

January 2011

Dear Mr CEO,

**Re: Mobile phone number XXXXX XXXXXX**

May I take this opportunity to thank you and your staff for the service you have provided to me in recent weeks. Each time I have phoned XXX to speak to customer service, I've been informed that "Company X is committed to excellent customer service", and I can confirm that the service you and your team has provided has been memorable. I'd like to make specific mention of several staff:

Firstly, to your staff in the ABC store, who I approached when I wanted to upgrade my phone and renew my contract on 8<sup>th</sup> January this year. I've been with Company X for almost 11 years, but don't upgrade every year, so it was good to speak with someone who took time to understand my needs. I explained that I only use a phone for making calls, that I didn't need lots of fancy features, but that it specifically needed to make calls, and synchronise my contacts with Microsoft Outlook. He assured me that the Nokia E5 would do this, and on that basis I bought the upgrade.

I was a little disappointed when I got home to find that the supplied software (bizarrely named "Ovi") wouldn't actually work to do this. Having worked in IT for many years, I was happy to look online for an update to the software, or some other fix, but instead found on the Nokia website page after page of complaints that this software doesn't work, and crashes, removing the contacts from the phone. Obviously, the phone wasn't able to fulfil the one requirement I had of it, as explained to your staff at the time of purchase, and so I returned to the store on 15<sup>th</sup> January to exchange the phone for a different one which would be fit for the purpose for which it was bought.

I'd also like to thank the staff member in the store who explained when I returned that nothing could be done. I could have a new phone of the same type, but sadly he seemed not to grasp that this wouldn't help, as it's a fault with the supplied software, not that specific handset. He did, however, helpfully tell me that although "Company X don't have a returns policy" for returning goods not fit for purpose, I could phone customer services on XXX and speak to a manager. I tried to explain that as the goods were not fit for the purpose for which I needed them, and which I had explained at the time of purchase, there was a statutory obligation to offer a full refund, rather than an exchange, as per the Sale of Goods Act<sup>1</sup>. However, the member of staff was adamant that he couldn't help. He did offer to speak to his manager, Susan Mayer, who was that day working at the XYZ store. She reaffirmed by phone to him that we couldn't return the phone for a different model, and that although we could go to XYZ store to talk to her, the only solution would be to call XXX and speak to a Customer Service Manager. So, although I didn't meet her, please do pass on my thanks to Susan too – it's always good to see a manager backing up her staff, even when their position is legally untenable. I only wish I could also thank the customer behind me in the shop – not your remit, I do realise – who helpfully chipped in as we left with "Don't bother talking to Susan – she's absolutely hopeless". Customer service of a uniform quality does seem to be another of your strengths as a company.

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<sup>1</sup> <http://www.berr.gov.uk/whatwedo/consumers/fact-sheets/page38311.html>

"If the goods are faulty, *incorrectly described* or not fit for purpose, then you are entitled to your money back (provided you act quickly), and you certainly don't have to take a credit note"

I returned home, and did indeed call XXX. I spoke at 17:30 on the 15<sup>th</sup> January to Carlos Solis, who provided me with more memorable service. I explained that, as per your code of conduct “*If you have an issue which is not resolved then you will have the option to discuss the issue with a Customer Service Team Leader and if still unresolved a Customer Service Manager*” and that because of the phone not being fit for purpose, and the wasted trip back to the shop that had no returns policy, we’d like to speak to a manager. Mr Solis was wonderfully polite in his explanation that it was Company X’s policy not to let customers speak to managers. Obviously this is a different policy to the code of conduct on Company X’s website, and perhaps you might consider publishing both policies at some stage, and maybe we could organise a “battle of the policies” to see which wins out.

Helpfully, he did go and talk to someone more senior on our behalf – probably best that we mere customers weren’t allowed direct access – and came back with the happy news that “within 7 days, for any reason – even if you don’t like the colour – you can return the phone, and can get another type of phone.” He also said that if we preferred, we could return the phone, cancel the contract and set up another one. It was slightly unfortunate that he said that the phone would have to go back to the shop in order to effect this return, given that the shop had said it would be down to the XXX Customer Service Representatives to resolve it, but nonetheless, we determined to go back to the store the following day.

Sunday dawned dull and grey, but with a song in my heart, and a full tank of petrol (thankfully) I set off back to the ABC store. Imagine my amusement to find it closed!! So, we then drove to XYZ store, and went into one of the stores in the mall. We explained the situation, and were told by the member of staff who served us (don’t know his name, but it’s the one who *didn’t* look just like Jake in the US comedy “Two and a half men”) that he would be happy to replace the phone with an identical one. I really do think he tried, but – bless him – he couldn’t get the hang of us not wanting that same phone again. Eventually the light-bulb lit above his head, and he politely informed us that no one at the store had the authority to process a return, because the manager wasn’t at that store, but at the other XYZ store. We asked if we could see this manager, but although the non-Jake-look-alike spoke to him on the phone, the manager said we’d have to walk to the other shop if we wanted to see him personally. Which we most certainly did.

A stroll across XYZ took us to the other shop, and to its manager – Paul Young. Paul was entirely sure of the company’s position on the matter. The phone *was* fit for purpose, as Company X had decided that its purpose was to make and receive calls, no more, no less. We did our best to explain (by now we were wondering if our explaining skills might wear out) that “fit for purpose” is defined by the customer’s expressed need of a product, rather than what someone else might think that product should be used for, but to no avail. We tried to explain that a customer service manager on XXX had said we should bring it back to a store, and may I say how refreshing it was to have real honesty from a staff member, rather than just rehearsed hogwash. “XXX don’t know what they’re talking about” he reassuringly told us. “You’ve been misinformed”.

Maybe it was just the tiredness – by now we had driven getting on for 100 miles in our attempt to resolve this – but at this point I decided that I no longer wanted to be a Company X customer. So, I expressed this thought to Mr Young, who said loudly – talking over our attempts at an explanation of the concept of *fit for purpose* – “IF YOU READ THE TOP OF YOUR CONTRACT” – he disappeared to pull one out of the cupboard leaving us in mid-sentence – “YOU’LL SEE THAT YOU CAN’T CANCEL.” Somewhat sullenly, he added “You’ll have to go back to the store where you bought it and cancel it there.” I explained that a statutory right in law, such as to a refund (not just a replacement, exchange or credit note) for goods not meeting the description by which they were sold could not be

superseded by a contract of any kind. Once again Mr Young's gift for clarity of expression and unshakeable belief in the value of service came to the fore, as he explained "If you think our contract is illegal, I'm sure Company X will be happy to see you in court". I'm so glad my partner was there with me as a witness – it was one of those surreal experiences wherein you feel you might wake up from the dream at any moment.

Leaving the store – and pausing to admire Mobile Provider A's shop next door – we decided that we should perhaps speak to Mr Solis again. His plan for us to go to a shop had been so promising – so promising that we'd actually been to three of them that day!

When we arrived home, we called XXX again, and were delighted to be reassured while waiting that Company X still believed in EXCELLENT customer service. When the call was answered, we asked if it would be possible to speak to Mr Solis, but were told that he was not signed in, and so was probably not working. However, the representative who had taken the call – Lynette Scavo (ext XXXXX) , said she would be happy to help. We explained how we'd spent our past two weekends in pursuit of a phone that would make calls and sync with Outlook, and our surprise at what a tall order this had been. And she read the notes that her colleague had made the previous day.

Once again, I should like to express the admiration I have for the politeness with which Ms Scavo dealt with what must have been a trying situation. And she really did help. She went off to speak to a senior colleague, then came back to us and said that as we were within the cooling off period, we could return the phone, and have our contract cancelled. It was like music to our ears. She said that we should return the phone to Returns, but wasn't sure of the address, so said we'd need to contact them for this information, and she said that as long as we got the phone back to them by Tuesday 18<sup>th</sup> January, we could speak to her again, and she would cancel the contract.

Finally getting somewhere, we found an address, phone number and email for Company X Returns on your website. Concerned to ensure that we did everything correctly, and didn't cause further problems, we emailed them to inform them that we were sending the phone to them:

*To whom it may concern*

*I am writing to notify you that I am returning my Nokia E5 phone (phone number 07968 497768) as per various conversations with ABC Store and XYZ branches and Company X Customer Service Representatives: Lynette Scavo and Carlos Solis on 15-16 January 2011 regarding my recent upgrade on 8 January 2011.*

*Please contact me on the below number should you have any queries.*

*Regards*

*Angela*

The staff at Company X returns were commendably quick in acknowledging my email – replying before 10 o'clock on the following morning:

[We do not cancel contract in this team when the number has been active since 2000.](#)

[Please contact the retention team in customer services regarding this.](#)

Such efficiency is truly welcome. Their message was slightly less so. To recap, the ABC store had told us to speak to Customer Services, Customer services had told us to take the phone to the store to be returned, the first store said “We have no policy”, the second store said “We have no authority” and the third store said “Sue us”. Back to Customer Services, who said “Send us the phone” and the people due to receive it said “Don’t send us the phone”.

With Company X Returns providing the helpful suggestion of contacting the “retention team”, I decided that I’d follow their advice, and called the retention team and spoke to someone called Gabriela. Gabriela’s policy was that Company X’s policy was to not provide full names or extension numbers (points off for Carlos Solis and Lynette Scavo of extension XXXXX – and there was me thinking they’d been helpful), so I can’t tell you any more accurately who she was. She said she would look into the issue of to whom I should send my phone, and text me with the information. Imagine that! Texting! Such an impressive use of modern technology – just the sort of thing that makes an organisation stand out from its peers.

Two hours later, no text had arrived – less impressive, I regret to say – so I called again. “Company X is committed to excellent customer service” I was reassured as I took my total time on hold over the past few days to more than 4 hours. “Yes, we didn’t text you because you can’t return the phone” I was informed. Thinking back, I’m not entirely sure that this was an adequate explanation of why no one had thought to text me to tell me why they wouldn’t be texting me with an address as promised, but let’s draw a veil over that in the light of so many other points of discussion.

Two options remained. Being a good Catholic, suicide was quickly ruled out, so I went for the second option – calling Lynette Scavo again. She had been a beacon of sanity in a mad world. She was my ally. She would sort it all for me.

I phoned XXX and spoke to someone, briefly explained the score (3 -0 to Company X at this point) and asked to speak to Lynette. The person in question tried to put me through, but said that Lynette was currently on the phone, and that they would come back to me when she became available. I waited for just over an hour, and – forgive my lack of faith – was pretty certain I’d never speak to Lynette again. Then the phone rang and I was speaking to Lynette once more!

She asked what had been happening. She asked how my day was, and how I was. She cared. She was *really* sorry – genuinely sorry, not just sorry because the training said that at this point she should express sorrow – for the hassle I’d had. She couldn’t understand why retentions wouldn’t take the phone back when it had been them that had told her to tell me to send it back. She would sort it for me. All I had to do was wait for just one minute - “and I’m really sorry to make you wait again” – and she would sort it all out. So I waited. I listened to more Kylie, then to Take That again. I had really liked their new single, but now I hate it, and that’s something you can never compensate me for. I waited a little more. Then I got an automated message:

“Thank you for calling Company X. This department is now closed. Our opening hours are.... Goodbye”.

My faith was shattered. Lynette had let me down.

But at least she tried.

Lynette tried – I genuinely feel that she tried hard – but could not help. Please do thank her for trying, but ask her never to put customers through to a closed department again.

Carlos tried, but failed. He followed the procedure in the manual, but couldn't see past the procedures to the issues, and so see that real service would have been to let me speak to a manager and trust that the manager could cope, and that I wouldn't shout, or cry, or whatever the powers that be (is that you?) think management should be protected from in their customers.

The staff in ABC store tried too, but were hamstrung by their lack of power to do something proactive to help a customer without a manager present.

The staff in XYZ store tried, but had even less power, and told us so. I understood from reading a little about you, Mr CEO, that you are about empowering your staff to give of their best. If so, the message hasn't arrived at the coal face yet.

Mr Young, manager in the XYZ High Street branch tried. He tried to shout us down, to point out our stupidity in front of other customers, to make us feel small, but succeeded in losing a customer for life, and in delivering far and away the worst example of customer service I've ever seen.

Gabriela didn't just try – she succeeded. Succeeded in hiding behind her telephonic anonymity, and so succeeded in demonstrating Company X to be all about corporate impersonality, rather than excellence in customer service.

And your "on hold" message, promising endlessly that Company X were committed to excellent customer service also succeeded in proving that marketing words are cheap, and in your case, empty.

So, please pass on my thanks and congratulations to those staff who tried, and to those who succeeded and please cancel my contract. Please let me have an address for the phone – if you want it back. For the sake of your own company, you may also wish to conduct a little customer service training, in which case my partner, has a company that offers this professionally, and I'll be happy to put you in touch. He'd be delighted to make a difference to your organisation, as you have already to his, by dramatically increasing his stock of anecdotes for future training sessions.

I await your response, and your confirmation of the cancelled contract.

Yours sincerely,

Mary Alice