertaken at differing times of day/times of the week as well as per campaign?</b></p>	AMD False Positive Rate Calculation methods
2.1.9	Show that testing was undertaken on different, representative times of day and days of the week, as well as on a per-campaign basis.	Provide evidence of calculation process to define false/positive rates.	

Schedule	Clause	Standard auditor question	Type of evidence required
2.1.10	If the dialler is upgraded or dialling patterns are reconfigured, or other material changes are made to the AMD, show that testing was carried out again.	<p>If changes are made to automated calling platform (dialler) systems, processes or settings do you repeat testing to establish potential changes to false positive rate?</p> <p>If yes, provide evidence of this testing process to recalculate false positive rate.</p>	AMD False Positive Rate Calculation methods
<b>Internal Processes</b>			
3.1.2	You must maintain a verification process for regulation, compliance and best practice standards. The verification process must cover the processes that are necessary for compliance and the records needed to demonstrate compliance.	<p>Do you maintain a verification process for regulation, compliance and best practice standards?</p> <p>Provide a copy of this process documentation.</p>	Internal Compliance Process
3.1.3	<p>Quality assurance procedures and measures must be created to monitor compliance at the start of each campaign. The records should include:</p> <ul style="list-style-type: none"> <li>• Dialler compliance reports</li> <li>• Copy of agent script for campaign</li> <li>• Campaign execution rules, e.g. dialling times, retry counts, abandoned call message handling etc.</li> <li>• Do not call (DNC) list management processes</li> <li>• Complaints</li> </ul>	<p>At the start of each campaign, do you create quality assurance procedures and measures to monitor compliance?</p> <p>Provide a copy of these procedural documentations</p>	Internal Compliance Process

Schedule	Clause	Standard auditor question	Type of evidence required
3.2.5	<p>Contact centres that undertake outbound calling activity must have a written complaints policy. As a minimum the following information should be collected:</p> <ul style="list-style-type: none"> <li>• Date of complaint</li> <li>• Date complaint settled</li> <li>• Reason for complaint</li> <li>• Outcome</li> <li>• Whether complaint was escalated</li> <li>• Tracking back to agent/campaign</li> <li>• Handled within service level agreement</li> </ul>	<p><b>Do you have a written complaints policy?</b></p> <p>Provide a copy of this policy.</p> <p>Provide evidence that this policy is being followed.</p>	<p>Internal Complaints Process</p> <p>Example complaint tracked from start to finish.</p>
3.2.6	<p>If the complaint cannot be settled within a seven-day period, the person who made the complaint should be contacted to be advised of the reason for the delay with a timeline by which it is expected that the complaint will be resolved.</p>		
3.2.7	<p>The minimum information each complainant should receive is:</p> <ul style="list-style-type: none"> <li>• Name of contact handling complaint</li> <li>• Telephone number to contact person handling complaint</li> <li>• Details of when the investigation should be completed</li> <li>• Organisation's complaints procedure</li> </ul>		
3.2.8	<p>In the event of a customer remaining dissatisfied, they must be advised of the organisation's escalation procedure.</p>		

Schedule	Clause	Standard auditor question	Type of evidence required
3.1.7	<b>Your organisation must have a data security policy that sets out how you ensure that personal information is treated fairly, lawfully and correctly, and is in compliance with the requirements of the Data Protection Act 1998 (DPA).</b>	<b>What technical measures do you take to ensure that data is kept secure?</b>	Internal Data Security Process
		<b>What organisational measures do you take to ensure that data is kept secure?</b>	
3.2.11	<b>All files containing personal data should be password protected and no one should have access to personal data unless they are directly involved in the process of preparation or use.</b>	<b>Are staff trained in data protection matters as pertains to their role and the data that they can access?</b>  Provide evidence of data security measures in place.  Provide copies of internal data security policies/procedures.	
3.1.8	<b>Your organisation should appoint a designated person or persons who are aware of, and responsible for, its compliance with the DPA and PECR relating to the security of personal data, in connection with its telemarketing activities</b>	<b>Do you have a designated compliance officer? (Needn't be that person's sole role)</b>  <b>If yes, what training or prior experience in compliance do they bring to the role?</b>  Provide evidence of this, including training records.	