



A U S T R A L I A N
T E L E S E R V I C E S
A S S O C I A T I O N

Code of Conduct

**A COMMITMENT TO PROFESSIONALISM,
BEST PRACTICE AND ETHICAL BEHAVIOUR**





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1. INTRODUCTION

The Australian Teleservices Association Ltd (ATA) is a not for profit Australia wide organisation founded in 1989 to represent the Contact Centre Industry in Australia.

The ATA is committed to meeting the needs of its members, as well as protecting the rights of consumers and business's who are the users of the services provided by our members.

The ATA advocates adherence to the highest standards of professionalism and ethical behaviour for all Contact Centre operations. These standards, when conscientiously adopted and practised on a call-by-call basis, will ensure the long-term satisfaction of our members, their employees and their customers.

Through professional programs and activities in support of the Code, the ATA seeks to educate members, the public and governments at all levels concerning the desired behaviour for both inbound and outbound delivery of Teleservices.

The Code of Conduct:

- Is also designed to assist any business, consumer or legal entity seeking to objectively measure the integrity and professional performance of a Teleservice program.
- Has been developed to assist professional, reputable Contact Centres which have specific goals to achieve in an efficient and effective manner through high quality performance, with the public interest in mind.
- Can be used as a guide to the Contact Centre industry, the business community and consumers to formalise what is expected of an ethical and professional Teleservices operation and to assist in the enhancement of professionalism within the industry

Contact Centres and Teleservices operations are required to operate in accordance with each relevant Federal, State and Local Government laws and Acts, specific industry codes, business codes and regulations, the Privacy Act and this ATA Code of Conduct.

2. ETHICS

The ATA Code of Conduct is underpinned by 3 foundations which relate to honesty, culture and professionalism.

2.1 Honesty

All offers / services must be stated clearly and honestly to ensure that the parties know exactly what they have committed to and what should be received in return. All claims, which are untrue, misleading, deceptive, fraudulent or unjustly disparaging of competitors, are deemed by the ATA to be unprofessional, dishonest and are considered to be in breach of this code.

2.2 Culture

Contact Centre professionals who abide by this code will endeavour to create an environment in their workplace which promotes enthusiasm, confidence and a desire to achieve key objectives by all employees.

2.3 Professionalism

In order to effectively promote both the organisation and the industry, it is expected that all activities will be conducted in a professional and ethical manner.

3. PEOPLE

It is accepted that people within the Contact Centre Industry and in each Centre will have the greatest influence over its performance in terms of operational effectiveness and delivery. It is critical that the management of people is conducted in such a way as to compliment the objectives of the organisation, provide career opportunities to staff and enhance the customer experience.

3.1 Management of Workforce

In terms of management of a Contact Centre's workforce, the Code requires that organisations:

- Seek to develop the skills and abilities of their workforce
- Utilise practices that create a constructive work environment
- Treat all employees equally
- Create and maintain a safe working environment
- Promote empowerment and a sense of worth for each employee
- Pursue consultative forms of management

3.2 Training

On employment, and prior to initiating or receiving customer contact, each member of staff must receive adequate training to ensure that all customer contacts are conducted in a professional and effective manner.

Additional on the job training should be provided as appropriate to assist staff in the delivery and performance of their duties and to promote their development.

Ongoing formalised and accredited training is recognised as an acceptable industry practice which promotes further skill development and maintenance of customer relationships.

3.3 Recruitment

The Code requires that a process that encourages fairness, openness and transparency be utilised in the recruitment process. The process will strive to identify the employee most capable and suited to the role on offer. Organisations under this Code will abide by legislative requirements covering such issues as Privacy and Equal Opportunity.

3.4 Career Development

In order to formalise staff and their development, this code requires that each person be encouraged to establish and manage a suitable career development program. It would be expected that this program be developed in consultation with each staff member and will be personalised to accommodate the needs of both the staff member and the organisation.

4. OPERATIONS

The operational effectiveness of a Contact Centre relies heavily on the appropriate use of technology and its impact upon the customer experience. This section focuses on the appropriate use of technology in the Contact Centre.

4.1 Technology

As a high user of technology, Contact Centres need to be aware of the impact its usage has on customer interaction. Whilst this Code does not intend to provide comment on all forms of technology it is prudent that comment should be made against a number of specific technologies and their usage.

4.1.1 Automatic Dialling Equipment

The ATA recommends that Automatic Diallers are only to be used in conjunction with a compiled and quality managed database. Pre-recorded or artificial message machines are not to be used for any outbound sales or marketing function, including lead generation or qualification, appointment making, market research or fundraising. Companies need to manage resource levels in connection with the dialling apparatus to ensure customers are not left holding lines for longer than necessary (less than 2 seconds) before speaking with a live operator.

Consideration should be made of the special inconvenience to elderly and disadvantaged customers and prospects and the ability of this technology to "hold" their telephone lines preventing other incoming calls while waiting.

4.1.2 Facsimile and E-mail

The ATA does not support the transmission of unsolicited advertisements to e-mail and fax equipment. If however, the contacted party has an established business relationship with the organisation, then expressed prior consent is assumed until otherwise advised.

Likewise the ATA recognises that a relationship is deemed to exist where a recipient has indicated that they wish to receive additional information that deals with a specific area of interest to the recipient ie e-mail material on gardening, travel etc.

It is deemed appropriate that material maybe sent without notice in a business to business environment and that due identification is still required in such dealings.

Each e-mail must have the name of the sending organisation, its ABN, return e-mail and telephone identification as well as an e-mail address option for removing the customer or prospect from the mailing list.

Each facsimile must have either a header or a footer that clearly states the caller's name, fax number, telephone number ABN and the date and time of transmission. It should also include a mechanism for removal from the faxing list.

4.1.3 Interactive Voice Response (IVR)

An IVR platform has the capacity to provide real benefit to both the organisation and the consumer if it is established in an effective manner. As with all technologies, its ease of use and its ability to meet the needs of users will determine its success. IVRs must always include an option to speak to a person if necessary.

4.2 Monitoring

4.2.1 General

The ATA strongly supports monitoring as a tool for:

- Assuring call quality and improving staff performance through ongoing training and development.
- Providing a means for employers to observe and evaluate the performance of the Teleprofessional, the contact centre program and to provide immediate feedback.
- Protecting the consumers and customers against unethical practices by individual Teleprofessionals.
- Protecting the employer's rights to supervise and regulate the quality of work being performed.
- Recording the conversation for legal verification if required by Industry Code or legislation

In particular the taping of part or all of the conversation may be used as an objective call verification tool to help clarify specific details of the call and answer questions.

It is recognised that consumers and individuals are not generally deemed to be able to recognise the "beep" sometimes used to advise parties that the call is being monitored. The ATA does not support this "beep" as a sole method of advising callers that the call is being monitored. A recorded message advising callers that the call maybe monitored should be provided at the beginning of the call.

4.2.2 Inbound Calls:

Organisations monitoring and/or recording inbound calls and with a technical ability to provide a precall recorded announcement should ensure a message advising other parties is given prior to commencement of dialogue.

Organisations with no such technical ability should ensure their Teleprofessionals deliver this message prior to commencement of dialogue.

In either case if the calling party “opts out” taping must not proceed beyond that point.

4.2.3 Outbound Calls:

Organisations monitoring and/or recording outbound calls with a technical ability to provide a precall recorded announcement should ensure a message advising callers that the call is being monitored is given prior to commencement of dialogue.

Organisations with no such technical ability should ensure their agents this message prior to commencement of any dialogue.

In either case, if the calling party “opts out” taping must not proceed beyond that point.

The need to obtain permission to tape either inbound or outbound calls can be assumed to be waived in a special work environment such as emergency services call centres, etc.

It is important that the following guidelines for monitoring in the work place are established:

- All job applicants must be made aware of the company’s monitoring policy before accepting the job. This must be stated in the job application.
- A written monitoring policy that addresses all issues that may be of concern to an employee should be provided in writing and receipted by the employee upon employment. Additional copies, clearly stating this policy should be placed in employee work areas. This policy should clearly define how and why monitoring is conducted and how soon after the calls are monitored that a review will take place. (As a general rule, feedback to the employee must be provided in a timely manner.)

The ATA strongly supports the position that monitoring work-related calls is not a violation of an individual’s “personal privacy.” ATA members have a legitimate need to assess the quality of the calls to and from their customers. By the same token, the ATA advocates the employee’s rights to privacy during personal conversations.

5. COMPLAINT MANAGEMENT

Organisations under this Code are required to maintain a Complaint Management program that allows customers to contact them in a readily accessible manner to lodge their concerns and complaints. Organisations will undertake to action complaints in a timely and effective manner seeking a resolution that is to the satisfaction of all parties concerned.

Organisations will utilise information gathered through their Complaint Management Program to improve their policies and processes in order to reduce further complaints.

6. TELESALLES/TELEMARKETING

6.1 General

This code recognises that Telesales and/or Telemarketing are a viable and valuable sales channel and that when conducted ethically, provide benefits to both the organisation and the consumer. The Code requires that organisations conducting Telesales/Telemarketing ensure that:

- All staff are fully trained and supervised
- The resulting processes reflect the content and intent of any decisions made by the consumers and businesses
- That effective policies and procedures are followed during operations.
- In an outbound situation additional care is required to ensure that calls are not intrusive on the customer.

6.2 Hours of operations

6.2.1 Outbound Calls - Weekdays

As a general rule this Code requires that outbound calls to either consumers or businesses shall

not be placed during hours that might be considered unreasonable; that is before 8am or after 9pm (local time at the called persons location). Any exceptions must be with the expressed consent of the called party.

6.2.2 Outbound Calls - Weekends

Contact Centres should be particularly sensitive to any inconveniences caused during weekend calling. It is recommended that Saturday calling begin no earlier than 10am local time and no earlier than noon local time on Sundays and no later than 8pm on both days.

6.2.3 Public and Religious Holidays

No unsolicited calls should be initiated on major national holidays such as Christmas Day and New Year's Day. When determining whether to call on any other holiday or other especially recognised days, any inconveniences caused by the call must be considered beforehand.

6.2.4 Inbound Calls

There is no restriction on inbound calls as it is the decision of the customer to make the call at a time convenient to them.

6.3 Proper Identification

All contact with the customer should begin with:

- The name of the company for whom the contact is being made or taken
- The name of the Teleprofessional making the call, eg 'The Australian Teleservices Association, this is Judy'.

It is not necessary for the Teleprofessional to divulge a surname but a process of identification ie an operator number should be provided to enable tracing in the case of multiple names and call points.

6.4 Purpose of Call

The Teleprofessional will promptly disclose the primary reason for the call as soon as practical into the conversation.

6.5 Contact Details

Either as part of the offer or as part of documentation confirming the sale, information must be given to the customer which provides a method for the customer to contact the organisation by postal address and telephone number so that anyone with any inquiries or complaints can follow-up with the organisation concerned.

6.6 List Usage

Untargeted calling is not in the best interest of consumers, businesses or the Telemarketing industry. Calls should always be targeted to people or companies who are likely to have a use for the particular product or service being offered. The ATA does not condone random or sequential number calling that has no concern for the offer applicability to the call recipient. The only exception to this is legitimate market research, where random sampling techniques are required to assure the validity of a particular study.

It is not in the best interest of the consumers, businesses or the industry to duplicate efforts and require customers or prospects to repeat the same information with each contact. Organisations using databases and lists should ensure that all inaccuracies and relevant information previously identified are updated prior to the same profile list being called.

The ATA endorses the Australian Direct Marketing Association (ADMA) "Do Not Call/Mail Register" for the purpose of capturing the details of those individuals who elect not to be contacted by telephone. It is expected that those companies who conduct outbound Telesales/Telemarketing will regularly "cleanse" their database to comply with this scheme.

In addition to the ADMA scheme, each company is to maintain its own listing of those customers who have expressed a desire not be contacted by telephone and to develop a written policy implementing this “Do Not Call” list keeping processes.

These procedures are to include:

- How Teleprofessionals will capture “Do Not Call” requests.
- How and when these details will be loaded into the database.
- How the “Do Not Call” data will be forwarded to the person or company maintaining the list.
- How the accuracy of the database will be maintained.

“Do Not Call” lists must be maintained indefinitely and cannot be sold, or in anyway shared (except with a subsidiary of affiliate company), without the customer’s expressed consent. Any employee engaged in any aspect of the process must be fully trained in the above mentioned procedures. Service agencies must make sure their clients fully understand and agree to follow the procedures for maintaining to data.

Details on the ADMA “Do Not Call/Mail Register can be obtained from the ADMA web site www.adma.com.au

7. LEGISLATIVE ISSUES

This section of the Code provides an overview of the legislation that members need to be comply or be aware of in their telephone calling and management strategies

7.1 Compliance

It is expected that organisations and individuals will comply with any and all legislation covering their operations. There is a responsibility on all Contact Centres to be fully aware of their legislative obligations and any industry codes of any client they may represent in taking and making calls. Whilst this Code does not seek to cover all of these obligations, the primary legislation covering Contact Centres is detailed below for information purposes only

Where there is any conflict or inconsistency between this Code and any Commonwealth, State or Territory legislation, that legislation shall prevail to the extent of the conflict or inconsistency.

7.1.1 Privacy

The Code requires that all information, data and material be handled in a manner that respects the privacy of all parties.

The Code does not support unlawful use of information and supports the privacy principles as outlined by the Office of the Federal Privacy Commissioner (www.privacy.gov.au)

7.1.2 Occupational Health and Safety (OH&S)

Under OH&S legislation, both employers and employees each have a legal responsibility and duty of care to ensure the health, safety and welfare of all the people at the workplace. The Code fully supports the basic principles of a safe work environment and imposes upon Contact Centres the need to follow the various guidelines that cover their centres.

In order to fulfil their obligations Contact Centres are required to provide:

- A safe workplace, and safe means of entry to and exit from the workplace
- Equipment, machinery or chemicals that are clearly identified, safe and are used properly
- A safe and healthy working environment, and safe and healthy methods and procedures (systems) for working
- Adequate information, instruction, training and supervision for all workers
- Adequate facilities and first aid for employees
- A process for consultation with employees
- Processes for identifying hazards, assessing risks and eliminating or controlling those risks.

Additional information on OH&S obligations should be obtained from your relevant State office.

7.1.3 Employment Conditions

The code requires that staff within a centre should be employed and inducted to be compliant with any relevant workplace agreement/award etc that covers that site. The Code supports employment conditions that are fair and equitable.

For full details on the appropriate employment conditions that could apply to Contact Centres, reference can be made to the Australian Industrial Relations Commission

www.airc.gov.au

7.1.4 Fair Trading

Whilst this code supports ethical business practices, Contact Centre professionals should be aware of the various legal obligations imposed by the various Fair Trading laws applicable in each state.

For full details on the appropriate fair trading conditions that would apply in state reference can be made to the various state Fair Trading Departments

QLD – Office of Fair Trading

www.consumer.qld.gov.au

NSW – Office of Fair Trading

www.fairtrading.nsw.gov.au

VIC – Consumer Affairs Victoria

www.consumer.vic.gov.au

SA – Office of Consumer & Business Affairs

www.ocba.sa.gov.au

WA – Dept Consumer and Employee Protection

www.docep.wa.gov.au

TAS – Consumer Affairs & Fair Trading

www.justice.tas.gov.au/ca/hp

ACT – Office of Fair Trading

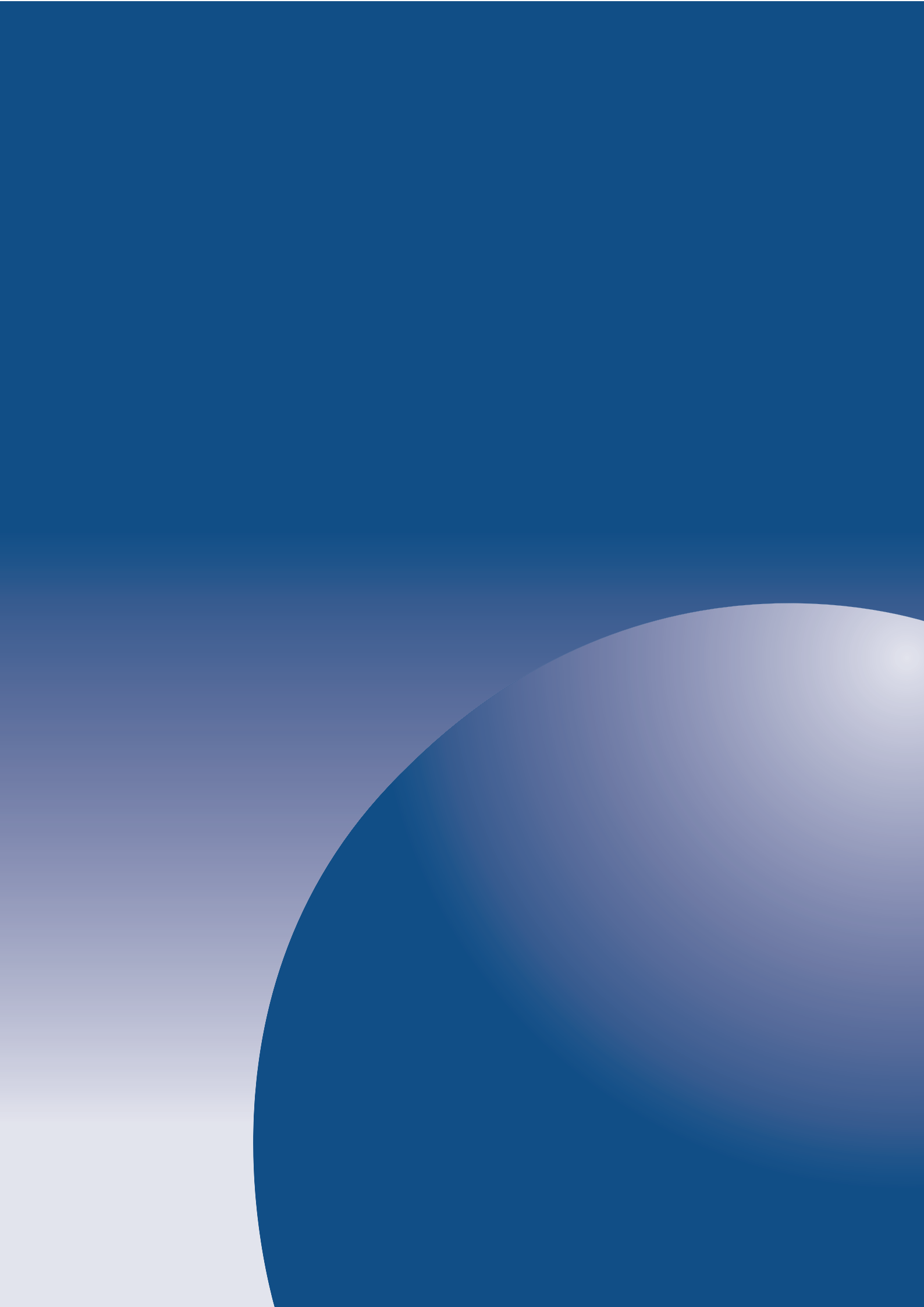
www.fairtrading.act.gov.au

NT – Consumer Affairs & Fair Trading

www.nt.gov.au/ntg/caft.shtm

8. SUMMARY/CONCLUSION

The Australian Teleservices Association (ATA) is committed to best practice, professionalism and ethical behaviour within the Contact Centre industry. The Code of Conduct is focused on increasing the overall standard of customer contact within the industry. ATA members have both legal and community obligations that are founded on the principles of positive customer service experiences. The ATA has a clear expectation that ATA members will abide by this Code of Conduct.



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