

# NUISANCE CALLS AND MESSAGES

CONSUMER GUIDE



in association with:



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# Protecting yourself from nuisance calls and messages

For many of us nuisance calls are an irritating and annoying interruption to our daily lives. But for some vulnerable people they can also cause anxiety and distress. This guide provides some tips on how to reduce the number of nuisance calls and advice about what to do when you receive them.



## How to reduce nuisance calls

### 1. Ways to block different types of calls

There are various products and services that can help block nuisance calls, although you may need to pay to use them. These may block particular types of call (such as international calls, or calls where the number has been withheld) or a selected list of around 10 numbers. You need to ensure that you are able block the calls you want to block and nothing else. To find out more you can:

- **Talk to your phone provider about the services they offer.** Different providers have different charges and so you may wish to shop around for the best deal. For more information on some of these services and charges that may apply take a look at <http://consumers.ofcom.org.uk/phone/tackling-nuisance-calls-and-messages/phone-company-services-that-can-help-tackle-nuisance-calls/>
- **Consider a call blocker.** These are devices which you can attach to your phone, or which may already be part of a phone. These can be used to block different types of call. Some ask the caller to give their name before the call is put through to you. For more information on call blocking devices you may wish to look at advice by Which? available here: <http://blogs.which.co.uk/technology/phones-3/call-blocking-devices-everything-you-need-to-know/>. Ofcom has no affiliation with Which? and the provision of this link should not be taken as an endorsement of its findings.

Before you decide on, activate or install these products, carefully read the instructions to make sure they will not block calls that you want to receive.

## 2. Register with the Telephone Preference Service for free



The Telephone Preference Service (TPS) allows consumers to opt out of receiving any unsolicited telesales calls. You can register your phone number - either landline or mobile – online at <http://www.tpsonline.org.uk> or by phoning 0845 070 0707. It's free to register and takes up to 28 days to come into effect.

It is a legal requirement that telemarketers do not call a number registered to the TPS. However, registering with the TPS won't stop all unwanted calls. Firms may still call you if you've previously given them permission to contact you by phone. To stop these calls, contact the firm in question (preferably in writing) and ask them not to call you for marketing purposes. Firms will also still be allowed to call you for genuine market research purposes, provided the call does not include any marketing or collect data for use in future marketing calls. Some firms do break the rules, although the Information Commissioner's Office (ICO) is working hard to stop this. Complaining about such firms can help the ICO take action (see point 7 below).

Although there are some commercial companies that offer similar services for reducing nuisance calls (and may charge for this), the TPS is the only register that organisations are legally obliged to check against before making live telesales calls. TPS and Ofcom are not affiliated with any of these commercial organisations. If you choose to explore options provided by these commercial companies it is advisable to make sure you understand exactly what services they are offering you and any applicable charges.



## 3. Look carefully at the marketing “opt-in” or “opt-out box”

Be careful who you give your contact details to. When you need to provide them, for example when you buy something, enter a competition, or use a price comparison website, make sure you look carefully at the marketing “opt-in” or “opt-out” boxes. Sometimes these boxes can be buried in the small print and are often found near the part where a signature is required.

An “opt-in” box generally refers to a box which, if ticked, confirms that you are agreeing to be contacted by the company or other companies (known as “third parties” or “trusted parties”).

With an “opt-out” box you are agreeing to be contacted, unless you tick the box. Look out for phrases such as “tick here to opt-out” or, if you're online, pop up boxes inviting you to receive a company's newsletter.

### Opt-in example:

Tick if you would like to receive information about our products and any special offers by post  /by email  /by telephone  /by text message  /by recorded call

### Opt-out example:

By submitting this registration form, you indicate your consent to receiving email marketing messages from us. If you do not want to receive such messages, tick here:

## 4. Consider going ex-directory.

Some businesses use directory services to build their sales lists. Going ex-directory may help prevent these businesses from getting your phone number through this route.







## What to do when you receive nuisance calls and messages

### 5. Consider screening your calls

You could also screen your calls by using a phone that displays the number of the caller -known as “Caller ID” or “Calling Line Identity” (CLI), or using an answer machine or voicemail. This will help you choose whether to answer the call or to call the person back. Please note that some providers charge for displaying the caller’s phone number. Click [here](#) for more information about this.

You should treat all calls from people you do not know with caution because sometimes a telephone number which appears on your screen may not be the real number that the Caller is calling from.

### 6. Ask for the caller’s details

When you receive a nuisance call, of course you can just put the phone down. Many people do this. But if you choose to talk to the caller, they must give you the name of the organisation and, if you ask for it, its address or a free telephone number. You can use this information to notify the organisation that you no longer wish to receive sales calls.

If you’re unsure whether you want the product or service that is being promoted and are being put under pressure on the phone, you may want to end the call. You can then give yourself time to consider further and shop around.

### 7. Don’t give out your personal details

Be careful about who you give your personal details to, including when you answer the phone, particularly if the caller asks you to carry out an action which might have financial consequences. Avoid answering the phone by saying your telephone number and name as a greeting and avoid including these details on your answerphone or voicemail.

Before you start a conversation, make sure the caller gives you their details first. This will help you to check that they’re calling from a credible place (for example, from your electricity supplier).

Be aware that sometimes the caller may not give you the correct detail such as the correct “Caller ID” or “Calling Line Identity” (CLI).

If someone rings you asking for personal financial information, don’t provide it. Instead, hang up and call the phone number on your account statement, in the phone book, or on the company’s or government department’s website to check whether the call was genuine. Wait at least five minutes before making the call – this ensures the line has cleared and you’re not still speaking to the fraudster or an accomplice.



### 8. If you receive an unwanted call you can make a complaint

Complaints information helps regulators such as the Information Commissioner’s Office (ICO) and Ofcom take targeted action against those making calls unlawfully.

When you receive a nuisance call, make a brief note of the call if you can, including the date, time, name of the firm (if it’s known) and also the number you were called from (even if it doesn’t look like a valid phone number). Then make a complaint to the relevant organisation or regulator. But, even if you don’t have all the information available, you can still make a complaint. For details on who to complain to and how to do it, please see <http://consumers.ofcom.org.uk/tell-us/telecoms/privacy/>.



## 8. If you receive an automated marketing call

These calls may ask you to press a number to speak to a live agent. You can of course choose to put the phone down. However, if you choose to speak to someone you will not be charged for the call.

If a phone number was provided with the call, our advice would be to refrain from calling it, unless you are familiar with the firm trying to contact you. If you do decide to call the number the call charges will depend on several factors, such as the type of number called and whether you call from your landline or mobile phone, as set out in our guide on call costs, available at <http://consumers.ofcom.org.uk/files/2010/01/numbering.pdf>.

## 9. If you receive spam texts....

If they're from a sender you are familiar with, or from a shortcode (a shortcode is usually 5 digits long but can be up to 8), reply 'STOP' to the telephone number or short code shown in the text message. You should not be charged for this. This will inform the sender that you no longer wish to receive their text messages.

However, if the text message is from an unknown sender, or from an organisation you are not familiar with, we recommend you don't reply. Responding will confirm that your number is active and might actually result in you receiving more messages, or even voice calls.

Instead, report the spam text to your network operator. **Simply forward the text to 7726.** An easy way to remember '7726' is that they are the numbers on your telephone keypad that spell out the word 'SPAM'.

You may get an automated response thanking you for the report and giving you further instructions if needed, such as forwarding on the number that the spam text message was sent from. You will not be charged for forwarding spam texts to 7726.

If you are unhappy about receiving such texts or continue to receive them after asking the sender to stop, you should complain to the ICO. You can complain to the ICO by phone 0303 123 1113 or online <https://www.snapsurveys.com/swh/surveylogin.asp?k=138312369469>



These tips are intended to help you reduce and deal with nuisance calls and messages. Please remember that sometimes your existing service providers may need to get in touch with you for important non-marketing reasons. For example, your utility provider may need to report a fault or your bank might need to contact you about suspected fraudulent activity on your account. You should keep your main service providers updated with any changes to your contact details, such as a change of phone number, as well as how you prefer to be contacted, such as over the phone, by text, by email or by post. This will help to ensure that you do receive any important calls and messages. If you do not wish to receive marketing calls from existing service providers, let them know.

# NUISANCE CALLS AND MESSAGES:

## Live telesales calls



### What is a live telesales call?

If someone rings you trying to sell you something, this is known as a live telesales call.

They might be cold-calling you from an organisation you've had no dealings with, trying to sell a product or service such as double glazing or home energy services.

Alternatively, they might be from a company you deal with regularly, for example a garage reminding you that your car is due for its MOT, or your mobile phone provider encouraging you to upgrade your current deal.

### What is the law?

Although companies and organisations are allowed to make live telesales calls, they cannot call you if you have:

- told them previously that you don't want to receive telesales calls from them; or
- registered your number with the Telephone Preference Service (TPS) or Corporate Telephone Preference Service (CTPS), unless you have previously given a company permission to make marketing calls to you (e.g. by ticking or unticking a tick box on a form when starting a new service or getting a product from the company).



The law makes a distinction between live telesales calls (where there is a person on the line) and automated marketing calls when a recorded marketing message is played.

If your problem relates to automated marketing calls, take a look at the guide called Automated marketing calls, available [here](http://consumers.ofcom.org.uk/2012/10/recorded-message-marketing-calls/) (<http://consumers.ofcom.org.uk/2012/10/recorded-message-marketing-calls/>).

### How can I stop these calls?

When someone makes a live telesales call to you, the calling agent must supply you with the name of the caller and, if you ask for it, the address of the caller or a free telephone number. You can use this information to notify the caller that you no longer wish to receive live marketing or sales calls.

You can notify the caller by telephone, email or letter, although we recommend you do it in writing and keep a copy of any correspondence or make a note of who you spoke to and when.

Once you have notified the caller, they should not make any live telesales calls to the number(s) you have given them.

In addition, you can register your landline or mobile number with the Telephone Preference Service (TPS).

The TPS is a free service that allows consumers to record their preference not to receive any unsolicited telesales calls. Once registered with the TPS, the number(s) provided by you is added



to an official list of numbers that **all** UK organisations (including charities, voluntary organisations and political parties) are prohibited from calling for sales and marketing purposes.

Although there are commercial organisations that offer services for reducing nuisance calls, the TPS list is the only official register for opting out of live telesales calls. The TPS register is established and supported by legislation and organisations which want to make live telesales calls are legally required to screen their sales lists against the TPS list only. The TPS and Ofcom are not affiliated with any commercial organisations that offer services to reduce nuisance calls. If you choose to explore options provided by these commercial companies it is advisable to make sure you understand exactly what services they are offering you and any applicable charges.

An equivalent service, the Corporate Telephone Preference Service (CTPS), is available for corporate bodies.

For more information about the TPS, the CTPS, or to register for either of these services, call 0845 070 0707 or visit their [website \(http://www.tpsonline.org.uk/tps/index.html\)](http://www.tpsonline.org.uk/tps/index.html).

## Does TPS registration prevent all unwanted calls?

No. Registering with the TPS should reduce live telesales calls but it will not prevent all unwanted calls.

Firms can still contact you to carry out market research even if you're registered with the TPS, although these calls must not be combined with any marketing or selling.

Also, TPS registration does not work if you have previously given a firm permission to market to you by phone.

You may have done this without even realising. For example, some forms include a tick box which allows you to opt-in, or in some cases opt-out, of direct marketing by that organisation.

By opting-in (or not opting-out) you may inadvertently have agreed to receive sales and marketing calls, even though your number is registered with the TPS.

If you believe you may have done this, don't worry.

You can withdraw your consent by simply contacting the caller and informing them that you do not wish to be called for marketing purposes. It is best to do this in writing, keeping a copy of any correspondence, or make a note of who you spoke to and when.

Sometimes when you ring up a firm with an enquiry, or asking for a quote, you will be played an announcement informing you that you will be automatically opted-in to receive future marketing calls. You can prevent this by informing the operator who answers your call to remove this opt-in.

## I've registered with the TPS/CTPS but I'm still receiving calls

When you register your number(s) with the TPS/CTPS it takes up to 28 days for it to come into effect.

If you are still getting calls after 28 days, you can complain to the TPS. You can do this online, by phone or in writing and you can find details of how to complain to TPS at the end of this section on live telesales calls. The TPS will contact the caller in question asking for an explanation and requesting that it removes the number from its call lists.

It also sends details of the complaints it receives to the Information Commissioner's Office (ICO).

The ICO has powers to investigate and take action against anyone making marketing calls to consumers or corporate bodies registered with the TPS or CTPS.

You can also complain directly to the ICO using the link on the next page.





## Why complain?

Your complaint can provide real benefits, both for you as an individual and for consumers generally.

This is because complaints play a vital role in helping regulators tackle the companies responsible for nuisance calls and messages. Without your complaints regulators would find it much harder to identify and take action against those responsible.

Although complaining may not put a complete or immediate stop to all your nuisance calls or messages, it does help regulators take more targeted action in this area.

Making a complaint is simple. You can do it online, by phone or by post, and it can take as little as 5 minutes.

## I'm still receiving calls after asking an organisation not to call me

If you have not already done so, you should register with the TPS.

You can also complain directly to the ICO using the link below, as the person calling you after you asked them not to is in breach of the rules in this area.

## I'm receiving live telesales calls from overseas

Overseas firms who call on behalf of UK-based organisations should comply with UK law.

This means that they should screen their call lists against the TPS register before making unsolicited sales and marketing calls.

If you are receiving unwanted calls from abroad on behalf of a UK-based firm, register with the TPS.

If you have already registered, complain to the TPS or the ICO using the contact details at the bottom of this section.

Unfortunately, some firms base themselves overseas to avoid UK rules and do not make use of the TPS register. If you are receiving unsolicited live telesales calls which you believe to be from overseas firms you should still contact the ICO as they may be able to help you.

Always be wary of unsolicited live telesales calls from overseas, especially if they ask you to send them money or are using a premium-rate phone number (numbers beginning with 09).

## Submitting a complaint

You can complain to the TPS by:

- ringing 0845 070 0707
- going **online**: (<https://complaints.tpsonline.org.uk/Consumer/>) or
- by post: Telephone Preference Service (TPS), DMA House, 70 Margaret Street, London W1W 8SS.

You can complain to the ICO by:

- ringing their helpline: 0303 123 1113
- going online (<https://www.snapsurveys.com/swh/surveylogin.asp?k=138312369469>) or
- by post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

When making a complaint, try to provide as much information as you can, including if possible:

- the organisation which made the call;
- the date and time of the call;
- the telephone number that made the call; and
- the nature of the sales/marketing that occurred during the call.

Even if you don't know who called you the ICO is still interested in hearing about your experience.

## Scams

You should be aware of scam calls, such as those asking you to send money upfront or buy something up-front before you get the prize or offer, asking you to make expensive phone calls to get the prize or offer, or asking for your bank details or other personal information.

For up-to-date information and advice on the latest scams you should contact Action Fraud - the UK's national fraud reporting centre. For more information, please visit their website: <http://www.actionfraud.police.uk/home> .

However, if debit cards, online banking or cheques are involved in the scam your first step should be to contact your bank or credit card company.

One specific scam to watch out for is the 'missed call' scam.

Victims receive a missed call from a number beginning 070 or 076.

These numbers are used as they appear to be calls from a mobile phone number. However, when the victim tries to call the number back, the call is immediately dropped or an engaged tone is played and the victim is charged 50p for making the call.

If you receive a missed call from a number beginning 070 or 076 that you do not recognise, do not call it back.

Instead, make a note of the number and complain to the premium rate regulator, Phonepay Plus by:

phone: 0300 30 300 20

online: (<http://www.phonepayplus.org.uk/For-the-Public/Make-a-complaint.aspx>)

or in writing: Phonepay Plus, Freepost, WC5468, SE1 2BR

For more information on other useful organisations you may want to contact regarding scams, please see [Contact details \(http://consumers.ofcom.org.uk/phone/tackling-nuisance-calls-and-messages/contacts/\)](http://consumers.ofcom.org.uk/phone/tackling-nuisance-calls-and-messages/contacts/)

## NUISANCE CALLS AND MESSAGES:

# Automated marketing calls



### Not every marketing call involves a call centre trying to push a product – sometimes you just hear a recorded message

These messages may claim that you're due compensation, perhaps for a personal accident or for a mis-sold insurance policy, or may simply be trying to market a product or service to you.

This guide explains more about recorded message marketing calls and what you can do to stop them.

\*If the message did not contain any marketing but was an information message from a company saying it had tried to call you but no operators were free to take the call, this is known as an abandoned call. You can learn more about abandoned calls by looking at the guide on [Abandoned and silent calls](http://consumers.ofcom.org.uk/2012/10/abandoned-and-silent-calls/): (<http://consumers.ofcom.org.uk/2012/10/abandoned-and-silent-calls/>)

## Why do organisations make these calls?

These calls can have many purposes. For example:

**Claims management** – these mainly concern personal injury claims and claims for the mis-selling of payment protection insurance (PPI).

**Debt management** – these messages offer various types of debt management services.

Organisations make these calls to generate 'leads' which they then sell on to firms who offer the service provided in the message.

In the case of personal injury claims, the leads would essentially be a list of people interested in claiming compensation for a personal injury.

This list is then sold on to a firm which manages personal injury claims. It will contact the people on the list and offer them its services in dealing with possible claims.

These calls may ask you to press a number to speak to a live agent. You can of course choose to put the phone down. However, if you receive an automated marketing message and choose to press a key to speak to someone you will not be charged for the call.

If a phone number was provided with the call, our advice would be to refrain from calling it, unless you are familiar with the firm trying to contact you. If you do decide to call the number the call charges will depend on several factors, such as the number called and whether you call from your landline or mobile phone, as set out in our [guide on call costs](http://consumers.ofcom.org.uk/files/2010/01/numbering.pdf), available at <http://consumers.ofcom.org.uk/files/2010/01/numbering.pdf>.



## What is the law?

Companies or organisations making automated marketing calls must have your permission before they call you.



## What can I do about these calls?

If you are receiving automated marketing calls and have not given prior permission, you can complain to the Information Commissioner's Office (ICO), which is responsible for enforcing regulations in this area.

Try to provide the ICO with as much information about the call as possible, in particular:

- the organisation which transmitted the recorded message;
- the number that the call came from;
- the date and time of the call; and
- the nature of the sales/marketing that occurred during the call.

### Complain to the ICO

You can complain to the ICO by:

- ringing their helpline: 0303 123 1113
- online: <http://www.ico.org.uk/complaints/marketing/30>
- or by post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Even if you don't know who called you, the ICO is still interested in hearing from you.

### Why complain?

Your complaint can provide real benefits, both for you as an individual and for consumers generally.

This is because complaints play a vital role in helping regulators tackle the companies responsible for nuisance calls and messages.

Without your complaints regulators would find it much harder to identify and take action against those responsible.

Although complaining may not put a complete or immediate stop to all your nuisance calls or messages, it does help regulators take more targeted action in this area.

Making a complaint is simple. You can do it online, by phone or by post, and it can take as little as 5 minutes.

### Scams

You should be aware of scam calls, such as those asking you to send money upfront or buy something up-front before you get the prize or offer, asking you to make expensive phone calls to get the prize or offer, or asking for your bank details or other personal information.

For up-to-date information and advice on the latest scams you should contact Action Fraud - the UK's national fraud reporting centre. For more information, please visit their [website](http://www.actionfraud.police.uk/home) (<http://www.actionfraud.police.uk/home>).

### What if the calls are from overseas?

Firms based overseas who call on behalf of UK-based organisations should still comply with UK law.

If you are receiving automated marketing calls from abroad on behalf of a UK-based organisation you should follow the guidance given above.



**NUISANCE CALLS AND MESSAGES:**

# Abandoned and silent calls



**The phone rings, you rush to answer but there's no-one on the line.**

Abandoned and silent calls can be annoying and irritating at the best of times.

But for some people – for example, those living alone – these calls can be particularly frightening.

This guide explains more about these calls, what can cause them and what you can do about them.

## What are abandoned and silent calls?

An abandoned call is one that is terminated when you pick up the receiver. Instead of a person on the other end of the line you hear an information message from the organisation that is trying to call you.

A silent call is where you receive a call but you can hear nothing and have no means of knowing whether anyone is at the other end of the line.

## What causes them?

Most abandoned and silent calls are not necessarily made deliberately but can be caused by the use of technology by organisations to maximise the amount of time their calling agents spend speaking to consumers.

The majority of abandoned calls are caused by automated calling systems known as diallers.

These diallers, mainly used in call centres, dial telephone numbers automatically and connect people to call centre agents as soon as the phone is answered.

But diallers may not always work as intended. For example, if the dialler makes a call but there is no call centre agent on hand to deal with it, you might receive an abandoned call.

Silent calls can occur, for example, when the technology used by call centres to detect answer-machines mistakes you answering for an answering machine, and cuts off the call without playing an information message, or you hearing anything.

# Nuisance calls and messages:

## What is the law in this area?

Ofcom tackles abandoned and silent calls and has published a policy statement for industry aimed at reducing the harm caused by these calls.

Where someone is repeatedly making abandoned and/or silent calls, Ofcom may take enforcement action, including fining the caller up to £2 million.

Ofcom continually monitors complaints about abandoned and silent calls and can launch an investigation if it believes a caller is not following the law.

## I'm receiving silent/abandoned calls – what can I do?

If you are receiving abandoned or silent calls we recommend taking the following action:

Try and identify the caller: All companies using automated diallers should present a Calling Line Identification number on your telephone's display, and allow you to obtain the caller's telephone number by dialling 1471.

Alternatively, the automated message from an abandoned call should disclose the name of the organisation and provide a number that you can call to opt-out of receiving further calls.

## Complain to Ofcom:

You can complain by:

- ringing our Consumer Contact Team on 0300 123 3333
- going **online**: <https://stakeholders.ofcom.org.uk/tell-us/webflow/silent-calls/>
- or by post: Ofcom, Riverside House, 2a Southwark Bridge Road, London, SE1 9HA

You should try to provide as much information as you can about the abandoned or silent call, including:

- the name and number of the caller;
- how many times you have been called by the same number; and
- over what period of time have you been receiving the calls.

If you are unable to identify the caller you should contact your phone company. Most phone companies have a nuisance calls team, who can give you advice on what to do next.

## Why complain?

Your complaint can provide real benefits, both for you as an individual and for consumers generally.

This is because complaints play a vital role in helping regulators tackle the companies responsible for nuisance calls and messages.

Without your complaints regulators would find it much harder to identify and take action against those responsible.

Although complaining may not put a complete or immediate stop to all your nuisance calls or messages, it does help regulators take more targeted action in this area.

Making a complaint is simple. You can do it online, by phone or by post, and it can take as little as 5 minutes.

## NUISANCE CALLS AND MESSAGES:

# Spam texts



Texting is more popular than ever before, with over 152 billion texts sent in 2012 alone.

So it's no surprise that firms are increasingly choosing to market their products by text.

But no-one wants to have their mobile phone bombarded with spam texts advertising products and services they don't want.

This guide explains more about spam texts and how to stop them.

### What is a spam text?

A spam text is a text message sent to a mobile phone marketing a particular product or service.

These texts can have many purposes. For example:

**Claims management** – these mainly concern personal injury claims and claims for mis-sold payment protection insurance (PPI).

**Debt management** – these messages offer various types of debt management services.

### Why do organisations send these texts?

Organisations send these texts to generate 'leads' which they then sell on to firms who offer the service provided in the message.

In the case of personal injury claims, the leads would essentially be a list of people interested in claiming compensation for a personal injury.

This list is then sold on to a firm which manages personal injury claims. It will contact the people on the list and offer them its services in dealing with possible claims.

### What is the law?

It is against the law for anyone to send you spam texts unless you have previously given them permission.

However, if there is an existing customer relationship between you and the sender, it can send you spam text messages about similar products and services, as long as you are given the ability to opt out of receiving such messages.

The law does not cover messages sent to business numbers.

## What can I do to stop receiving spam texts?

If you receive a text message from a sender you are familiar with, or from a shortcode (a shortcode is usually 5 digits long but can be up to 8), reply 'STOP' to the telephone number or short code shown in the text message.

This will inform the sender that you no longer wish to receive their text messages.

However, if the text message is from an unknown sender, or from a sender you are not familiar with, we recommend you don't reply.

Responding to the text will confirm that your number is active and might actually result in you receiving more messages, or even voice calls.

Instead, you may report the text to your network operator.

**To report a spam text, forward the text to 7726.**

An easy way to remember '7726' is that they are the numbers on your telephone keypad that spell out the word 'SPAM'.

You may get an automated response thanking you for the report and giving you further instructions if needed. You will not be charged for sending texts to 7726.

## Who can I complain to?

The Information Commissioner's Office (ICO) is responsible for enforcing the rules on spam texts.

If you are unhappy about receiving such texts, or continue to receive them after informing the relevant company to stop, you should complain to the ICO.

The ICO has powers to investigate any suspected breaches of the regulations, and take enforcement action against any organisation breaching the rules.

### Complain to the ICO

You can complain to the ICO by:

- Ringing their helpline: 0303 123 1113
- Going [online](http://ico.org.uk/concerns/marketing/40) <http://ico.org.uk/concerns/marketing/40>
- By post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF



## Why complain?

Your complaint can provide real benefits, both for you as an individual and for consumers generally.

This is because complaints play a vital role in helping regulators tackle the companies responsible for nuisance calls and messages.

Without your complaints, regulators would find it much harder to identify and take action against those responsible.

Although complaining may not put a complete or immediate stop to all your nuisance calls or messages, it does help regulators take more targeted action in this area.

Making a complaint is simple. You can do it online, by phone or by post, and it can take as little as 5 minutes.



# NUISANCE CALLS AND MESSAGES:

## Marketing faxes



If you have a fax machine then you've probably received faxes you don't want.

Usually, they're trying to sell you something, but the good news is that there is something you can do to stop these junk faxes clogging up your machine.

However, the rules differ depending on whether these faxes are being sent to you as an individual or to your company fax machine.

### Individual

Anyone must have your permission before sending you sales and marketing faxes.

If you're receiving these faxes and you haven't given the sender permission to send them to you, you should complain to the Information Commissioner's Office (ICO) using the link below, or by calling its helpline.



#### Complain to the ICO

You can complain to the ICO by:

- Ringing their helpline: 0303 123 1113
- Going **online**: (<http://ico.org.uk/concerns/marketing/40>)
- Or by post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

The ICO has the power to take action against the senders of these faxes.

When making your complaint, try to include the name of the sender of the fax.

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Without your complaints, regulators would find it much harder to identify and take action against those responsible.

Although complaining may not put a complete or immediate stop to all your nuisance calls or messages, it does help regulators take more targeted action in this area.

Making a complaint is simple. You can do it online, by phone or by post, and it can take as little as 5 minutes.

## You can also register with the Fax Preference Service (FPS).

The FPS is a free service which allows you to opt out of receiving unsolicited sales and marketing faxes.

Once you've signed up to the FPS, everyone is banned from sending sales and marketing faxes to the number(s) you have registered.



You can register with the FPS, by

- Ringing 0845 070 0702.
- Going **online**: (<http://www.fpsonline.org.uk/fps/>)
- Or by post: Fax Preference Service (FPS), DMA House, 70 Margaret Street, London, W1W 8SS

## Businesses

No one should send sales and marketing faxes to any company which has:

- previously asked not to receive marketing faxes on that line, and/or;
- registered its number (s) with the Fax Preference Service (FPS).

The FPS is a free service which allows companies to opt out of receiving unsolicited sales and marketing faxes.

Once you've signed up to the FPS, everyone is banned from sending sales and marketing faxes to the number(s) you have registered.

For more information or to register for this service, **visit the FPS website** or call 0845 070 0702.

## I've registered with the FPS but am still receiving unwanted faxes

Once you've registered with the FPS it takes up to 28 days for it to come into effect.

If you're still receiving unsolicited sales and marketing faxes after that time, you should complain to the FPS.

They will contact the sender concerned and ask them to stop, as well as reporting your complaint to the Information Commissioner's Office (ICO) which enforces the rules in this area.

You can also complain directly to the ICO.

When making a complaint to either the FPS or the ICO, you will need to be able to provide a copy of the fax

### Complain to the FPS

You can complain to the FPS by:

- ringing: 0845 070 0702
- going **online**: <http://complaints.tpsonline.org.uk/FConsumer/>
- or by post: Fax Preference Service (FPS), DMA House, 70 Margaret Street, London, W1W 8SS

### Complain to the ICO

You can complain to the ICO by:

- ringing their helpline: 0303 123 1113
- going **online**: <http://ico.org.uk/concerns/marketing/40>
- or by post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## **I'm receiving unwanted direct marketing faxes from overseas**

Firms based overseas who fax into the UK should still comply with UK law.

This means that they should screen their call lists against the FPS register before sending direct marketing faxes.

If you are receiving unwanted marketing faxes from abroad you should follow the guidance given above – registering with the FPS, or complaining to the FPS or the ICO.

# NUISANCE CALLS AND MESSAGES:

## Fax-in-error calls



Sometimes you may answer your phone only to hear fax tones at the other end of the line.

Most fax-in-error calls are the result of a mistake by the organisation carrying out the fax marketing.

It may be that the previous owner of the number had a fax machine connected to the line, or that the organisation added your number to their fax list by accident.

### What can you do?

Registering with the **Fax Preference Service** may help reduce the number of fax calls you receive, as organisations will have to remove your number from their fax distribution lists.



You can register to the FPS, by

- Ringing: 0845 070 0702.
- Going **online**: [www.fpsonline.org.uk](http://www.fpsonline.org.uk)
- Or by post: Fax Preference Service (FPS), DMA House, 70 Margaret Street, London, W1W 8SS

### What if you continue to receive fax-in-error calls?

If you continue to receive fax in error calls after registering your number with the FPS you should complain to the FPS.

The FPS will attempt to contact the sender and inform them that no fax machine is connected to your number and they should stop sending you fax messages.

### Complain to the FPS

You can complain to the FPS by:

- ringing: 0845 070 0702
- going **online**: <http://complaints.tpsonline.org.uk/FConsumer/>
- or by post: Fax Preference Service (FPS), DMA House, 70 Margaret Street, London, W1W 8SS

The FPS also keeps records of all the complaints it receives about fax in error calls, and these records help determine future enforcement action.



# NUISANCE CALLS AND MESSAGES:

## Marketing emails



### Email has revolutionised how we keep in touch.

But the sheer ease of reaching people by email can have its downsides, particularly if you find your inbox full of marketing mail advertising products you're not interested in.

Marketing emails can range from emails sent from reputable firms (which you may have dealt with in the past) advertising their latest products, to less reputable organisations sending out thousands of emails to random addresses. The latter is commonly referred to as spam email.

### What is the law?

There are two important rules in relation to marketing email.

The first is that the sender must not conceal their identity, and they must also provide a valid address where you can opt out of receiving further emails.

The second rule is that organisations should not send you marketing emails unless they have your permission.

However, if there is an existing customer relationship between you and the sender, it can send you marketing emails about similar products and services, as long as you are given the ability to opt out of receiving such messages.

The law does not cover marketing emails sent to companies.

### How can I stop unwanted marketing emails?

To stop marketing emails from an identifiable UK source or an organisation you are familiar with, use the 'unsubscribe' link (usually found at the bottom of the email) or follow instructions in the email for unsubscribing.

Alternatively, you should email the sender to ask them to stop sending you marketing emails (remembering to keep a copy of any correspondence). In many cases things can be resolved quickly without any problems.

If the emails are not from an identifiable UK source or from an organisation you are familiar with, do **not** reply to them.



Instead you should look at the [online guidance](http://www.ico.org.uk/for_the_public/topic_specific_guides/online/spam_emails) provided by the Information Commissioner's Office at [http://www.ico.org.uk/for\\_the\\_public/topic\\_specific\\_guides/online/spam\\_emails](http://www.ico.org.uk/for_the_public/topic_specific_guides/online/spam_emails) and/or contact your internet service provider.



## How can I stop unwanted spam email?

If you find you're receiving a lot of spam email, the first thing to do is to check the security options on your email program. It should have a filter that sends most spam straight to a separate junk folder.

You can also stop mail from particular senders. If you're unsure how to do this, you should speak to your email account provider or check the instructions for the email application being used i.e. Microsoft Outlook.

## What if this does not solve the problem?

If you're still receiving marketing emails or spam after unsubscribing or informing the sender to stop emailing you, you should complain to the ICO, which has responsibility for enforcement in this area.

To make a complaint, do not forward your spam emails to the ICO. Instead use the link below and complete the online form, or call the ICO on the number provided below.

### Complain to the ICO

You can complain to the ICO by:

- ringing their helpline: 0303 123 1113
- going **online**: <http://www.ico.org.uk/complaints/marketing/3>
- or by post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### Why complain?

Your complaint can provide real benefits, both for you as an individual and for consumers generally.

This is because complaints play a vital role in helping regulators tackle the companies responsible for nuisance calls and messages.

Without your complaints, regulators would find it much harder to identify and take action against those responsible.

Although complaining may not put a complete or immediate stop to all your nuisance calls or messages, it does help regulators take more targeted action in this area.

Making a complaint is simple. You can do it online, by phone or by post, and it can take as little as 5 minutes.

## NUISANCE CALLS AND MESSAGES:

# Abusive and threatening calls



Malicious, abusive or threatening calls, whether from people you know or from strangers, are a criminal offence.

If you receive such a call you should **immediately call your phone company** and ask for their nuisance or malicious calls team.

It doesn't matter whether you know the caller's identity or not.

Simply tell them what the caller said. In some cases, particularly if the caller is threatening, your phone company will advise you to call the police.

You may be offered 'anonymous call rejection' from your provider which may prevent these kinds of calls in the future (ask your provider if there's a charge for this service).

Although this may stop abusive or threatening calls, you should be aware that such services may also block some calls you might want to continue receiving, such as calls from overseas.

## Direct threats

If the caller is making direct threats to you or your family and you believe those threats to be real and immediate, you must **call 999 straight away**.

If you believe that the threats made are not immediate, then you should **call your local police station** (101 from any landline or mobile phone).

# NUISANCE CALLS AND MESSAGES:

## Contact details



If you would like to make a complaint about a nuisance call or message, you can do so online. Ofcom's [complaints portal](http://consumers.ofcom.org.uk/tell-us/telecoms/privacy/) will help you find the right organisation to complain to and is available at <http://consumers.ofcom.org.uk/tell-us/telecoms/privacy/>.

### Information Commissioner's Office

If you would like to complain about live telesales calls, automated marketing calls and spam texts or marketing emails you should contact the Information Commissioner's Office:

Wycliffe House, Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline: 0303 123 1113 (Monday to Friday from 9:00am to 5:00pm)

Tel: 01625 545 745

Website (<http://www.ico.org.uk/complaints/marketing>)

### Ofcom

If you would like to complain about abandoned and silent calls you should contact Ofcom at:

Riverside House

2a Southwark Bridge Road

London

SE1 9HA

Helpline: 0300 123 3333 (Monday to Friday from 9:00am to 5:00pm)

Tel: 020 7981 3040

Website: (<https://stakeholders.ofcom.org.uk/tell-us/webflow/silent-calls/>)

### PhonepayPlus

You should contact PhonepayPlus, if you would like to complain about a premium rate number or service, and have been unable to contact the responsible company or if they have failed to resolve your complaint. Premium rate services can start with 09, 087, 070 or 118, or can be a "shortcode" of just 5 or 6 digits. In addition some other digital services or apps are charged to a consumer's mobile phone using premium rate billing.

Clove Building

4 Maguire Street

London

SE1 2NQ

Helpline: 0800 500 212 (open 9pm-5pm Monday to Friday, excluding bank holidays)

General Enquiries: 020 7940 7474

Website: (<http://www.phonepayplus.org.uk/For-the-Public/Make-a-complaint.aspx>)



## Telephone Preference Service

If you are registered with the TPS and would like to complain about unsolicited live telesales calls you should contact the TPS:

DMA House

70 Margaret Street

London

W1W 8SS

Tel: 0845 070 0707

Website (<https://complaints.tpsonline.org.uk/Consumer/>)

## Fax Preference Service

If you are registered with the FPS and would like to complain about unsolicited faxes or fax in error calls you should contact the FPS:

DMA House

70 Margaret Street

London

W1W 8SS

Tel: 0845 070 0702

Website: (<http://complaints.tpsonline.org.uk/FConsumer/>)

## Action Fraud

Action Fraud is the UK's national fraud reporting centre for fraud and internet crime. You can report fraud using the online reporting service at any time of the day or night. They also provide help and advice over the phone through the Action Fraud contact centre. You should contact them if you have lost money to telephone or message scam, or if you believe you were targeted by fraudsters.

Tel: 0300 123 2040 (specialist advisors available Monday to Friday between 8am to 9pm, Saturday between 9am to 5pm and Sunday between 9am to 5pm)

Textphone: 0300 123 2050.

Website: (<http://www.actionfraud.police.uk/home>)

## Advertising Standards Authority

The Advertising Standards Authority is the UK's independent advertising watchdog responsible for ensuring that ads are legal, decent, honest and truthful. The ASA's rules require advertisers to prepare ads across all media responsibly. You can contact the ASA if you consider an ad is misleading, harmful or offensive.

Mid City Place, 71 High Holborn, London WC1V 6QT

Telephone: 020 7492 2222

Textphone: 020 7242 8159

Website: (<http://www.asa.org.uk/>)

## Police

In the case of an emergency if the caller is making direct threats to you or your family and you believe those threats to be real and immediate, you must call 999 straight away.

If you believe that the threats made are not immediate, then you should call your local police station by dialling 101 from any landline or mobile phone.

## Contact details for consumer organisations

### Citizens Advice

The Citizens Advice consumer service provides free confidential advice on consumer issues.

Citizens Advice and Citizens Advice Scotland provide advice to consumers in England, Scotland and Wales.

Telephone: 08454 04 05 06 (Monday to Friday 9.00am to 5.00pm)

Welsh-speaking adviser: 08454 04 05 05.

Textphone: Dial 18001 followed by helpline number 08454 04 05 06.

Website: ([www.adviceguide.org.uk](http://www.adviceguide.org.uk))

Northern Ireland consumers

Consumerline: 0300 123 6262.

Website: ([www.consumerline.org](http://www.consumerline.org))

### StepChange Debt Charity

For people in financial difficulty nuisance calls and messages may leave them vulnerable to making financial decisions that worsen their situation. StepChange Debt Charity offers advice and practical solutions for problem debt.

Wade House

Merrion Centre

LS2 8NG

0800 138 1111 (Freephone - including all mobiles. Mon-Fri 8am-8pm; Sat 8am-4pm)

Website: (<http://www.stepchange.org/>)

### Which?

Which? runs campaigns, carries out testing and delivers advice to help consumers make informed decisions and get better value.

They provide their own tips to consumers on how to stop nuisance calls available here: <http://www.which.co.uk/technology/phones/guides/ten-tips-to-stop-cold-calls/> .

They also provide advice on call blocking devices, available here: <http://blogs.which.co.uk/technology/phones-3/call-blocking-devices-everything-you-need-to-know/>