

REPORT 00534710

PARTIES TO THE COMPLAINT

Member Company **Vodafone Ltd.**

Complainant

NATURE OF ORIGINAL COMPLAINT

_____ says following Vodafone's continued failure to process his order, he cancelled in frustration. He explains his number was then ported against his wishes and he has continually attempted to have it returned. He states his original supplier has retained his mobile number despite it being active under a Vodafone account. He says throughout his dispute, Vodafone has made several attempts to encourage him to reorder, despite his continued refusal. He states he has been mis-informed about compensation and about when his number would be returned. As resolution, he would like a written apology acknowledging that it has failed at every step and a goodwill payment of £500.

VODAFONE LTD.'S INVESTIGATION OF COMPLAINT AND DECISION

Vodafone explains M _____ placed an order on 3 September 2009 but did not indicate he wished to port his number. It states on 8 September an order was placed through its Customer Care department to send _____ a SIM to port in his number. It says he was told on 10 September that no porting information had been provided at which point he cancelled.

Vodafone states there was some confusion surrounding the account as two orders has been placed. It says one was a new connection and the other was a port request. It explains although the original connection was cancelled there is no record that the port request was to be cancelled as well, which is why the number was ported on 14 September 2009.

Vodafone says it made efforts to resolve the matter by offering M _____ free line rental as a goodwill gesture. It explains he countered this requesting a free phone. However, it says due to the amount of discount this would have meant, it offered a lower make of model. It states this offers was more than reasonable. It states _____ ported out on 2 October 2009. It adds he has not incurred any charges during the time he was connected.

REVIEW

1) M _____ says Vodafone failed to action his order correctly. He states it also ported his number after he cancelled. Vodafone say this is not the case and argues he did not cancel his request to port his number therefore it was unaware of his intentions. It says it has offer a resolution that is more than reasonable.

2) Having reviewed the account I agree with Vodafone's summary of events. It appears the problems were caused when M _____ initially tried to set up two services. There are no records to

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suggest that when he cancelled his first order he also wished to cancel his second. Therefore, I consider that Vodafone acted correctly when deciding not to close the second account and port request without Mr [redacted]'s express permission. I also draw Mr [redacted]'s attention to the fact it is unlikely the advisor who cancelled his first order would have been aware he had a second. Equally, I can see evidence of what action he took to inform Vodafone he also wanted his port request to be cancelled. For that reason, I am of the opinion that this is a reasonable explanation as to why it ported his number despite his cancellation.

3) In balance, I consider it would have been helpful if Vodafone had a systems in place to highlight such problems to its advisor in order to avoid circumstances such as those described above. I also note Vodafone moved quickly to respond to Mr [redacted]'s complaint crediting his Vodafone account with three months line rental as a gesture of goodwill on 21 September. I consider this to be a genuine attempt by Vodafone to formally recognise his difficulties. Therefore, while I accept Mr [redacted] did suffer a shortfall in customer service when Vodafone ported his number despite his cancellation, I also consider that there is a reasonable explanation for its actions.

4) I have also concluded from the account note Mr [redacted] asked to speak to a Manager about his problem on both 25 and 26 September. However, I can find no evidence that a Manager returned his call. I consider that it is reasonable to assume this led Mr [redacted] to write a letter of complaint, before receiving a response on 9 October. I am of the opinion Vodafone should have returned his calls earlier and therefore removed the need for him to complain in writing. I also consider that this was a missed opportunity to explain the situation to him and possibly find an early resolution to his complaint.

5) I see Mr [redacted] is dissatisfied with Vodafone proposed remedy to the situation. This offer consists of 12 months free line rental with no contract period, so he could cancel at any time. I see he would also receive 600 minutes and unlimited texts each month at no cost. While I consider this to be a genuine offer that adequately reflects the inconvenience this matter has caused, it appears Mr [redacted] saw this as an opportunity to haggle for a better offer. I note he also wanted two high value handsets. I consider Mr [redacted]'s demands to be disproportionate to the situation. It is my opinion that Vodafone's offer is more than reasonable, in light of explanation it has provided above. Therefore, I shall propose that it reiterates the original offer as gesture of goodwill.

PROVISIONAL CONCLUSIONS

In light of the evidence and information provided for investigation, it will be proposed to the Ombudsman that Vodafone should:

- maintain its offer to credit 12 months free line rental with no contract period to the account, as a gesture of goodwill.

Michael Clarke

29 January 2010