



ERGP (13) 31 – report on QoS and end-user satisfaction

# **ERGP REPORT 2013 ON THE QUALITY OF SERVICE AND END-USER SATISFACTION**



ERGP (13) 31 – report on QoS and end-user satisfaction

**Content**

0.	Executive summary	9
1.	Background	14
2.	Objectives	15
3.	Methodology	16
4.	Current situation regarding quality of service and end-user satisfaction	17
4.1.	Measurement of quality of service concerning transit time	17
4.1.1.	Measurement of domestic transit time of end-to-end services for single piece priority mail and first class mail for the USP - EN 13850	21
4.1.1.1.	Targets for priority single piece mail for 2011 - EN 13850	21
4.1.1.2.	Performance 2012	21
4.1.1.3.	Time assessment since 2008	23
4.1.1.4.	Force majeure	25
4.1.1.5.	Audit	26
4.1.1.6.	Current status of EN13850by country	26
4.1.1.7.	Measurement of cross-border mail flows	28
4.1.2.	Measurement of domestic transit time of end-to-end services for single piece non-priority mail and second class mail - EN 14508:2007	29
4.1.3.	Measurement of domestic transit time for parcels with track and trace system TR 15472:2006	30
4.1.4.	Other relevant indicators related to measurement of transit time	30
4.1.5.	Publication of information concerning quality of service	30
4.2.	Collection and delivery	31
4.2.1.	Requirements regardingthe frequency of collection and delivery relating to universal service	31
4.2.2	Exceptions to the guaranteed frequency of collection and delivery	32
4.2.3.	Monitoring of compliance with the requirements	34
4.2.4.	Has the NRA in your country defined the list of settlements located in exceptional geographical conditions?	34



ERGP (13) 31 – report on QoS and end-user satisfaction

4.3.	Access points	35
4.3.1.	Collection letterboxes	35
4.3.2.	Points of contact	36
4.4.	Measurement of consumer satisfaction	43
4.5.	Surveys regarding customers needs	45
5.	Current situation on the assessment of complaint handling procedures and consumer protection	47
5.1	Legal framework for complaint handling	47
5.1.1.	Legal basis	47
5.1.2.	Scope and competence	48
5.1.3.	Powers of NRAs with regard to complaint procedures	50
5.2	Information provisions and access to complaint handling procedures	53
5.3	Standard EN 14012 – Complaints handling principles	57
5.4	Compensation schemes for individual customers	59
5.5	Collection of data on complaints	61
6.	Conclusions on the current practices of the NRAs on the quality of service regulation and complaint handling procedures and consumer protection	65



ERGP (13) 31 – report on QoS and end-user satisfaction

<b>Tables</b>	<b>Page</b>
1. Answers about a regulatory objective for routing time (transit time) in 31 European countries	18
2. Answers of 31 European countries concerning measurements	19
3. Answers of 31 European countries concerning regulatory objective	20
4. Results (D+1) in 30 European countries (2008 – 2012) and targets of 2012	23
5. Number of accepted force majeure days/incidents and reasons in 2012	26
6. Summarising the state of EN 13850 by country	27
7. Country-specific information regarding the exception for the guaranteed frequency of collection	33
8. Requirements/standards to ensure an adequate number of collection letterboxes	35
9. Requirements/standards to ensure an adequate number of point of contacts/postal establishments	37
10. Requirements/standards concerning the opening hours of the postal establishments	38
11. The percentage of distribution of points of contact in each country	39
12. NRA uses/monitors measurement of consumer satisfaction	43
13. Surveys regarding customer needs	45
14. Links to research carried out to measure customer needs	45
15. NRA responsible for complaints	48
16. Other entities than NRA dealing with complaints	49
17. Type of other entities in charge of complaints of consumers	49
18. Alternative (or out-of-court) dispute resolution (ADR)	49
19. NRA acts as an ombudsman/mediator or solves the issue	50
20. Procedures to resolve complaint for universal services, services outside universal services, USP and non USP	51



ERGP (13) 31 – report on QoS and end-user satisfaction

21. Power to enforce the decision for universal services, services outside universal services, USP and non USP 31	52
22. Postal service providers obliged to publish information about procedures to complain, redress schemes and means of dispute resolution	53
23. NRA checks how information is published by postal service providers	54
24. NRA publishes information on procedures to complain, redress schemes and means of dispute resolution	54
25. Publication of the number of complaints by postal service providers	55
26. Publication of the number of complaints by NRAs	55
27. Regulation of complaint handling procedures	56
28. Implementation of standard EN 14012	57
29. Measurement according to standard EN 14012	58
30. Compensation schemes for individual customers	59
31. Collection of data on complaints about cross-border services	62
32. Data on complaints made by users to NRAs	63



<b>Figures</b>	<b>Page</b>
1. Targets and results (D+1) in 30 European countries in 2012	22
2. Results (D+1) in 29 European countries (2008–2012)	24
3. Average results (D+1) in European countries (2006-2012)	25
4. Targets and results 2012 for EN 14508 (D+3)	29
5. Number of collections per week relating to the universal service	31
6. Number of deliveries per week relating to the universal service	32
7. Reasons for exceptions regarding collection and delivery	33
8. Percentage change in the number of collection letterboxes per country from 2008 till 2012	36
9. Percentage by type of points of contact - 2012	40
10. Change in the number by type of points of contact from 2008 till 2012	41
11. Location of post agencies managed by third parties - 2012	42
12. Channels available for users to complain	56
13. Compensation schemes for individual customers by type of service failure	60
14. Mechanisms to make customers aware of compensation schemes	60
15. Definition of complaint	61
16. Collection of data on complaints by NRA	62
17. Complaints received by the USP by category in 2011	63
18. Complaints received by the USP by category in 2012	64



ERGP (13) 31 – report on QoS and end-user satisfaction

### **Terms and abbreviations**

CEN – Comité Européen de Normalisation / European Committee for Standardisation

IPC – International Post Corporation

NRA – National Regulatory Authority

US – Universal Service

USP – Universal Service Provider

USO – Universal Service Obligation



ERGP (13) 31 – report on QoS and end-user satisfaction

**Country codes**

AT – Austria	BE – Belgium	BG – Bulgaria	CH – Switzerland
CZ – Czech Republic	CY – Cyprus	DE – Germany	DK – Denmark
EE – Estonia	EL – Greece	ES – Spain	FI – Finland
FR – France	FYROM – Former Yugoslav Republic of Macedonia <sup>1</sup>	HR – Croatia	HU – Hungary
IE – Ireland	IS – Iceland	IT – Italy	LT – Lithuania
LU – Luxembourg	LV – Latvia	MT – Malta	NL – the Netherlands
NO – Norway	PL – Poland	PT – Portugal	RO – Romania
RS - Serbia	SE – Sweden	SI – Slovenia	SK – Slovakia
UK – United Kingdom			

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<sup>1</sup> FY is used in tables and figures for the Former Yugoslav Republic of Macedonia.





## **0. Executive summary**

### **- Background**

Chapters 6 and 9 of the Postal Directive 97/67/EC, as amended by Directives 2002/39 and 2008/6 stipulate that the national regulatory authorities (NRAs) shall ensure compliance with the obligations arising from the Directive, in particular through the follow-up of quality of service, complaint handling and consumer protection.

The Directive emphasises that postal reform has brought significant positive developments in the postal sector, along with increased quality and better customer focus. Increased competition will allow the service provided to ever more demanding users to be improved.

Quality of service standards are set and published in relation to the universal service in order to guarantee a postal service of good quality.

The ERGP will continuously monitor the effects of postal liberalisation through appropriate indicators and their development over time and the assessment of end-user complaint procedures to ensure that transparent, simple and inexpensive complaint procedures are available to users, particularly in cases involving loss, theft, damage or non-compliance with service quality standards and that consumers are protected according to the provisions of the Directive.

### **- Objective**

The goal of this report is to provide the necessary data to monitor and follow-up the quality of service and the complaint handling and consumer protection within the context of the regulatory measures taken in those fields.

### **- Current situation regarding the quality of service**

The quality of service and end-user satisfaction has been analysed with a view to the following 5 dimensions:

- 1° Measurement of the quality of service concerning transit time
- 2° Collection and delivery
- 3° Access points
- 4° Measurement of consumer satisfaction
- 5° Surveys regarding customers needs

#### **1° Measurement of the quality of service concerning transit time**

There are different standards to measure the quality of service concerning transit time. The most common measurement of transit time (with a regulatory objective) is the one for priority mail, followed by measurements of non-priority and parcels.



## ERGP (13) 31 – report on QoS and end-user satisfaction

The application of the standards for different products vary greatly across Europe but the standard most commonly used is EN 13850 (“Measurement of the transit time of end-to-end services for single piece priority mail and first class mail”). Because EN 13850 is mandatory, the indicators measured by it are an important source of information about the quality of the postal services.

In some countries the USP provides both priority and non-priority mail. There are a few other countries that do not serve priority mail within the USO or who do not make a distinction between priority and non-priority or have different categories.

Out of the 32 countries who answered the question concerning the implementation of standard EN 13850 only in Luxembourg and Serbia the standard is not yet implemented.

Regarding the measurement of cross-border mail flows in Europe the UNEX design complies with CEN standard EN 13850. The source of information for NRAs is mostly IPC (19 countries), followed by USP (11 countries) and UPU (1 country).

The quality performance is published in 17 countries (in 6 countries that include non-USP providers). NRAs monitor how this information is published in 15 countries for the USP and for non-USP in 5 countries.

### **2° Collection and delivery**

Regarding the frequency of collection and delivery to be made by the USP the responses received from Member States revealed that the Directive has been implemented by all and the rule is at least one collection/delivery for 5 days a week (a few countries have extended the obligations to 6 days per week).

Exceptions have been granted in many countries regarding frequency of collection and mostly for delivery. Responses from the 32 countries revealed that exceptions are mainly related to geographical features involving a character of exceptionality, among other reasons.

In the majority of cases the task of monitoring compliance with the requirements is assigned to the NRA. Nevertheless only a few NRAs have information about the percentage of population affected by the exceptions.

### **3° Access points**

The access point issue is very sensitive and this is shown by the fact that a vast majority of the countries consider it necessary to regulate the number of collection letterboxes and points of contact/postal establishments.

There are different types of points of contact at the European level. The most common is the permanent post office managed by the USP with a full range of services, then the permanent post agency managed by a 3rd party, followed by mail man providing postal services and finally permanent post office with limited range of services and mobile post office.



ERGP (13) 31 – report on QoS and end-user satisfaction

#### **4° Measurement of consumer satisfaction**

According to the responses 13 out of 30 NRAs (43%) use or monitor indicators of consumer satisfaction in their countries whilst 17 (57%) do not.

Surveys of consumer satisfaction are the principal method to identify levels of consumer satisfaction and are collected most often annually or every two years. The number of satisfaction indicators varies between NRAs depending on the nature of the research being undertaken and the size of the postal market

#### **5° Surveys regarding customers' needs**

12 (out of 31) NRAs have answered that they conduct market surveys, whereas 19 do not. Market surveys are often carried out annually or according to the need. The surveys are often conducted by an independent body. Different methods are used, such as telephone interviews, computer-assisted telephone interviews (CATIs), standardized questionnaires, face-to-face interviews.

#### **- Current situation regarding complaint handling and consumer protection**

The report examines five key issues in the field of complaint handling and consumer protection, namely:

- a) Legal framework regarding complaint handling
- b) Information provision on complaint handling procedures
- c) Standard EN 14012 – complaint handling principles
- d) Compensation schemes for individual customers
- e) Collection of data of complaints

#### **1° Legal framework regarding complaint handling**

Article 19 of the Postal Directive states that transparent, simple and inexpensive procedures should be made available by all postal service providers in order to deal with consumer complaints. The Directive also aims at increasing user-orientation and puts consumer issues in the very centre.

In most Member States (26) customers have at least one possible contact point (other than the USP/postal operators) that they can address themselves to if they have a complaint about postal services. In most Member States, the NRA is one of these contact points. The other contact points are usually consumer boards or ombudsmen, but in some countries also other authorities are involved (e.g. Chamber of Labour, Ministry). These other contact points can be specialised on postal complaints or be general consumer protection organisations.

In most countries (26) the NRA is generally responsible for dealing with complaints from users. The competence in handling the complaints, however, differs. In some countries this competence is restricted to services inside the universal service area that are provided by the USP or to services provided by the USP.



## ERGP (13) 31 – report on QoS and end-user satisfaction

All of the NRAs that receive complaints can give information to the customers about their respective rights, postal regulation etc. Most of the NRAs (17 out of 26 responses) act as an ombudsman/mediator or solve the issue and have the power to enforce their decisions, although in some countries this is restricted to services inside the universal service area that are provided by the USP or to services provided by the USP.

Most Member States (19 out of 31 responses) also have alternative dispute resolution (ADR), which customers can use before or instead of going to court.

### **2° Information provision on complaint handling procedures**

In most countries USPs are generally obliged to publish information about complaint handling procedures and redress schemes (27 and 23 responses respectively). In fewer cases the obligation covers also information on means of dispute resolution (14 countries).

Only in 7 countries the USP is the only provider obliged to publish information about complaints procedures, so in most cases the obligation also applies to other postal operators.

In almost all respondent countries (24 out of 29) NRAs check how the information is published by operators, and publish themselves information (23 out of 24) about complaints procedures, redress schemes and means of dispute resolution.

Regarding the number of complaints received, in most countries (23 out of 32) postal services providers are obliged to publish it and NRAs publish figures in most countries (23 out of 30), though most of them only refer to the complaints received by the USP.

### **3° Standard EN 14012 – complaint handling principles**

In a third of the countries USPs have implemented the CEN standard. However, concerning other postal service providers active in the universal service area the standard is implemented in 2 countries, while none of the other postal service providers have implemented it.

### **4° Compensation schemes for individual customers**

In most countries (19 out of 31) there is an obligation for a specific compensation scheme to be in place at least for the USP. The scope of this obligation varies between countries as to the type of postal services and the type of service failures to which it applies.



ERGP (13) 31 – report on QoS and end-user satisfaction

### **5° Collection of data of complaints**

Almost all NRAs collect data on complaints received by the USP on universal services (27 out of 31). Out of these, 18 indicated to collect data by category and 15 by service. Fewer NRAs collect data on complaints received by the USP about non-universal services (16 out of 31).

The majority of NRAs do not collect data on complaints received by other postal service providers active in the universal area about universal services or non-universal services (16 and 18 out of 31, respectively). Also the majority of NRAs do not collect data on complaints received by other postal service providers (18 out of 31).

The majority of the NRAs (16 out of 29) indicated that data on complaints about cross-border services are not collected.



## 1. Background

Chapter 6 of Postal Directive 97/67/EC, as amended by Directives 2002/39 and 2008/6, lays down that the national regulatory authorities (NRAs) shall ensure compliance with the obligations arising from the Directive, in particular through the follow-up of quality of service.

The Directive emphasises that the postal reform brought along significant positive developments in the postal sector, along with increased quality and better user orientation. Increased competition will allow the service provided to ever more demanding users to be improved.

Quality-of-service standards are established and published in relation to the universal service in order to guarantee a postal service of good quality. Quality standards have to focus, in particular, on routing times and on the regularity and reliability of services.

The European Commission established, by the decision of 10 August 2010<sup>2</sup>, the European Regulators Group for Postal Services (ERGP). The ERGP's tasks shall be:

- a) to advise and assist the Commission in consolidating the internal market for postal services;
- b) to advise and assist the Commission on any matter related to postal services within its competence;
- c) to advise and assist the Commission as to the development of the internal market for postal services and as to the consistent application in all Member States of the regulatory framework for postal services;
- d) to consult, in agreement with the Commission, extensively and at an early stage of its expert work with market participants, consumers and end-users in an open and transparent manner.

The ERGP Plenary approved the ERGP work programme for 2013. This programme includes the elaboration of a report on QoS indicators including cross-border QoS results and complaints. The ERGP will continuously monitor the effects of postal liberalisation through appropriate indicators and their development over time and assessment of end-user complaints procedures to ensure that consumers are protected according to the provisions of the Directive.

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<sup>2</sup> OJ C 217, 11.8.2010, p. 7.



## 2. Objectives

The report examines five key issues in the field of quality of service, namely:

- a) measurement of quality of service concerning transit time
- b) collection and delivery
- c) access points
- d) measurement of consumer satisfaction
- e) surveys regarding customers' needs

The report also examines five key issues in the field of complaint handling and consumer protection, namely:

- a) legal framework regarding complaint handling
- b) information provision on complaint handling procedures
- c) standard EN 14012 – complainthandlingprinciples
- d) compensation schemes for individual customers
- e) collection of data of complaints

The goals are to collect the necessary data to monitor quality of service and end-user satisfaction and the complaint handling and consumer protection within the context of the regulatory measures taken in those fields.

The document aims at:

- a) identifying the quality of service indicators needed by the NRA to carry out the tasks assigned to them by the Postal Directive and following up the consumer protection measures taken;
- b) reporting on the core quality of service indicators to monitor market development, evaluating the results of regulatory measures and also the consumer protection measures taken especially in the field of complaint handling;
- c) reporting on the core indicators to monitor complaint handling and consumer protection;
- d) evaluating the results of regulatory measures taken to protect consumers especially in the field of complaint handling.

The report looks at the current and past situation (starting point) of data collection and published indicators regarding quality of service.

Then it analyses this data and identifies market trends regarding quality of service, e.g. results of mail transit time, quality of delivery, customer satisfaction and development of the postal network. The objective is to update this report on an annual basis.

This ERGP report describes the current practices of NRAs concerning quality of service regulation, namely measurement indicators, use of European standards, assessment of the conformity of the measurements performed.

The report looks at the current legal framework regarding complaint handling and consumer protection and also the current scope, competencies and powers of NRAs. Also the provision of information on complaint handling procedures and implementation of the complaint handling standard EN 14012 is analysed in detail. Moreover, the document makes reference to compensation schemes in place and collects data regarding complaints.

In addition, this ERGP report describes the current practices of NRAs concerning complaint handling and consumer protection.



ERGP (13) 31 – report on QoS and end-user satisfaction

### **3. Methodology**

To obtain information regarding the quality of service and end-user satisfaction in the broad sense of the term including the complaint handling and consumer protection, a questionnaire has been issued to collect information on the current situation.

Of the 34 ERGP members 32 NRAs have provided feedback: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.

Furthermore, we would like to point out that the objective of the study is to have a picture of the current practices of NRAs regarding the quality of service, end-user satisfaction on the one hand and complaint handling and consumer protection on the other.

The analysis is primarily based on the answers provided to the questionnaires (June 2013), which in general, reflect the legislation and practice in place at the end of 2012.





#### **4. Current situation regarding quality of service and end-user satisfaction**

The quality of service and end-user satisfaction has been analysed with a view to the following 5 dimensions:

- 1° measurement of the quality of service concerning transit time
- 2° collection and delivery
- 3° access points
- 4° measurement of consumer satisfaction
- 5° surveys regarding customer needs

Of course other elements could also be used to monitor quality of service, end-user satisfaction and consumer protection but in this report the scope has been limited to the dimensions above.

We have also referred to the technical standards developed in the field of quality of service by CEN (European Committee for Standardisation) as laid down in Article 20 of the Directive.

##### **4.1 Measurement of quality of service concerning transit time**

The legal ground for measuring quality of service concerning transit time was laid down in Directive 97/67/EC (Chapters 6 & 7 and Annex 2). Concerning quality, Article 16 of the Directive 97/67/EC says:

*“Member States shall ensure that quality-of-service standards are set and published in relation to universal service in order to guarantee a postal service of good quality. Quality standards shall focus, in particular, on routing times and on the regularity and reliability of services.*

*....*

*Independent performance monitoring shall be carried out at least once a year by external bodies having no links with the universal service providers under standardized conditions to be specified in accordance with the procedure laid down in Article 21 and shall be the subject of reports published at least once a year.”*



ERGP (13) 31 – report on QoS and end-user satisfaction

Based on the ERGP questionnaire, the table below gives details regarding the regulatory objective for routing time (transit time) in the ERGP countries.

**Table 1 - Answers about a regulatory objective for routing time (transit time) in 31 European countries**

	Prioritymail	Non-prioritymail	Newspapers / periodicals	Parcels	Registered items	Other
AT	Yes	N/A	No	Yes	Yes	No
BE	Yes	Yes	No <sup>3</sup>	Yes	Yes	No
BG	Yes	Yes	No	Yes	No	No
HR	Yes	Yes	No	No	No	No
CY	Yes	N/A	No	No	No	No
CZ	Yes	N/A	No	No	No	No
DK	Yes	Yes	Yes	Yes	Yes	No
EE	Yes	No	No	No	No	No
FI	Yes	Yes	No	No	No	No
FR	Yes	Yes	No <sup>3</sup>	Yes	Yes	Yes
DE	Yes	N/A	No	Yes	No	No
EL	Yes	No	No	No	No	No
HU	Yes	Yes	No	Yes	No	Yes
IS						
IE	Yes	N/A	No	Yes	Yes	No
IT	Yes	N/A	No	No	No	No
LV	Yes	Yes	No	Yes	Yes	No
LT	Yes	Yes	No	No	Yes	No
LU	Yes	No	No	Yes	Yes	No
MT	Yes	N/A	Yes	Yes	Yes	Yes/No
NL	Yes	N/A	No	No	No	No
NO	Yes	Yes	No	Yes	No	No
PL	Yes	Yes	No	Yes	Yes	No
PT	Yes	Yes	Yes	Yes	No	No
FY	Yes	No	No	No	No	No
RO	Yes	No	No	No	No	No
RS <sup>4</sup>	/	/	/	/	/	/
SK	Yes	Yes	No	Yes	Yes	Yes
SI	Yes	Yes	No	Yes	Yes	No
ES	Yes <sup>5</sup>		No	Yes	No	No
SE	Yes	Yes	No	No	No	No
CH	Yes	Yes	No	Yes	No	No
UK	Yes	Yes	No	Yes	Yes	Yes
<b>Total Yes</b>	<b>31</b>	<b>17</b>	<b>3</b>	<b>19</b>	<b>13</b>	<b>4</b>

The most common measurement of transit time (with a regulatory objective) is the one for priority mail, followed by measurements of transit time for parcels and non-priority mail.

<sup>3</sup> Belgium and France have an objective for the public mission of press delivery.

<sup>4</sup> In Serbia a new ordinance on quality standards for the provision of universal postal service is going to be prepared.

<sup>5</sup> In Spain there is only one category of letter post without differentiation between “priority” and “non-priority” service.



ERGP (13) 31 – report on QoS and end-user satisfaction

The following standards were used for the measurements:

**Table 2 – Answers of 31 European countries concerning measurements**

	Priority mail	Non-priority mail	Newspapers / periodicals	Parcels	Registered items	Other
AT	EN 13850	N/A			EN 13850	
BE	EN 13850	EN 14508		Partly TR 15472	Partly TR 15472	Incoming cross-border letter EN 13850
BG	EN 13850	EN 14508	/	No Standard	/	/
HR	EN 13850	EN 14508				
CY	EN 13850	N/A				
CZ	EN 13850	N/A	not postal service			
DK	EN 13850	EN 14508	EN 14534	Other	UPU S10-9	
EE	EN 13850	/	/	/	/	/
FI	EN 13850	EN 13850	/	/	/	/
FR	EN 13850	EN 13850	/	Methodology that may be audited	On the basis of track and trace information	/
DE	EN 13850	N/A		None, full competition no standard used		
EL	EN 13850	/	/	/	/	/
HU	EN 13850	EN 14508 EN 14534		Other		
IS						
IE	EN 13850	N/A				
IT	EN 13850	N/A	/	/	/	/
LV	EN 13850	regulatory provisions	/	regulatory provisions	regulatory provisions	/
LT	EN 13850	EN 13850	/	/	EN 13850	/
LU	N/A	N/A	N/A	N/A	N/A	/
MT	EN 13850	EN 13850/	EN 14534	TR 15472	TR 15472	/
NL	EN 13850	N/A	/	/	/	/
NO	EN 13850	EN 13850				
PL	EN 13850	EN 14508				
PT	EN 13850	EN 14508	/	/	/	/
FY	EN 13850	/	/	/	/	/
RO	EN 13850	/	/	/	/	/
RS <sup>6</sup>	/	/	/	/	/	/
SK	EN 13850	EN 14508	/	Specific methodology	Specific methodology	Specific methodology
SI	EN 13850	EN 13850	EN 13580	TR 15472	EN 13850	
S	EN 13850	/	/	/	/	/
SE	EN 13850	EN 14508	EN 14534			
CH	EN 13850	EN 14508	/	Other		
UK	EN 13850	EN 13850 EN 14508		Standard parcels subject to 1st & 2nd class letter targets	Special delivery next day	European international delivery (incoming only) D+3

<sup>6</sup>See previous footnote



ERGP (13) 31 – report on QoS and end-user satisfaction

As to which of the following QoS dimensions of the universal service is a regulatory objective the NRAs answered as follows:

**Table 3 – Answers of 31 European countries concerning regulatory objective**

	<b>Routing time (transit time)</b>	<b>Loss or substantial delay (reliability)</b>	<b>Queuing time in post offices</b>
AT	Yes	No	No
BE	Yes	No	No
BG	Yes	No	No
HR	Yes	No	No
CY	Yes	No	No
CZ	Yes	No	No
DK	Yes	No	No
EE	Yes	No	No
FI	Yes	No	No
FR	Yes	Yes	No
DE	Yes	No	No
EL	Yes	Yes	No
HU	Yes	Yes	No
IS			
IE	Yes	No	No
IT	Yes	No	No
LV	Yes	Yes	Yes
LT	Yes	No	No
LU	Yes	No	No
MT	Yes	Yes	No
NL	Yes	No	No
NO	Yes	Yes	No
PL	Yes	No	No
PT	Yes	Yes	Yes
FY	Yes	Yes	No
RO	Yes	No	No
RS	Yes	Yes	No
SK	Yes	No	Yes
SI	Yes	Yes	No
ES	Yes	No	Yes
SE	Yes	No	No
CH	Yes	Yes, in progress	No
UK	Yes	Yes	No
<b>Total Yes</b>	<b>32</b>	<b>12</b>	<b>4</b>



ERGP (13) 31 – report on QoS and end-user satisfaction

Measuring the transit time is the most common regulatory objective (in 32 countries). For loss or substantial delay there is a regulatory objective in 11 countries and for queuing time in post offices there is a regulatory objective in 4 countries. Concerning loss or substantial delay of priority mail there is a regulatory objective in 6 countries.

#### **4.1.1. Measurement of domestic transit time of end-to-end services for single piece priority mail and first class mail for the USP - EN 13850**

This standard is the only mandatory one in all EU Member States. The legal ground was laid down in Directive 97/67/EC (Chapters 6 & 7 and Annex 2). The Directive also designated CEN (European Committee for Standardisation) as an organisation responsible for drawing up technical standards applicable in the postal sector.

Out of the 32 countries who answered the question concerning the implementation of standard EN 13850:2002+A1:2007 only in Luxembourg and Serbia the standard was not implemented.

##### **4.1.1.1. Targets for priority single piece mail for 2012 - EN 13850**

In 2012 targets for measuring the transit time of end-to-end priority mail in the domestic postal market were established in 30 countries. However, there is a high heterogeneity of targets. Table 1 shows the relatively low targets in Bulgaria, Germany and Finland (80%) compared to the relatively high targets in Austria (95%), the Czech Republic (95%), Luxembourg (95%), the Netherlands (95%), Slovakia (96%), Slovenia (95%) and Switzerland (97%).

The average value of targets (D+1) in all countries who answered the questionnaire was 89% in 2012. 16 countries have a target of 90% or more.

In Spain there is no D+1 target, as the target is established at D+3 because there is no priority class (target for D+3: 93%, Result (D+3): 96.38% (2012)).

##### **4.1.1.2. Performance 2012**

The results for 2012 exceeded (or equalled) those in 2011 for 18 countries. Luxembourg<sup>7</sup> (98.43%) has the highest result in 2012. The highest improvement so far was measured in Lithuania, Latvia and Poland.

The average value of results (D+1) in all countries who answered the questionnaire was 88.39%, which is higher than in the previous year (87.06%). 20 countries<sup>8</sup> achieved their targets. 8 countries<sup>9</sup> did not achieve their targets. Comparing to last year (2011), 16 countries improved the quality of time measurement (D+1) in 2012, 10 countries not improved their quality. 2 countries have the same quality of time measurement and in 2 countries the figures are not available.

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<sup>7</sup> Luxembourg does not monitor according to EN13850

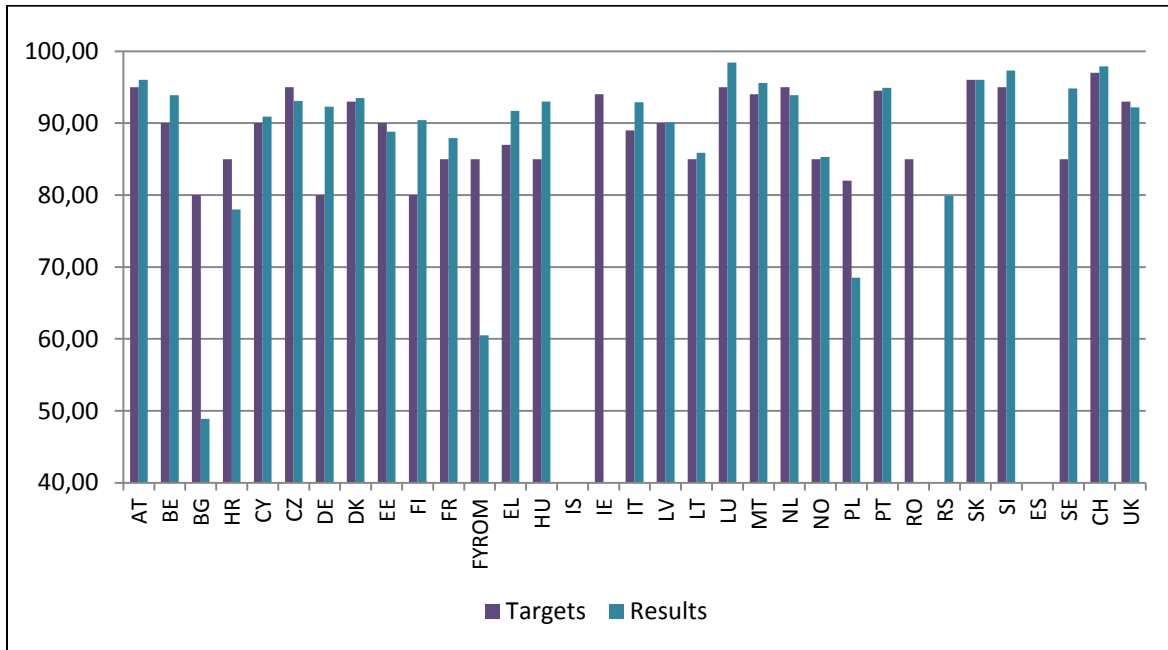
<sup>8</sup> AT, BE, CY, DK, FR, DE, EL, HU, IT, LU, LV, LT, MT, NO, PT, SE, SK, SI, CH

<sup>9</sup> BG, HR, CZ, EE, NL, PL, FY, UK



ERGP (13) 31 – report on QoS and end-user satisfaction

Figure 1 - Targets and results (D+1) in 30 European countries in 2012



It is also important to mention the efforts of non EU Member States (Norway, Former Yugoslav Republic of Macedonia and Switzerland) where the measurement of the quality of transit time is in place because they are CEN Members.



ERGP (13) 31 – report on QoS and end-user satisfaction

#### 4.1.1.3. Time assessment since 2008

Results in the period from 2008 until 2012 are taken from CERP<sup>10</sup> and ERGP<sup>11</sup> reports and targets of 2012.

**Table 4 - Results (D+1) in 31 European countries (2008 – 2012) and targets of 2012**

	2008	2009	2010	2011	2012	2012 Target
AT	n.a.	96.96%	confidential	96.96%	<b>96.02%</b>	95.00%
BE	93.80%	93.20%	93.30%	92%	<b>93.90%</b>	90.00%
BG	68.80%	84.20%	83.60%	88.10%	<b>48.90%</b>	80.00%
HR	72.10%	62.82%	78%	79.60%	<b>78.00%</b>	85.00%
CY	n.a.	86.40%	89.40%	87.40%	<b>90.90%</b>	90.00%
CZ	90.64%	92.09%	93.19%	92.15%	<b>93.09%</b>	95.00%
DK	93.70%	95.70%	93.70%	94%	<b>93.50%</b>	93.00%
EE	91.50%	93.80%	92.70%	87.20%	<b>88.80%</b>	90.00%
FI	n.a.	n.a.	n.a.	n.a.	<b>90.40%</b>	80.00%
FR	83.90%	84.70%	83.40%	87.30%	<b>87.90%</b>	85.00%
DE	>95%	94%	92.80%	93.70%	<b>92.30%</b>	80.00%
EL	79.90%	81.50%	87.70%	87.30%	<b>91.70%</b>	87.00%
HU	92.69%	93.05%	93.68%	93%	<b>93.00%</b>	85.00%
IS						
IE	79%	84%	85%	83%		94.00%
IT	n.a.	n.a.	n.a.	94%	<b>92.90%</b>	89.00%
LV	96.10%	n.a.	90%	86.90%	<b>90.10%</b>	90.00%
LT	76.00%	77%	64.95%	81.26%	<b>85.86%</b>	85.00%
LU	98.10%	97.93%	97.99%	97.38%	<b>98.43%</b>	95.00%
MT	93.29%	95.13%	95.09%	96.73%	<b>95.58%</b>	94.00%
NL	n.a.	95.20%	92.90%	96.10%	<b>93.90%</b>	95.00%
NO	87.10%	88.30%	83.50%	85.30%	<b>85.30%</b>	85.00%
PL	76.49%	52.70%	53.40%	63.40%	<b>68.50%</b>	82.00%
PT	95.00%	95.20%	94.70%	94.70%	<b>94.90%</b>	94.50%
FY	n.a.	n.a.	n.a.	57.20%	<b>60.52%</b>	85.00%
RO	19.50%	46.20%	56.20%	40.60%		85.00%
RS	44.14%	70.11%	70.49%	78.16%	<b>79.93%</b>	
SK	96.08%	96.10%	96.82%	96.28%	<b>96.01%</b>	96.00%
SI	92.00%	93.90%	95.50%	96.20%	<b>97.30%</b>	95.00%
SE	94.90%	95.70%	93.70%	94.50%	<b>94.80%</b>	85.00%
CH	95.90%	97.70%	97.20%	97.50%	<b>97.90%</b>	97.00%
UK	85.20%	87.90%	91.40%	92.70%	<b>92.20%</b>	93.00%

<sup>10</sup> CERP documents published on the CERP website:

<http://www.cept.org/cepr/deliverables/list-of-documents-%28history%29>:

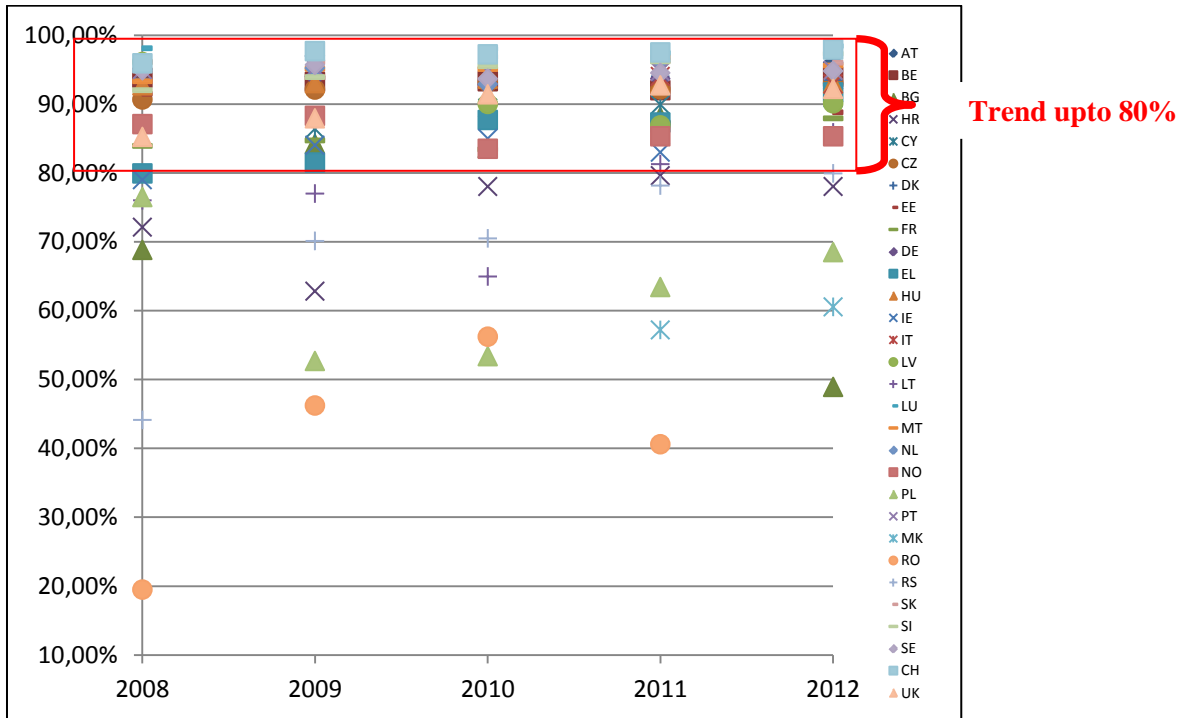
CERP Quality of Service Report 2008, Report Application of EN 13850, Report Implementation of CEN Standards, Report Implementation of CEN Standards I

<sup>11</sup> « Report on the quality of service and the end-user satisfaction » published on the ERGP website:

[http://ec.europa.eu/internal\\_market/ergp/documentation/documents\\_en.htm](http://ec.europa.eu/internal_market/ergp/documentation/documents_en.htm)



Figure 2 - Results (D+1) in 29 European countries (2008 – 2012)<sup>12</sup>



In the period from 2008 until 2012 results of (D+1) show constant improvement in most cases. In some countries one can notice an oscillation in results, while in just a few of them there is also a slight decline in quality of transit time.

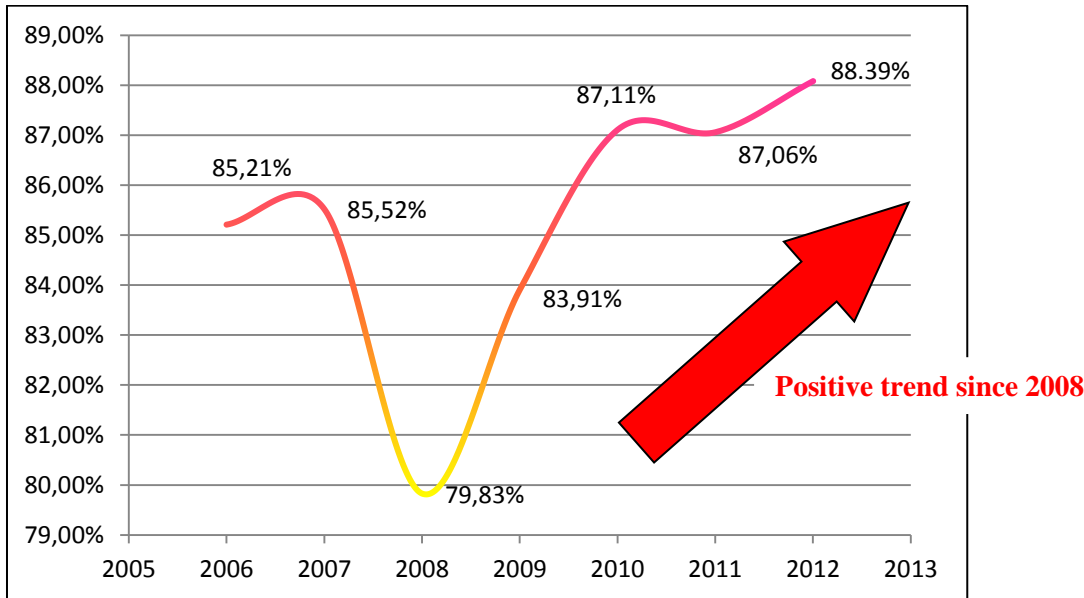
Average results of (D+1) in the period from 2006 until 2012 are shown in the figure below. The graph shows an improvement since 2008.

<sup>12</sup> Results are measured by 2006: data of 23 countries, 2007: data of 24 countries, 2008: data of 25 countries, 2009: data of 27 countries, 2010: data of 27 countries, 2011: data of 29 countries, 2012: data of 29 countries (Source: CERP and ERGP reports).





Figure 3 - Average results (D+1) in European countries (2006-2012)<sup>13</sup>



#### 4.1.1.4. Force majeure

The new standard EN 13850:2012 deals with “force majeure” saying that force majeure is a common principle with different approaches depending on history, knowledge e.g. The force majeure definition is standard and is derived from the Unidroit Principles of International Commercial Contracts (2004):

- Non-performance by a party is excused if that party proves that the non-performance was due to an impediment beyond its control and that it could not reasonably be expected to have taken the impediment into account at the time of the conclusion of the contract or to have avoided or overcome it or its consequences.
- When the impediment is only temporary, the excuse shall have effect for such period as is reasonable having regard to the effect of the impediment on the performance of the contract.
- The party who fails to perform must give notice to the other party of the impediment and its effect on its ability to perform.

The impediment mentioned above may affect the ability of the operator to perform as well as the ability of the independent performance monitoring organisation to measure.

As a result of the questionnaire in 2012, the range of accepted force majeure days was from 0 to 9 days (2011: 0 to 25 days). The following reasons were principally mentioned: extreme weather conditions, national strikes.

<sup>13</sup>Arithmetical average (D+1) (not taken into account the volumes of letters) is measured by comparing 2006: data of 23 countries, 2007: data of 24 countries, 2008: data of 25 countries, 2009: data of 27 countries, 2010: data of 27 countries, 2011: data of 29 countries, 2012: data of 29 countries (Source: CERP and ERGP reports).



In the table below 4 countries stated the number of force majeure days and reasons for those events.

**Table 5 – Number of accepted force majeure days/incidents and reasons in 2012**

Country	Numberofdays	Reasons
BE	6 days complete 2 days partly	Extreme weather conditions and national strike
EL	9	Extreme weather conditions and national strike
PT	6	National strike
UK	4802 incidents (2011-2012) <sup>14</sup>	Power failure, road closure, adverse weather, security incident and other emergency

It is important that NRAs have to keep a dialogue on force majeure events with the USP. All cases should be resolved immediately after the event in order not to delay the report at the end of the measurement period. This is especially advisable when internal preliminary reports are calculated for example on a monthly or quarterly basis.

#### 4.1.1.5. Audit

The EN 13850:2012 states that the measurement system shall be audited every three years. Exceptions to this rule are years during which the supplier changes, and/or changes to the methodology of the measurement occur. In these cases, the audit has to be done in the year following the year in which the changes took place.

It may also be that the NRA requires additional audits for domestic measurement systems.

In common agreement between the operator and the NRA, the audit or parts of the audit can be done by or assisted by the NRA. If this is the case, those parts of the study where the NRA itself has made a choice between options should be subject to audit by an additional external auditor independent of the NRA.

In the questionnaire information about the audit cycle that is implemented in 2012, 2013 or 2014 was asked. As a result the majority of NRAs have information about the audit cycle and also about results of the audits.

#### 4.1.1.6. Current status of EN 13850 by country

Concerning the implementation of standard EN 13850:2002+A1:2007 only in Luxembourg and Serbia the standard is not implemented.

<sup>14</sup> UK - As a result of regulatory changes in 2011, the USP is no longer required to apply to the NRA for dispensation due to force majeure incidents requiring adjustments to Quality of Service performance figures. The USP currently reports the number of individual delivery walk failures rather than 'days lost'. If the USP fails to meet its QoS targets, it can provide force majeure incident evidence to the NRA for its consideration to be taken into account in relation to possible enforcement action.



ERGP (13) 31 – report on QoS and end-user satisfaction

In the table below you will find the current status of EN 13850 in each country regarding:

- implementation;
- targets;
- consequences;
- national peculiarities;
- geographical stratification.

**Table 6 - Summarising the state of EN 13850 by country**

Question	Answer	Count	Country	% <sup>15</sup>
EN13850:2002+A1:2007 implemented?	Yes	30	AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IE, IT, LV, LT, MT, NL, NO, PL, PT, FY, RO, SK, SI, ES, SE, CH, UK	94%
	No	2	LU, RS	6%
Targets achieved in 2012?	Yes	20	AT, BE, CY, DK, FR, DE, EL, FI, HU, IT, LU, LV, LT, MT, NO, PT, SE, SK, SI, CH	71%
	No	8	BG, HR, CZ, EE, PL, FY, NL, UK	29%
Any consequences provided for in the legislation if target is not achieved?	Yes	29	AT, BE, BG, HR, CY, CZ, DE, DK, EE, FI, FR, EL, HU, IE, IT, LT, LU <sup>16</sup> , FY, MT, NL, PL, PT, RO, RS, SK, SI, SE, ES, UK	94%
	No	2	LV, CH	6%
National peculiarities <sup>17</sup>	Yes	14	AT, BE, BG, HR, DK, DE, EL, FI, IE, IT, PT, SK, CH, UK	48%
	No	15	CY, CZ, FR, HU, LV, LT, LU, MT, FY, NL, PL, RS, SE, SI, ES	52%
NRA received information about geographical stratification of the sample design for 2012 <sup>18</sup>	Yes	18	AT, BE, BG, HR, CZ, FR, EL, HU, IE, FY, MT, PL, PT, SK, SI, SE, ES, CH	58%
	No	13	CY, DK, IT, DE, FI, LV, LT, LU, NL, NO, RO, RS, UK	42%

<sup>15</sup> % of total answers

<sup>16</sup> In LU the ILR (NRA) is allowed to take the necessary corrective measures

<sup>17</sup> Geographical circumstances (e.g. islands, mountains, etc.).

<sup>18</sup> The question in the questionnaire was: "Please indicate if you as NRA receive information concerning the geographical stratification of the sample design based on the real mail study data of the measurement for 2012?"



#### ERGP (13) 31 – report on QoS and end-user satisfaction

In some countries the USP has not achieved the target in 2012. The following consequences were mentioned. For example:

- In Bulgaria an act was passed at the end of 2010. Accordingly for 2012 an independent organization measured the end-to-end transit time of single domestic priority letters of USP. However, only 1% of total volume of letters are single domestic priority letters in Bulgaria<sup>19</sup>.
- In Cyprus the USP is under examination.
- In the Czech Republic the NRA is still solving results from the audit. The USP is expected to be fined.
- In Romania for 2012 the USP has been sanctioned with a legal warning.

In the ERGP questionnaire it was asked who - concerning national legislation - is responsible for monitoring the USP's quality of service performance. In 21 countries this is the NRA or NRA commissioned consultant.

The measurement of domestic transit time is implemented mostly by sending test letters (21 countries) or by sending test letters with RFID (Radio frequency identification) (13 countries)<sup>20</sup>.

To resume, based on the ERGP research concerning the implementation of the standard EN 13850 (measurement of priority single piece mail), which is the only mandatory standard and has been revised in 2012, the following conclusions can be made:

1. Countries are aware of the fact that the new EN 13850 standard was published at the end of 2012, replacing the older version.
2. The targets for the measurement of transit time (D+1) among the countries participating in the research are in a similar range: 80% - 97%.
3. The results of the measurement of transit time (D+1) in 2012 are better than in 2011 and 19 countries achieved their prescribed targets.
4. In the period from 2008 until 2012 results of the measurement of transit time (D+1) have been improving.
5. EN 13850 allows national peculiarities to be taken into account. Fourteen countries did so in 2012.
6. Force majeure events occurred only in 4 countries in 2012. This is much less than in 2011.
7. In 18 countries NRAs have some information about geographical stratification for 2012.
8. Information about the audit cycle is available in 16 countries. The 2012/2013 audit results are available in 15 countries.

#### 4.1.1.7. Measurement of cross-border mail flows

In Europe the UNEX design<sup>21</sup> complies with the CEN standard EN 13850, which specifies the methodology for monitoring quality of service in the European Union. Compliance with this standard is mandatory for all Member States.

- Detailed results of 2012 annual review and historic data can be found on IPC's website <http://www.ipc.be/>
- Most NRAs have results about cross-border flows.

<sup>19</sup> For more information: [http://www.crc.bg/files/\\_en/Post\\_annual\\_report\\_2012\\_EN.pdf](http://www.crc.bg/files/_en/Post_annual_report_2012_EN.pdf)

<sup>20</sup> Multiple choices possible

<sup>21</sup> For more information: <http://www.ipc.be/en/Operational-services/Quality%20excellence/UNEX/Results>



ERGP (13) 31 – report on QoS and end-user satisfaction

- NRAs use the data from cross-border flows for a number of purposes, including reports, price cap systems which include a quality bonus, statistical purposes, publications, supervision of cross-border delivery, regulatory objectives relating to transit time for outbound intra-community and for further information.
- The source of information for NRAs is usually IPC (19 countries)<sup>22</sup>, USP (11) or UPU (1).

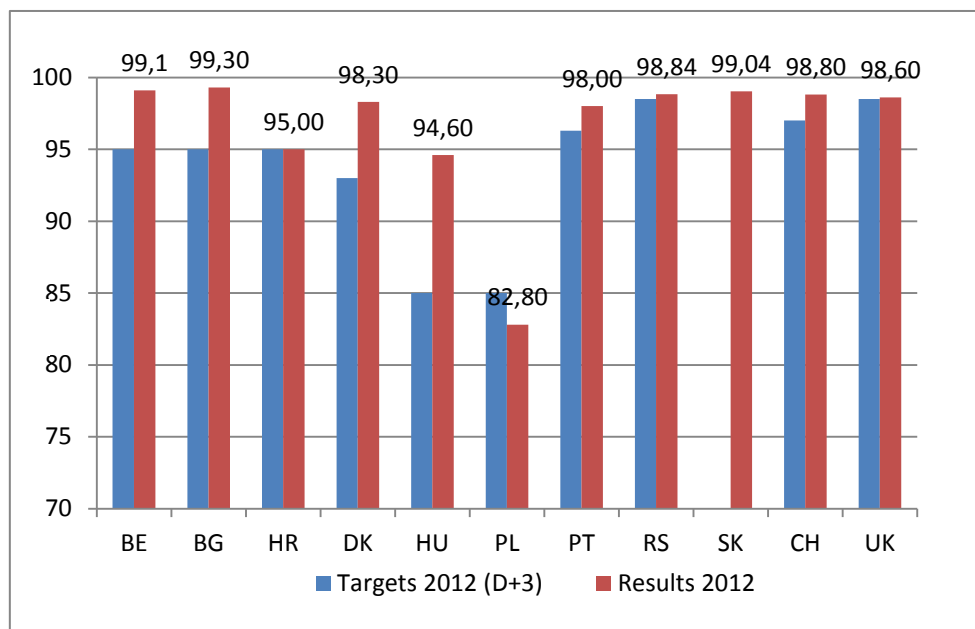
#### 4.1.2. Measurement of domestic transit time of end-to-end services for single piece non-priority mail and second class mail - EN 14508:2007

Standard EN 14508 (measurement of domestic transit time of end-to-end services for single piece non-priority mail and second class mail) is implemented in nine countries. However, based on results from the questionnaire, some countries have confirmed that no non-priority mail service is provided in their country or that they do not distinguish between priority and non-priority mail or that they do not have this qualification of mail at all.

There is a range of targets from D+2 to D+5, but most common targets are set for D+3. In 2012 these targets varied between 93% and 98.5%.

Eleven NRAs gave data for D+3 results. In general, the results for D+3 were good in 2012, with an average of 96.58%.

Figure 4 - Targets and results (figures) 2012 for EN 14508(D+3)



<sup>22</sup> Multiple choices possible



ERGP (13) 31 – report on QoS and end-user satisfaction

#### **4.1.3. Measurement of the domestic transit time for parcels with the track and trace system TR 15472:2006**

Technical report TR 15472 (measurement of the domestic transit time for parcels with the track and trace system) is fully or partly implemented in Austria, Belgium, Italy, Malta, Slovenia and Spain. Several countries also mentioned other measurements, not following the requirements of TR 15472.

Therefore the measurement of domestic transit time for parcels is evaluated in some countries with electronic stamps or with technical tools. Also real data are evaluated afterwards by the operation documents or the measurement follows the requirements for EN 13850 and EN 14508.

#### **4.1.4. Other relevant indicators related to measurement of transit time**

There are a few other indicators (only for USP):

- the measurement of single piece items of registered mail items,
- the measurement of incoming cross-border mail letters,
- the measurement of transit time for domestic newspaper and periodicals,
- the measurement of domestic transit time for postal money orders.

#### **4.1.5. Publication of information concerning quality of service**

Postal service providers in 17 countries are legally obliged to publish (for example on their websites) information about their performance on quality of service (USP: concerning transit time). In 6 countries there is a legal obligation for non-USP to publish information concerning transit time.

Concerning transit time, NRAs monitor how the information is published by postal service providers in 15 countries for the USP, for non-USP in 5 countries.



## 4.2. Collection and delivery

Concerning delivery, in Article 3 of the Directive 97/67/EC, as amended by Directive 2008/6/EC of the European Parliament and of the council of 20 February 2008, it is said:

*“Member States shall take steps to ensure that the universal service is guaranteed not less than five working days a week, save in circumstances or geographical conditions deemed exceptional, and that it includes as a minimum:*

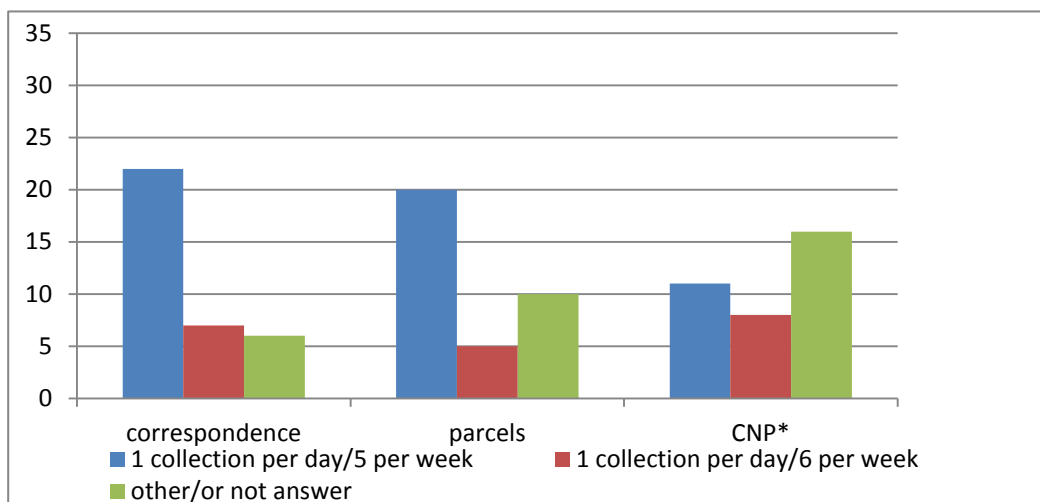
- one clearance,
- one delivery to the home or premises of every natural or legal person or, by way of derogation, under conditions at the discretion of the national regulatory authority, one delivery to appropriate installations.’

*Any exception or derogation granted by a national regulatory authority in accordance with this paragraph must be communicated to the Commission and to all national regulatory authorities.”*

### 4.2.1. Requirements on the frequency of collection and delivery relating to the universal service

Regarding the frequency of collections and delivery to be made by the universal service provider, the responses received from Member States have revealed that the Directive has been implemented by all and the rule is, with few exceptions, at least one collection/delivery for 5 days a week.

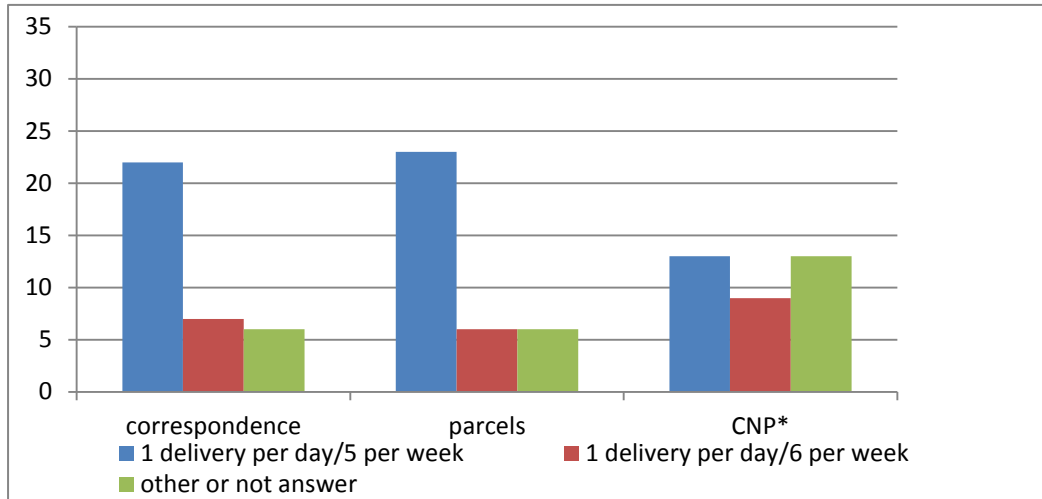
Figure 5– Number of collections per week relating to the universal service



\*catalogues, newspapers and periodicals



Figure 6– Number of deliveries per week relating to the universal service



\* catalogues, newspapers and periodicals

The exceptions are those countries in which the obligation to carry out the collection/delivery by the universal service provider was extended to 6 days a week (Austria, Denmark, Estonia, Norway, France, Malta, the Netherlands, Norway and UK).

A special case is represented by Hungary, where the universal service provider is obliged to provide at least 5 collections per day for five days a week and Bulgaria, where the universal service provider is obliged to ensure, in Sofia, the clearance for 6 days a week.

Regarding the frequency of collecting parcels to be performed by the universal service provider, in most Member States it is a collection 5 days a week. In France, Germany, The Netherlands, Malta, Norway and the UK this obligation was extended to 6 days per week.

For postal collection consisting of catalogues, periodicals and newspapers, this rule remains immutable (a collection day, 5 days per week) except in Austria, Belgium, Denmark, Estonia, France, Germany, Malta, the Netherlands and Norway, where this obligation was extended to 6 days per week.

#### 4.2.2. Exceptions to the guaranteed frequency of collection and delivery

Exceptions have been granted in many countries regarding frequency of collection and delivery. Answers from the 32 respondents revealed that in some countries the frequency of collections and deliveries in certain areas is affected by geographical features involving a character of exceptionality. Countries that were allowed to derogate from the frequency of collection and/ or collection required by the Directive are: Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Greece, Italy, Macedonia, Romania, Serbia, Slovenia, Sweden, Switzerland and the UK.





**Table 7 – Country-specific information regarding the exception to the guaranteed frequency of collection and/or delivery**

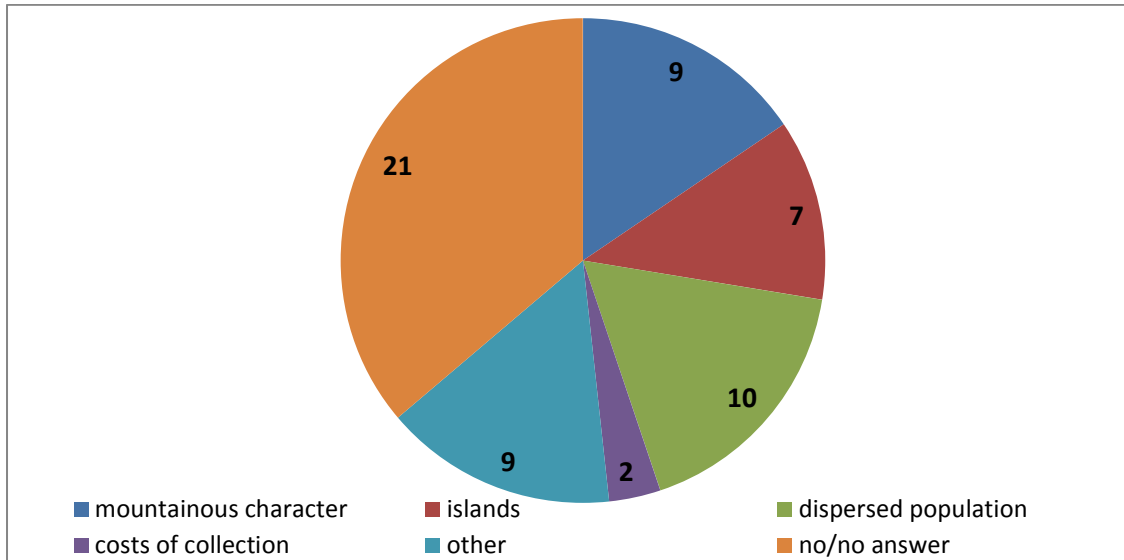
Question	Answer	Count	Country	%
Exceptions to the guaranteed frequency of collection and/or delivery	Yes	15	BG, CY, DK, EE, FI, FR, EL, IT, FY, RO, RS, SI, CH, SE, UK	47%
	No/no answer	17		53%

Two countries have cited only one reason for the exceptions both for collection and delivery. For the rest of the countries the reasons are complex, i.e. include more than one reason.

The most frequently mentioned reasons for the exceptions are as follows:

- mountainous and inaccessible character;
- depopulated areas, dispersed population;
- areas where public transport is not regularly provided;
- poor infrastructure (roads etc.);
- extreme weather conditions;
- insularity;
- fluctuation in the number of people depending on theseason.

**Figure 7 – Reasons for exceptions regarding collection and delivery**





#### **4.2.3. Monitoring of compliance with the requirements**

In the majority of countries the authority responsible for monitoring how the USP fulfils these obligations is the NRA.

However there are some exceptions:

- Greece: where a tripartite committee, consisting of the Ministry of Infrastructure, Transport and Telecommunications, the NRA and the USP is responsible for monitoring and
- Serbia: where monitoring is the responsibility of the competent ministry.

In most cases the monitoring is based on performing control actions and the failure frequency can entail the obligation to pay a fine.

In terms of percentage of the population affected by the exceptions to the collection/delivery rule, in most cases the respondents said they do not hold this information, possibly because this percentage is likely to fluctuate from year to year.

The only countries that have information regarding this and which reported the data, are:

- Bulgaria: less than 1%;
- Croatia: less than 10%;
- Finland: less than 300 households;
- Slovakia: 0.65%;
- Slovenia: 390 individual exemption based on a permanent list;
- UK: 3000 recipients in 2012.

#### **4.2.4. The list of settlements located in exceptional geographical conditions**

According to Paragraph 2 of Article 18 of the Postal Directive, where exceptional situations relating to infrastructure or geography so require, the national regulatory authorities may determine exemptions from the quality standards. Where national regulatory authorities determine exemptions in this manner, they have to notify the Commission forthwith. The Commission has to submit an annual report of the notifications received during the previous 12 months to the Committee referred to in Article 21 for its information.

This is the case in Bulgaria, Denmark, Greece, Romania and the UK, namely:

- Bulgaria - list updated whenever necessary.
- Denmark - list updated every 4-5 years.
- Greece - list updated every 18 months.
- Romania - list updated every two years.
- UK - list updated annually.

In all states where this list is regularly updated, it is published, often on the Internet, on the NRA webpage or on the USP webpage.



### 4.3 Access points

Article 2 of Directive 2008/06/EC defines **access points** as

*“physical facilities, including letterboxes provided for the public either on the public highway or at the premises of the postal service provider(s), where postal items may be deposited with the postal network by senders.”*

#### 4.3.1. Collection letterboxes

To this end the majority of responding countries with 31 NRAs (81%) have set requirements/standards to ensure that an adequate number of collection letterboxes are provided by the USP.

**Table 8 - Requirements/standards to ensure an adequate number of collection letterboxes**

Question	Answer	Count	Country	%
Requirements/standards to ensure an adequate number of collection letterboxes	Yes	26	AT,BE,BG,CY,CZ,DE,EE,EL,FI,HR,HU,IE,IT,LT,LV,MT,NL,NO,PL,FY,RO,RS,SK,SL,CH,UK	84%
	No	5	DK,ES,FR,LU,PT,	16%

The applicable criteria to ensure an adequate number of collection letterboxes that are most often mentioned are the following:

- number of collection letterboxes per locality;
- one collection letterbox per number of inhabitants depending on the type of the settlement (difference is marked between urban and rural areas);
- maximum distance that one has to travel to the collection letterbox;
- maximum (air) distance between neighbouring collection letterboxes.

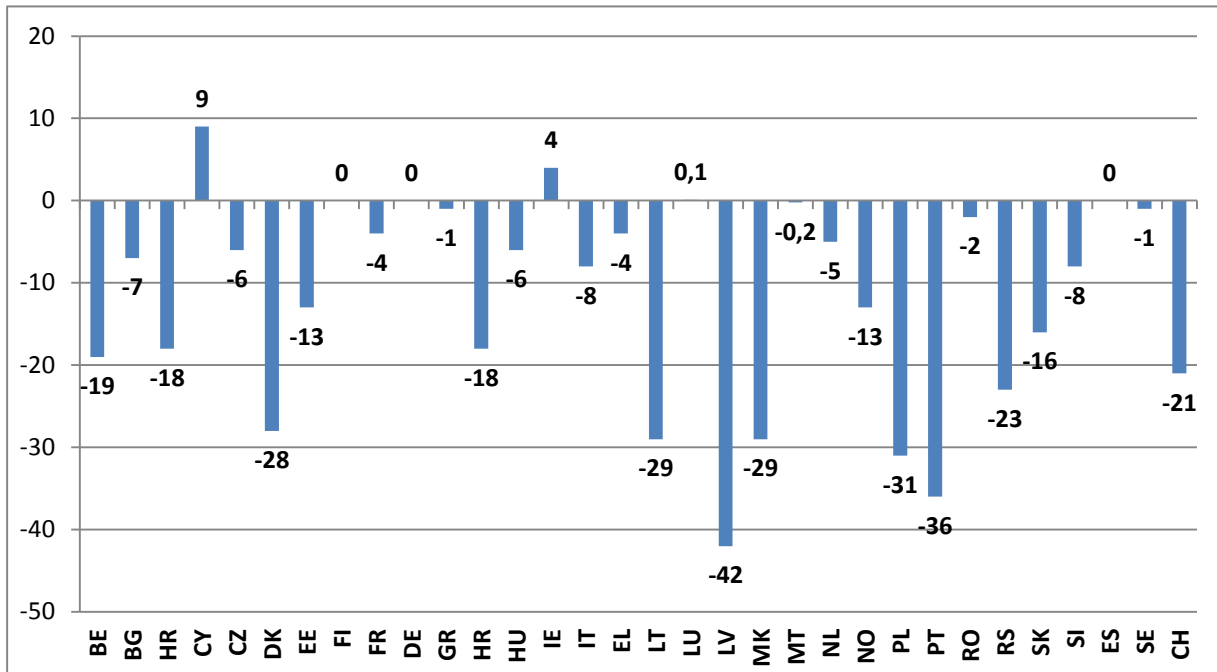
In addition, there are different combinations of the above criteria. It should be noted that the requirements in many countries differ regarding the criteria that apply to access points and for urban and rural areas. Most countries have specific metrics for the minimum number of collection boxes that should be in place in relation to population density and distance.

Interestingly, 4 NRAs - Norway, Poland, Slovenia, Sweden - require access to letter posting boxes to take account of the needs (or reasonable needs) of users.

One NRA (Poland) goes further in setting out that the percentage and location of ‘mail boxes’ should facilitate the use “by disabled persons in a wheelchair in particular boxes installed at the operator’s point of contact or on the premises used by the point of contact.”



Figure 8–Percentage change in the number of collection letterboxes per country from 2008 to 2012



#### 4.3.2. Points of contact

In Article 3, 2 of Directive 2008/06/EC the following is said about points of contact

*“Member States shall take steps to ensure that the density of the points of contact and of the access points takes account of the needs of users.”*

Those points of contact may be managed directly by postal operators (postal establishments) or be managed by third entities (such as retail stores...) or correspond to services directly provided by the mailman.

Keeping in mind the above-mentioned provision, Member States should ensure that sufficient access points are established taking into account users’ needs in order to satisfy the universal service obligation. It is also important to assure equal treatment of users in urban and rural areas and without prejudice of geographical conditions.

It is a difficult task to evaluate whether the density of access points corresponds to the necessary equilibrium between users’ needs and at the same time to the cost-efficient provision of the universal service. Post offices have an important social function and quite often they are seen as a last stronghold of the state in the small villages. Therefore the density of the access points is a particularly sensitive issue.



ERGP (13) 31 – report on QoS and end-user satisfaction

The table below shows the percentage distribution of NRAs in relation to requirements/standards to ensure an adequate number of points of contact/postal establishments with 28 NRAs (90%) confirming requirements/standards are in place in their countries and 3 NRAs (10%) who do not.

The same question concerning the existence of requirements/standards in respect of letter collection letterboxes shows that some countries have requirements for collection boxes but do not have requirements concerning the number of contact/postal establishments and vice versa.

**Table 9 –Requirements/standards to ensure an adequate number of points of contact/postal establishments**

Question	Answer	Count	Country	%
Requirements/standards to ensure an adequate number of points of contact/postal establishments	Yes	28	AT, BE, BG, CY, CZ, DE, DK, FI, FR, HR, EE, EL, HU, LU, IT, LT, LV, MT, NL, NO, PL, FY, RO, RS, SK, SL, CH, UK	90%
	No	3	IE,PT,ES,	10%

The criteria applied for an adequate number of points of contact/postal establishments are partly repeated for an adequate number of collection letterboxes, namely:

- number of postal establishments per locality;
- one postal establishment per number of inhabitants, which could depend on the size of the settlement. Also differences between rural and urban areas are not an exception;
- maximum distance that one has to travel to the nearest postal establishment;
- maximum (air) distance between neighbouring postal establishments.

In addition to these common criteria other criteria can be cited:

- minimum number of post offices, providing UPS or full range of postal services;
- percentage of population at certain distance from the postal establishment.

The more stringent requirements imposed by some NRAs are indicative of the attention being given to this issue with a more prescriptive approach in regulating access points. Generally, a combination of criteria is used, which varies between countries and depends on the geographic and demographic peculiarities.

Expanding on the challenge of providing access for the disabled, 7 NRAs provided further information regarding the number of points of contact equipped for disabled persons and 4 NRAs (Cyprus, Poland, Spain and Sweden) require a high level of access (90 - 100%) for disabled persons to permanent post offices.

Based on the information collected from NRAs regarding the evolution in the number of permanent post offices managed by the USP since 2008 to 2012, the general trend observed in most countries is one of continued decline in the number of permanent post offices managed by the USP in favour of an increase in the number of permanent post agencies managed by a third party. However, 2 NRAs (Czech Republic and Greece) show a decline in both permanent post offices managed by the USP and post agencies managed by a third party. In contrast to this, one NRA (Cyprus) has seen a notable increase in the number of permanent post offices managed by the USP and a decrease in those managed by a third party.



ERGP (13) 31 – report on QoS and end-user satisfaction

The main reasons for the decrease in the number of USP managed permanent post offices is largely attributable to the reduction and/or migration of the population in some locations, which combined with a decrease in letter mail volumes, required an optimisation/reorganization of the number and location of the collection points. Cost reduction is another important factor, closely tied to this.

**Table 10 –Requirements/standards concerning the opening hours of the postal establishments**

Question	Answer	Count	Country	%
Requirements/standards concerning the opening hours of the postal establishments	Yes	17	AT,BE,HR,CY,CZ,DK,EE,DE,EL,HU,IT,MT,FY,RO,RS,SK,SL,	55%
	No	14	BG,FI,FR,IE,LV,LT,LU,NL,PL,PT,ES,SE,CH,UK	45%

17 (55%) NRAs regulate the opening hours of postal establishments in their countries, whilst 14 (45%) do not. The degree of regulation varies between countries as do the criteria used but generally, a combination of common criteria is used by countries. Two NRAs have more stringent requirements in place and adopt a more prescriptive approach in setting out requirements for opening hours of postal establishments.

By way of example, some of the more detailed requirements determine the number of working days, earliest and latest opening time, full time, part time and extended working time, which is often tied to the number of inhabitants. Hungary and Slovakia illustrate very detailed requirements in this direction.

Article 3, 1 of Directive 2008/06/EC stipulates

*“Member States shall ensure that users enjoy the right to a universal service involving the permanent provision of a postal service of specified quality at all points in their territory at affordable prices for all users.”*

The table below illustrates the percentage of distribution of points of contact in each of the countries in 2012.



ERGP (13) 31 – report on QoS and end-user satisfaction

Table 11 - The percentage of distribution of points of contact in each country

	Permanent PO full range of services	Permanent PO limited range of services	Mobile post offices (e.g. travelling van) managed by the USP	Mailman 1 <sup>23</sup>	Mailman 2 <sup>24</sup>	Seasonal post office	Permanent PA managed by 3rd entity	Other
Austria	29						71	
Belgium	49						51	
Bulgaria	54	1		45				
Croatia	99.6		0.09			0.28		
Cyprus	6						94	
Czech Rep.	49.40	0.21			48.94		1.45	
Denmark	8.2						75.8	16
Estonia								
Finland	9.4						74.9	15.7
France	58						42	
Germany								
Greece	15	1		57			14	14
Hungary	84		16					
Ireland	4.3						95.7	
Italy	99.74		0.20			0.06		
Latvia	99	1		1			1	
Lithuania	82.4	1.7	15.9					
Luxembourg	76.92						23.08	
Malta	52.38		3.18				44.44	
FYROM	96.37	0.91		100		0.91	1.81	
Netherlands								
Norway	6		54			40		
Poland	75						25	
Portugal	28.9		0.3				70.8	
Romania								
Serbia	64.58	19.74					15.68	
Slovakia	92.40	4.50					2.80	
Slovenia	527*	2*	24*		0	1		
Spain	24.74	7.55		67.71	67.71	67.71		
Sweden	7	0		0	57		36	
Switzerland	49	0.08	0.14	36	36		14	

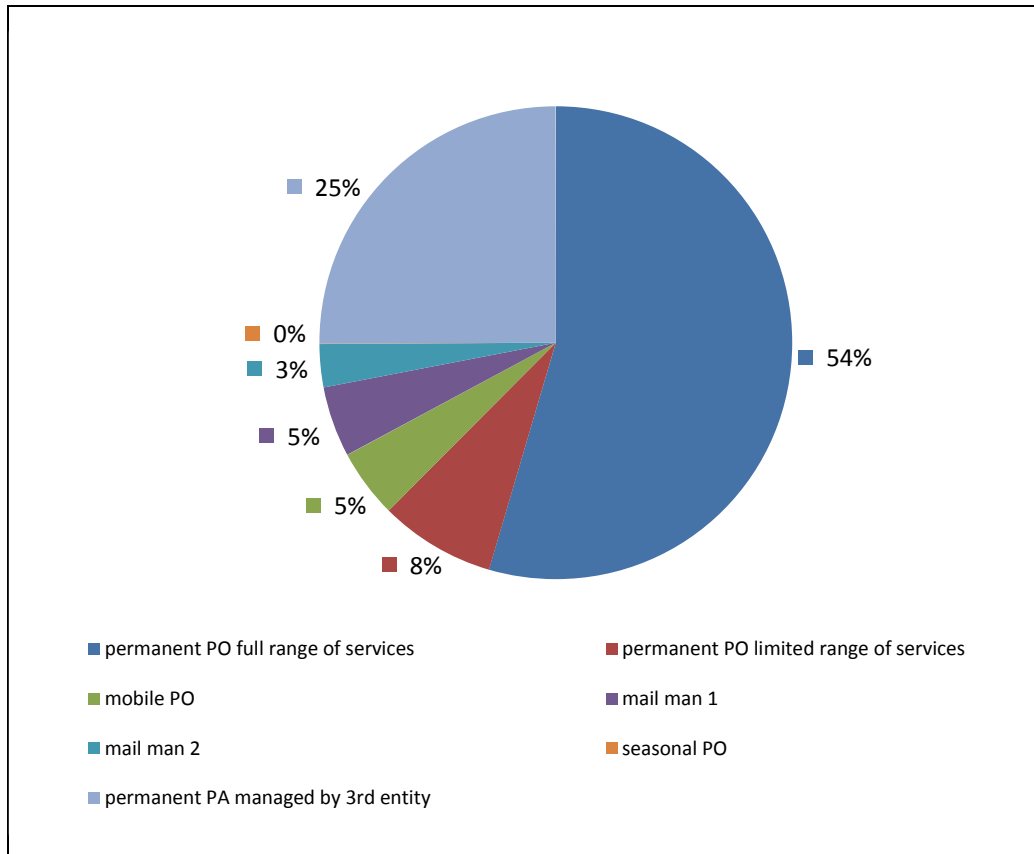
\*Slovenia provided data not expressed as a percentage

<sup>23</sup> Full range of services offered by postman of the USP<sup>24</sup> Basic services offered by postman of the USP

<sup>24</sup> Basic services offered by postman of the USP



Figure 9 - Percentage by type of points of contact 2012



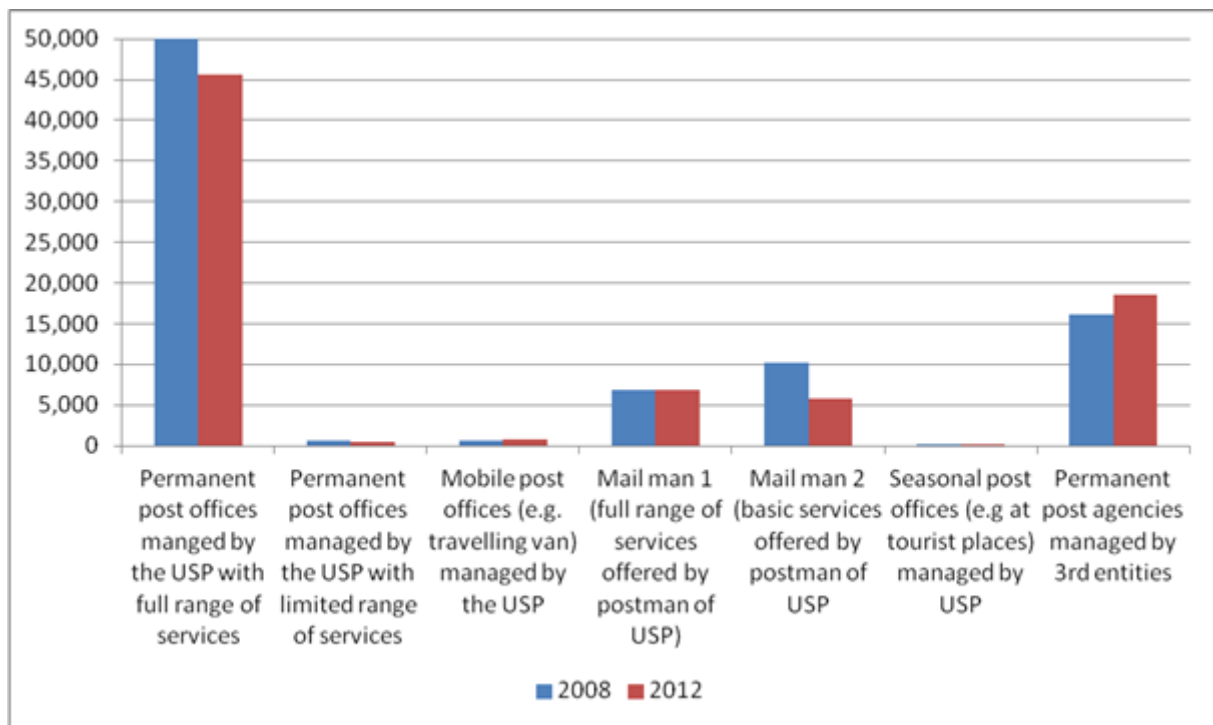
The most common type of points of contact at the European level remains access to a permanent post office with full range of services in every European country. This is followed by ‘permanent post agency managed by a 3<sup>rd</sup> entity’, then by mail man providing postal services and finally ‘permanent post offices with a limited range of services’ and ‘mobile post offices’.





The figure below illustrates the change in the number by type of points of contact between 2008 and 2012.

**Figure 10 - Change in the number by type of points of contact from 2008 till 2012**



There is continued decrease in the number of ‘permanent post offices offering a full range of services’ and also in the number of ‘permanent post offices with limited range of services’<sup>25</sup>. ‘Mail man 2 basic services’ offered by USP sees a decrease and ‘Mail man 1 services’ remains stable. In contrast there is continued growth in the number of ‘post agencies managed by a 3rd entity’.

The decrease in the number of permanent post offices with a full range of services reflects the growing trend to run post offices with a limited range of services.

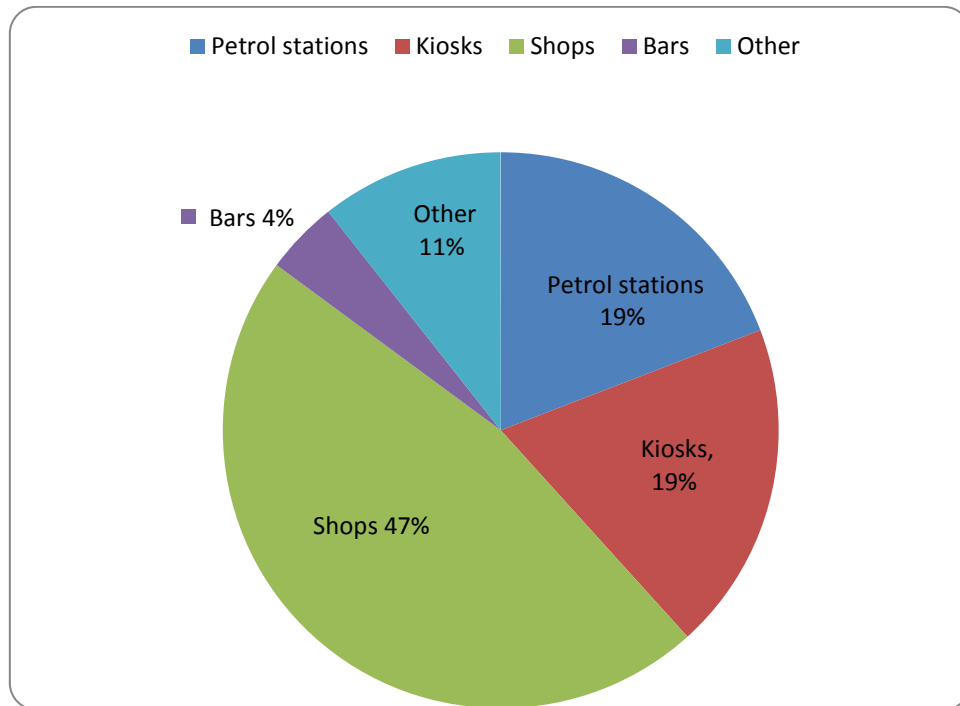
Information has also been collected regarding the range of services offered by post agencies managed by third parties, which shows countries have different approaches. In a majority of countries third party post offices offer a full range of postal services<sup>26</sup> whilst in other countries post agencies provide a full range of universal services and these are situated in various locations.

<sup>25</sup> There is a notable decline in the number of permanent post offices offering a limited range of services for 2008-2012 when compared with trend data for 2011-2012, which show an increase in this category.

<sup>26</sup> May include either regulated or non-regulated products and services or both



Figure 11 - Location of third party managed post agencies -2012



Source: ERGP (23 NRAs) – Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, France, Germany, Greece, Ireland, Latvia, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Former Yugoslav Republic of Macedonia, Romania, Serbia, Slovakia, Sweden, Switzerland,

Post agencies managed by third entities are mainly located in shops-food retailing (47%), followed by kiosks and petrol stations (19%) and other (11%). The lowest share is attributable to bars (4%).



#### 4.4 Measurement of consumer satisfaction

There has been a slight decrease in the number of NRAs (less 4 in 2012) who stated they have measures in place to monitor consumer satisfaction. This brings the total number of NRAs monitoring consumer satisfaction to less than half. However, the overall trend of those NRAs monitoring consumer satisfaction remains relatively consistent. The resources required to undertake monitoring must also be taken account of when deciding to engage a monitoring programme and it may be exclusive and resource-intensive to do so.

According to the responses to the 2013 questionnaire 13 (43%) out of 30 NRAs use or monitor indicators of consumer satisfaction in their country whilst 17 (57%) NRAs do not use or monitor consumer satisfaction.

**Table 12- NRA uses/monitors measurement of consumer satisfaction**

Question	Answer	Count	Country	%
Do you use/monitor indicators of consumer satisfaction in your country?	Yes	13	BE, FI, HU, IE, LT, FY, MT, PT, RO, RS, SI, SK, UK	43%
	No	17	AT, BG, CH, CY, CZ, DE, DK, EE, ES, FR, EL, IT, LU, LV, NL, NO, PL	57%

Two NRAs (Lithuania and Portugal), conduct consumer satisfaction surveys on a twice yearly basis and publish results. Serbia conducted market research in January 2011 and January 2012 on the needs of users of the universal postal service. Slovakia requires the USP by legal obligation to submit annual reports to the NRA on levels of consumer satisfaction with the universal service and to report on steps to improve its performance in identified areas. One NRA (UK) uses continuous tracking surveys on a quarterly basis covering consumers and business consumers on a number of satisfaction indicators.

The number of satisfaction indicators monitored varies between NRAs and this depends on the nature of the research being undertaken and the objectives of the research. Two NRAs require the USP by legal obligation to have consumer satisfaction measures in place.

One NRA (Hungary) has satisfaction indicators for private consumers and SMEs for accessibility of postal services and satisfaction with the quality of services provided and uses a scoring index of 1-5.

One NRA (Portugal) asks consumers to grade from 1 to 10 on the following:

- changes in postal services provision since the previous year;
- quality of the services provided in post offices managed by the USP and in post agencies managed by a 3rd entity, namely: level of satisfaction with location, opening hours, queue time, availability of information, accessibility for disabled people, complaint handling.



#### ERGP (13) 31 – report on QoS and end-user satisfaction

The results from the 2013 questionnaire show that of the NRAs that use/monitor indicators of consumer satisfaction, market surveys are used as the main method to identify levels of consumer satisfaction and this ranges in frequency from adhoc to annual to twice yearly surveys. The number of satisfaction indicators varies between NRAs depending on the nature of the research being undertaken, the size of the postal market and their capability to conduct research given individual circumstances and regulatory framework.



#### 4.5. Surveys regarding customers' needs

In terms of surveys regarding consumer needs, 12 NRAs (39%) responded that they conduct market surveys and 19 NRAs (61%) do not. This represents a slight decrease in the number of NRAs collecting data from 2012, figures of 14 and 17 respectively.

**Table 13 - Surveys regarding customer needs**

Question	Answer	Count	Country	%
Do you conduct market surveys?	Yes	12	BE, CY, EL, FI, FR, IE, LT, MT, PT, RS, SI, UK	39%
	No	19	AT, BG, CH, CZ, DK, DE, EE, ES, HR, HU, IT, LV, LU, NO, PL, FY, RO, SE, SK	61%

Generally, the market surveys are mostly carried out annually or on an ad hoc basis to serve regulatory needs. Usually, the surveys are conducted by an independent body. Different methodologies are used including telephone interviews/computer-assisted telephone interviews (CATIs), standardised questionnaires, and face to face interviews.

With regard to specific surveys regarding consumer needs, 10 NRAs responded that they had conducted such surveys to better understand the needs of postal users and 7 NRAs provided further details by way of web links. In contrast 15 NRAs (43%) responded that they do not conduct surveys regarding consumer needs. Greece and Portugal conducted research in 2012 with Greece specifically targeting 'habit and usage' patterns of business and private consumers. France and the United Kingdom undertook detailed studies to better understand the needs of postal users in 2011 and 2013 respectively.

**Table 14 - Links to research carried out to measure customer needs**

<p><b>Belgium</b></p> <p>A detailed description of the results of the survey regarding consumer needs of professional users of 2010((Dutch/French - 2011))  <a href="http://www.bipt.be/ShowDoc.aspx?objectID=3389&amp;lang=nL">http://www.bipt.be/ShowDoc.aspx?objectID=3389&amp;lang=nL</a></p>
<p><b>Croatia</b></p> <p>During 2008 and 2010 Croatia conducted field research about consumer satisfaction as well as consumer needs. The first report relates to private customers, their satisfaction and needs, and the second one to business customers.  <a href="http://www.hakom.hr/UserDocsImages/dokumenti/Istraživanje%20o%20zadovoljstvu%20i%20korištenju%20poštanskih%20usluga%20u%20RH.pdf">http://www.hakom.hr/UserDocsImages/dokumenti/Istraživanje%20o%20zadovoljstvu%20i%20korištenju%20poštanskih%20usluga%20u%20RH.pdf</a>   <a href="http://www.hakom.hr/UserDocsImages/Istraživanje%20o%20zadovoljstvu%20i%20korištenju%20poštanskih%20usluga%20u%20Republici%20Hrvatskoj%20-%20dio%20II%20-%20poslovni%20subjekti.pdf">http://www.hakom.hr/UserDocsImages/Istraživanje%20o%20zadovoljstvu%20i%20korištenju%20poštanskih%20usluga%20u%20Republici%20Hrvatskoj%20-%20dio%20II%20-%20poslovni%20subjekti.pdf</a></p>



<p><b>Greece</b></p> <p>Adhoc market research undertaken to identify habit and usage patterns of consumers. Conducted this survey in 2012 targeting large businesses and postal users to identify possible areas for improvement for postal services</p> <p><a href="http://www.eett.gr/opencms/export/sites/default/EETT/Events/Events/PostForum2011/Papavissarion_130411.pdf">http://www.eett.gr/opencms/export/sites/default/EETT/Events/Events/PostForum2011/Papavissarion_130411.pdf</a></p>
<p><b>Ireland</b></p> <p><a href="http://www.comreg.ie/publications/consumer_postal_users_survey.583.104413.p.html">http://www.comreg.ie/publications/consumer_postal_users_survey.583.104413.p.html</a></p> <p>Consumer Survey <a href="http://www.comreg.ie/fileupload/publications/ComReg1367b.pdf">http://www.comreg.ie/fileupload/publications/ComReg1367b.pdf</a></p> <p>SME Survey <a href="http://www.comreg.ie/fileupload/publications/ComReg1367a.pdf">http://www.comreg.ie/fileupload/publications/ComReg1367a.pdf</a></p>
<p><b>Malta</b></p> <p><a href="http://www.mca.org.mt/consumer/surveys/consumer-perception-survey-households-postal-services?language=en">http://www.mca.org.mt/consumer/surveys/consumer-perception-survey-households-postal-services?language=en</a></p> <p><a href="http://www.mca.org.mt/consumer/surveys/micro-businesses-perception-survey-postal-services?language=en">http://www.mca.org.mt/consumer/surveys/micro-businesses-perception-survey-postal-services?language=en</a></p> <p><a href="http://www.mca.org.mt/service-providers/surveys/large-bulk-mailers-perception-survey-postal-services?language=en">http://www.mca.org.mt/service-providers/surveys/large-bulk-mailers-perception-survey-postal-services?language=en</a></p>
<p><b>Netherlands</b></p> <p>Annual surveys conducted</p> <p><a href="https://www.acm.nl/nl/publicaties/publicatie/11052/De-Nederlandse-postmarkt-in-2011/">https://www.acm.nl/nl/publicaties/publicatie/11052/De-Nederlandse-postmarkt-in-2011/</a></p>
<p><b>Portugal</b></p> <p>Market surveys conducted every two years; 2012 results available in English at:</p> <p><a href="http://www.anacom.pt/render.jsp?contentId=1166565">http://www.anacom.pt/render.jsp?contentId=1166565</a></p>
<p><b>Slovenia</b></p> <p><a href="http://www.apek.si/raziskave-o-zadovoljstvu-uporabnikov">http://www.apek.si/raziskave-o-zadovoljstvu-uporabnikov</a></p>
<p><b>United Kingdom</b></p> <p>Market research undertaken aimed at identifying ‘reasonable needs of users’. Study published March 2013</p> <p><a href="http://stakeholders.ofcom.org.uk/consultations/review-of-user-needs/statement/">http://stakeholders.ofcom.org.uk/consultations/review-of-user-needs/statement/</a></p>



## **5. Current situation on the assessment of complaint handling procedures and consumer protection**

### **5.1 Legal framework on complaint handling**

This chapter is dealing with the legal framework on complaint handling. First of all it illustrates in some more detail the respective legal basis as set within the Postal Directives. Secondly, it evaluates on the scope and the competence of the NRAs in handling complaints on postal services and it looks at the other organisations a consumer can address himself to in case of a complaint.

#### **5.1.1. Legal basis**

This section analyses the legal basis with regard to postal users' complaints as set out in the Postal Directive. It recalls the basic principles enshrined within this legal framework. Furthermore it elaborates on the respective recitals dealing with the issue of consumer protection/complaint procedures. Finally this section is referring to two Commission recommendations dealing with principles which are applicable to bodies responsible in the area of out-of-court settlement consumer disputes.

Article 19, subparagraph 1, of the Postal Directive stipulates that “Member States shall ensure that transparent, simple and inexpensive procedures are made available by all postal service providers for dealing with postal users' complaints, particularly in cases involving loss, theft, damage or non-compliance with service quality standards (including procedures for determining where responsibility lies in cases where more than one operator is involved), without prejudice to relevant international and national provisions on compensation schemes”.

Furthermore, Article 19, subparagraph 2, of Directive 2008/6/EC provides that “Member States shall adopt measures to ensure that the procedures referred to in the first subparagraph enable disputes to be settled fairly and promptly with provision, where warranted, for a system of reimbursement and/or compensation. Member States shall also encourage the development of independent out-of-court schemes for the resolution of disputes between postal service providers and users.”

Finally, it is required to “ensure that users, acting individually or, where permitted by national law, jointly with organisations representing the interests of users and/or consumers, may bring before the competent national authority cases where users' complaints to undertakings providing postal services within the scope of the universal service have not been satisfactorily resolved”. (Article 19 (2))

Within recital 42 of Directive 2008/6/EC the following further information is provided with regard to consumer protection/complaint procedures: “In line with existing rules in other service areas and in order to increase consumer protection, it is appropriate to extend the application of minimum principles concerning complaint procedures beyond universal service providers.”



Furthermore and with regard to the issue of complaint handling procedures, this recital is referring to two Commission recommendations dealing with principles which are applicable to bodies responsible in the area of out-of-court settlement consumer disputes. Within these recommendations various principles such as independence/impartiality, transparency, effectiveness, fairness and legality are stated and explained in more detail which should be observed by the responsible bodies for out-of-court settlement of disputes. In this context the recital is stating that “with a view to increasing the effectiveness of complaint handling procedures, it is appropriate to encourage the use of out-of-court settlement procedures as set out in Commission Recommendation 98/257/EC, of 30 March 1998, on the principles applicable to the bodies responsible for out-of-court settlement of consumer disputes and Commission Recommendation 2001/310/EC, of 4 April 2001, on the principle for out-of-court bodies involved in the consensual resolution of consumer disputes.”<sup>27</sup>

### 5.1.2. Scope and competence

This section analyses the competence of the NRAs in handling complaints on postal services and looks at other organisations a consumer can refer to in case of a complaint. In the following section the competence of those NRAs that have the competence for dealing with user complaints are analysed.

In most countries the relevant NRA is generally responsible for dealing with complaints from users. The competence in handling the complaints, however, differs.

**Table 15 - NRA responsible for complaints<sup>28</sup>**

Question	Answer	Count	Country	%
Is NRA responsible for complaints?	Yes	26	AT, BE, BG, FI, HR, CY, CZ, DK, EE, FR, DE, EL, HU, IT, LV, LT, LU, MT, PT, FY, RS, SK, SI, SE, ES, CH	90
	No	3	PL, UK, RO	10

Most countries still have bodies other than the NRA that are responsible for dealing with consumer complaints.

<sup>27</sup> As set out in Commission Recommendation 98/257/EC of 30 March 1998 on the principles applicable to the bodies responsible for out-of-court settlement of consumer disputes (OJ L 115, 17.4.1998, p. 31) and Commission Recommendation 2001/310/EC of 4 April 2001 on the principles for out-of-court bodies involved in the consensual resolution of consumer disputes (OJ L 109, 19.4.2001, p. 56).

<sup>28</sup> The Irish NRA is currently reviewing its consumer protection role and was accordingly not in a position to respond to a number of the questions in this paper.





ERGP (13) 31 – report on QoS and end-user satisfaction

**Table 16 - Other entities than NRA dealing with complaints**

Question	Answer	Count	Country	%
Is there a mediator, ombudsman, consumer authority, complaint board, industry self-regulatory body etc. other than the NRA?	Yes	26	AT, BE, BG, FI, HR, CY, CZ, DK, FR, DE, EL, IT, LT, LU, MT, NL, PL, PT, FY, RO, RS, SK, SI, ES, CH, UK	87
	No	4	HU, EE, LV, SE	13

These other bodies are mostly consumer protection bodies (authorities or associations). In some countries there is also an ombudsman. The ombudsman can be either a public or self-regulatory body (belonging to an operator/USP). In some countries there are other bodies consumers can address themselves to, e.g. the Chamber of Labour, a complaint board, a mediator or the Trade Inspection.

**Table 17 - Type of other entities in charge of complaints of consumers**

Question	Count	Country	% <sup>29</sup>
Other body is a consumer protection body	19	AT, BG, CY, DE, DK, EL, ES, FI, FR, HR, LT, LV, MT, NL, PL, PT, RO, RS, SE, UK	61
Other body is a public ombudsman	13	BE, BG, CH, CY, DK, EL, FI, IT, LV, PL, PT, RS, SK	42
Other body is a self-regulatory body (ombudsman of the USP)	4	CZ, FR, PT, SE	13
Other than indicated	6	AT, CH, FR, FY, IT, SK,	19

Several countries have alternative dispute resolution (ADR). This can be both general or specific to the postal sector. Most of the countries having ADR have a general type of ADR and not one specific to the postal sector.

**Table 18 - Alternative (or out-of-court) dispute resolution (ADR)**

Question	Answer	Count	Country	%
Is there an alternative (or out-of-court) dispute resolution (ADR)?	Yes	19	BE, CZ, FI, FR, DE, EL, IT, LT, LU, MT, NL, PL, PT, FY, RO, ES, SE, CH, UK	61
	No	12	AT, BG, HR, CY, DK, EE, HU*, LV, NO, RS, SK, SI,	39

\*From 2013 the new Postal Act mentions such kind of ADR

<sup>29</sup> Countries can indicate more than one answer. Therefore, the percentage is related to the full number of countries that have a body other than the NRA, i.e. 26.



More than half the countries have an alternative (or out-of-court) dispute resolution mechanism in place.

All of the regulatory authorities that receive complaints have the competency to inform consumers on their existing rights and on regulation that is applicable to their cases. Most of the NRAs have the competency to act as an ombudsman/mediator or in some other way to solve complaint issues for consumers.

**Table 19 - NRA acts as an ombudsman/mediator or solves the issue**

Question	Answer	Count	Country	%
Act as an ombudsman/mediator or solve the issue (complaints resolution service)	Yes	17	AT, HR, CY, EE, FI, FR, DE, EL, IT, LV, LT, LU, MT, SK, SI, ES, CH	65
	No	9	BE, CZ, DK, HU, NL, NO, PT, RS, UK	35

In some countries the NRA is not an ombudsman/mediator or other complaint resolution service or does not see itself in this role, but still has some powers to help consumers with complaints. For example, the Bulgarian NRA stated that it gives an opinion, which is not binding, and notifies the parties in writing of the accepted opinion.

In the same way, since 1 January 2011, postal service users can submit to the French NRA the complaints that could not be resolved by the procedures implemented by the postal service providers. The board of the French NRA then issues an opinion on the complaints that is not binding. ARCEP is not an ombudsman considering that consumers can submit their complaint to ARCEP only when they have gone through every complaints handling process put in place by postal operators, including the ombudsman for complaints concerning La Poste.

Luxemburg can take corrective measures. In the Netherlands, the NRA does not have the competency to act as a complaint resolution service, but may take corrective measures if the complaint concerns non-compliance with the postal service operator's legal obligations. Spain can impose sanctions and fines. Serbia monitors if the postal operators respond to complaints.

### **5.1.3. Powers of NRAs with regard to complaint procedures**

This section looks at the existence of complaint procedures in the NRAs and if the NRAs have the power to enforce their decisions.

In some countries this competence is restricted to services inside the universal service area that are provided by the USP or to services provided by the USP.



ERGP (13) 31 – report on QoS and end-user satisfaction

**Table 20 - Procedures to resolve complaints for universal services, services outside universal services, USP and non USP 31**

Question	Answer	Count	Country	%
Procedures to resolve complaints for universal services provided by the USP	Yes	20	HR, CY, CZ, EE, FI, FR, EL, HU, IT, LV, LT, LU, MT, FY, RS, SK, SI, ES, CH, DE	83
	No	4	AT, DK, PT, UK	17
Procedures to resolve complaints for universal services provided by operators other than the USP <sup>30</sup>	Yes	16	HR, CY, EE, EL, HU, IT, LV, LT, LU, MT, FY, SK, SI, ES, CH, DE	70
	No	7	AT, CY, DK, PT, RS, SE, UK	30
Procedures to resolve complaints for services outside the universal service provided by the USP <sup>31</sup>	Yes	15	HR, CY, EE, FR, EL, HU, IT, LV, LT, MT, FY, RS, SK, SI, DE	63
	No	9	AT, CZ, DK, LU, PT, ES, SE, CH, UK	37
Procedures to resolve complaints for services outside the universal service provided by operators other than the USP <sup>32</sup>	Yes	15	HR, CY, EE, FR, EL, HU, IT, LT, LV, MT, FY, RS, SK, SI, DE	63
	No	9	AT, CZ, DK, LU, PT, ES, SE, CH, UK	37

Most NRAs have the power to enforce their decisions regarding complaints. Even those NRAs that cannot enforce their decision often have some other powers to impact on the USP (e.g. launching disciplinary procedures or imposing penalties). This is usually the case for all services and all postal operators.

<sup>30</sup> Not applicable to FR, NL and UK: in France, only the USP provides universal services; for the Netherlands see explanation above.

<sup>31</sup> Not applicable to NL: see explanation above.

<sup>32</sup> Not applicable to NL: see explanation above.



ERGP (13) 31 – report on QoS and end-user satisfaction

**Table 21 - Power to enforce the decision for universal services, services outside universal services, USP and non USP 31**

Question	Answer	Count	Country	%
Power to enforce the decision for universal services provided by the USP	Yes	19	HR, CY, EE, FI, FR <sup>33</sup> , EL, HU, IT, LV, LT, LU, MT, FY, RS, SK, SI, ES <sup>34</sup> , CH, DE	91
	No	2	CZ, UK	9
Power to enforce the decision for universal services provided by operators other than the USP <sup>35</sup>	Yes	14	HR, EE, EL, HU, IT, LV, LT, LU, MT, FY, SK, SI, CH, DE	74
	No	5	CY, CZ, RS, ES, UK	26
Power to enforce the decision for services outside the universal service provided by the USP <sup>36</sup>	Yes	15	HR, CY, EE, FR, EL, HU, IT, LV, LT, MT, FY, RS, SK, SI, DE	75
	No	5	CZ, LU, ES, CH, UK	25
Power to enforce the decision for services outside the universal service provided by operators other than the USP <sup>37</sup>	Yes	14	HR, EE, FR, EL, HU, IT, LT, LV, MT, FY, RS, SK, SI, DE	70
	No	6	CY, CZ, LU, ES, CH, UK	30

<sup>33</sup> If related to the USO or general obligations of postal operators.

<sup>34</sup> But depending on secondary legislation to be developed.

<sup>35</sup> Not applicable to FR, NL and UK: in France, only the USP delivers universal services; for the Netherlands see explanation above.

<sup>36</sup> Not applicable to NL: see explanation above.

<sup>37</sup> Not applicable to NL: see explanation above.



## 5.2 Information provision and access to complaint handling procedures

This chapter analyses the information available for users on complaint handling procedures, redress schemes and means of dispute resolution as well as on the number of complaints received by postal service providers and the NRAs. It also looks at the existence of regulation on complaint handling and the channels available for users to complain to postal service providers and the NRA when they are not satisfied.

In most countries universal postal service providers are generally obliged to publish information about complaint handling procedures and redress schemes, which was mentioned by 27 and 23 NRAs, respectively. In fewer countries (14) there is an obligation covering information on means of dispute resolution.

In most cases the obligation to publish information also extends to other postal service providers. Only in 7 countries the USP is the only provider obliged to publish information on complaints procedures.

This obligation is generally established in primary and secondary legislation, in very few cases licences and general terms and conditions were mentioned.

**Table 22 – Postal service providers obliged to publish information about procedures to complain, redress schemes and means of dispute resolution**

Question	Answer	Count	Country	%
Procedures to complain	USP	27	BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, FY, HR, HU, IT, LT, LU, LV, MT, NO, PL, PT, RO, RS, SI, SK, UK	100
	Other postal service providers active in the universal service area	20	BE, BG, CZ, DE, DK, EE, EL, ES, FR, FY, HR, HU, IT, LT, MT, PT, RO, SI, SK, UK	74
	Other postal service providers	20	BE, BG, CZ, DK, EL, ES, FR, FY, HR, HU, IT, LT, MT, PL, PT, RO, RS, SI, SK, UK	74
Redress schemes	USP	23	BG, CY, CZ, DK, EE, EL, FI, FR, FY, HR, HU, IT, LT, LU, LV, MT, PL, PT, RO, RS, SI, SK, UK	100
	Other postal service providers active in the universal service area	16	BG, HR, CZ, DK, EE, EL, FY, HU, IT, LT, MT, PT, RO, SI, SK, UK	70
	Other postal service providers	16	BG, HR, CZ, DK, EL, FY, HU, IT, LT, MT, PL, PT, RO, RS, SI, SK	70
Dispute resolution (ADR)	USP	14	BE, CY, DE, EE, EL, ES, FR, FY, HU, IT, LV, PT, RO, UK	100
	Other postal service providers active in the universal service area	11	BE, EE, EL, ES, DE, FY, HU, IT, PT, RO, UK	79
	Other postal service providers	8	BE, EL, ES, FY, HU, IT, PT, RO	57

Note: considers only countries that answered “yes” to each part of the question. Question with multiple answers.



ERGP (13) 31 – report on QoS and end-user satisfaction

Almost in all respondent countries (24 out of 29) NRAs check how the information on complaint handling procedures, redress schemes and means of dispute resolution is published by postal service providers.

In 23 countries this information is checked at least for the USP. This check is extended to other postal service providers active in the universal service area and to other postal service providers in fewer cases (15 and 13, respectively).

The means of information checking most used by NRAs is the monitoring of postal service providers' websites. Visits to postal offices, inspections and other supervising actions of the postal activity were also mentioned.

**Table 23 – NRA checks how information is published by postal service providers**

Question	Answer	Count	Country	%
Information check?	Yes	24	BE, BG, CH, CZ, DE, DK, EE, EL, ES, FR, HR, HU, IT, LT, LU, LV, MT, PL, PT, RO, RS, SI, SK, UK	83
	No	5	CY, FY, NL, NO, SE	17
If yes:	USP	23	BE, BG, CH, CZ, DE, DK, EE, EL, ES, FR, HR, HU, IT, LT, LU, LV, MT, PL, PT, RS, SI, SK, UK	96
	Other postal service providers active in the universal service area	15	BE, BG, DE, DK, EE, EL, ES, HR, HU, IT, LT, MT, SI, SK, UK	63
	Other postal service providers	13	BE, BG, DE, EL, FR, HR, HU, IT, LT, MT, RS, SI, SK	54

Note: "If yes" = question with multiple answers.

Most NRAs (23 out of 31) indicated they publish information on complaint handling procedures, redress schemes and means of dispute resolution. In almost all cases this information is published in the NRA websites and it primarily focuses on how to complain to the NRA.

**Table 24 – NRA publishes information on procedures to complain, redress schemes and means of dispute resolution**

Question	Answer	Count	Country	%
NRA publishes information?	Yes	23	AT, CH, CY, CZ, DE, EL, ES, FI, FR, FY, HR, HU, IT, LT, LV, MT, NO, PL, PT, RS, SE, SI, SK,	74
	No	8	BE, BG, DK, EE, LU, NL, RO, UK	26

As to the publication of information regarding the number of complaints received, we find that in most countries (23 out of 32) postal service providers are obliged to publish, at least annually, information on the number of complaints received, which emanates from primary or secondary legislation in the majority of cases.



ERGP (13) 31 – report on QoS and end-user satisfaction

This obligation covers at least the USP in almost all of these countries (21). In fewer cases other postal service providers (active or not in the universal service area) are also covered by this obligation.

**Table 25 – Publication of the number of complaints by postal service providers**

Question	Answer	Count	Country	%
Postal service providers obliged to publish information at least annually?	Yes	23	CH, DE, DK, EE, EL, ES, FI, FR, FY, HR, HU, IT, LT, LU, LV, MT, RO, PT, RS, SE, SI, SK, UK	72
	No	9	AT, BE, BG, CY, CZ, MT, NL, NO, PL	28
If yes:	USP	21	CH, DE, DK, EE, EL, ES, FR, FY, HR, HU, IT, LT, LU, LV, MT, PT, RS, SE, SI, SK, UK	91
	Other postal service providers active in the universal service area	9	DE, DK, EL, ES, FY, HU, IT, SK, UK	39
	Other postal service providers	4	DK, FY, IT, SK	17

Note: “If yes” = question with multiple answers.

NRAs publish figures regarding complaints in most countries (23 out of 30). These figures are related to the complaints received by the NRA and the USP in 16 and 13 countries, respectively. Less than a third of the respondent NRAs publish figures regarding complaints from other postal service providers (active or not in the universal service area).

**Table 26 – Publication of the number of complaints by NRAs**

Question	Answer	Count	Country	%
NRA publishes figures?	Yes	23	BG, CY, CZ, DE, DK, EE, EL, ES, FR, FY, HR, HU, IT, LT, LV, MT, PL, PT, RO, RS, SE, SI, SK	77
	No	7	AT, BE, CH, LU, NL, NO, UK	23
If yes:	From USP	13	BG, CZ, DK, FR, FY, EL, HU, LT, LV, PL, RO, RS, SK	57
	From other postal service providers active in the universal service area	5	BG, HU, LT, RO, SK	22
	From other postal service providers	7	BG, FY, HU, LT, PL, RO, SK	30
	From NRA	16	BG, CY, DE, EE, EL, ES, FR, HR, HU, IT, LT, LV, MT, PT, SE, SK	70

Note: “If yes” = question with multiple answers.

Focusing now on the regulation of complaint handling procedures, the results show that in 21 out of 30 countries these procedures are regulated. This regulation covers the universal service providers in almost all cases (20) and in fewer cases other postal service providers. These procedures are regulated mostly through primary or secondary legislation; in very few countries licence conditions and NRAs decisions were mentioned.



**Table 27 – Regulation of complaint handling procedures**

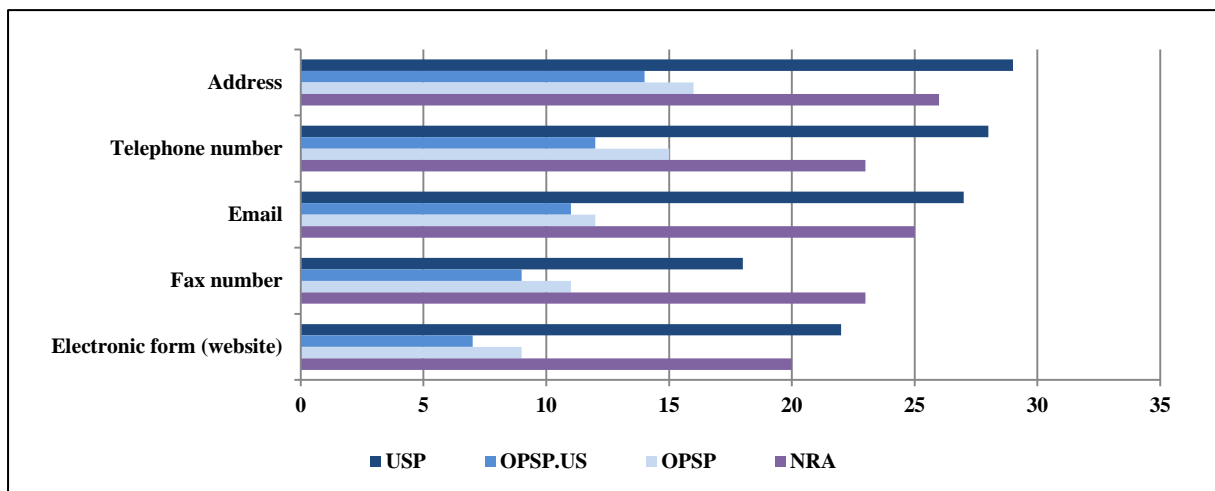
Question	Answer	Count	Country	%
Are complaint handling procedures regulated?	Yes	21	BG, CH, CZ, EL, ES, FR, FY, HR, HU, IT, LT, LU, LV, MT, NO, PL, RO, RS, SI, SK, UK	70
	No	9	AT, BE, CY, DE, DK, EE, NL, PT, SE	30
If yes:	USP	20	BG, CH, CZ, EL, ES, FR, FY, HU, HR, IT, LT, LU, LV, MT, NO, PL, RS, SI, SK, UK	95
	Other postal service providers active in the universal service area	11	BG, ES, FY, HR, HU, IT, LT, LV, SI, SK, UK	52
	Other postal service providers	14	BE, EL, ES, FY, HR, HU, IT, LT, LV, PL, RS, SI, SK, UK	67

Note: “If yes” = question with multiple answers.

A wide range of channels for users to complain is available at the universal service providers and the NRAs in the majority of the respondent countries (the availability of 4 or 5 channels was mentioned by most, i.e. 23 and 24 countries, respectively).

Written correspondence to the address is the most widely available means to complain amongst postal service providers and the NRAs.

**Figure 12 – Channels available for users to complain**



Source: ERGP (30 NRAs) – AT, BE, BG, CH, CY, CZ, DE, DK, EE, EL, ES, FR, FY, HR, HU, IT, LT, LU, LV, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, UK.

Legend: USP (Universal Postal Service Provider); OPSP.US (Other Postal Service Providers active in the Universal Service area); OPSP (Other Postal Service Providers); and NRA (National Regulatory Authority).

Note: Question with multiple answers. Not all countries responded about the channels available on every “type” of postal service provider.





### 5.3. Standard EN 14012 – Complaints handling principles

This chapter presents data on the situation regarding the implementation of the CEN Standard EN 14012:2008 (Postal Services - Quality of Service - Complaints handling principles) by postal service providers and the measuring of complaints according to this standard.

In a third of the respondent countries universal service providers have implemented the CEN standard. However, concerning other postal service providers active in the universal service area the standard is only implemented in 2 countries and is not implemented in any country for other postal service providers.

The results show a decrease in the implementation of the CEN standard for both the USP and other postal service providers active in the universal service area when compared with the data collected last year, with 4 NRAs now reporting that the standard is no longer implemented.

**Table 28 – Implementation of standard EN 14012**

Question	Answer	Count	Country	%
Implemented for the USP?	Yes	10	BE, FR, HR, HU, LT, MT, NO, PT, SK, UK	33
	No	20	AT, BG, CH, CY, CZ, DK, EE, EL, ES, IE, IT, LU, LV, NL, PL, FY, RO, RS, SE, SI	67
Implemented for other postal service providers active in the universal service area?	Yes	2	HU, UK	8
	No	24	AT, BE, BG, CH, CY, DK, EE, EL, ES, HR, IE, IT, LT, LU, LV, MT, NL, NO, PL, RO, RS, SE, SK, UK	92
Implemented by other postal service providers?	Yes	0	-	0
	No	25	AT, BE, BG, CH, CY, DK, EE, EL, ES, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, NO, PL, RO, RS, SE, SK	100

Only in 7 of the respondent countries the measurement of complaints implemented by the USP is fully compliant with the CEN standard. Minor changes for full compliance are needed in 5 countries and only 1 country mentioned the need for significant changes to occur. For other postal service providers, most NRAs indicated that there is no compliance with the CEN standard.



ERGP (13) 31 – report on QoS and end-user satisfaction

**Table 29 – Measurement according to standard EN 14012**

Question	Answer	Count	Country	%
Measurement according to the standard for the USP?	Fully	7	FR, HR, HU, LT, MT, NO, UK	44
	Partly (minor changes needed)	5	BE, BG, PT, RS, SK	31
	Partly (significant changes needed)	1	CH	6
	No compliance	3	CZ, DK, RO	19
Measurement according to the standard for other postal service providers active in the universal service area?	Fully	2	HU, UK	20
	Partly (minor changes needed)	1	BG	10
	Partly (significant changes needed)	0	-	0
	No compliance	7	CH, DK, HR, LT, RO, SK	70
Measurement according to the standard by other postal service providers?	Fully	0	-	0
	Partly (minor changes needed)	1	BG	13
	Partly (significant changes needed)	0	-	0
	No compliance	7	CH, DK, HR, LT, RO, SK	88



#### 5.4. Compensation schemes for individual customers

In this chapter the scope of the compensation schemes in place and the way they are disclosed to customers is analysed.

In most countries (19 out of 31) there is an obligation for a specific compensation scheme to be in place. This obligation is set out in primary legislation in the majority of cases. Only in a few countries these schemes are laid down in secondary legislation. The scope of this obligation varies between countries as to the type of postal services and the type of service failures to which it applies.

Almost all countries that have an obligation in this matter indicated that it covers the universal postal service provider (18 out of 19) and in most it is extended to other postal service providers as well.

**Table 30 – Compensation schemes for individual customers**

Question	Answer	Count	Country	%
Is there an obligation for a specific compensation scheme to be in place?	Yes	19	BG, CZ, EL, ES, FI, FR, FY, HR, HU, IT, LT, LU, MT, NO, PL, RS, SI, SK, UK	61
	No	12	AT, BE, CH, CY, DE, DK, EE, LV, NL, PT, RO, SE	39
If yes:	USP	18	BG, CZ, FI, FR, FY, EL, ES, HR, HU, IT, LT, LU, MT, PL, RS, SI, SK, UK	95
	Other postal service providers active in the universal service area	10	BG, EL, ES, FY, HR, HU, IT, LT, SI, SK	53
	Other postal service providers	14	BG, EL, ES, FI, FR, FY, HR, HU, IT, LT, PL, RS, SI, SK	73

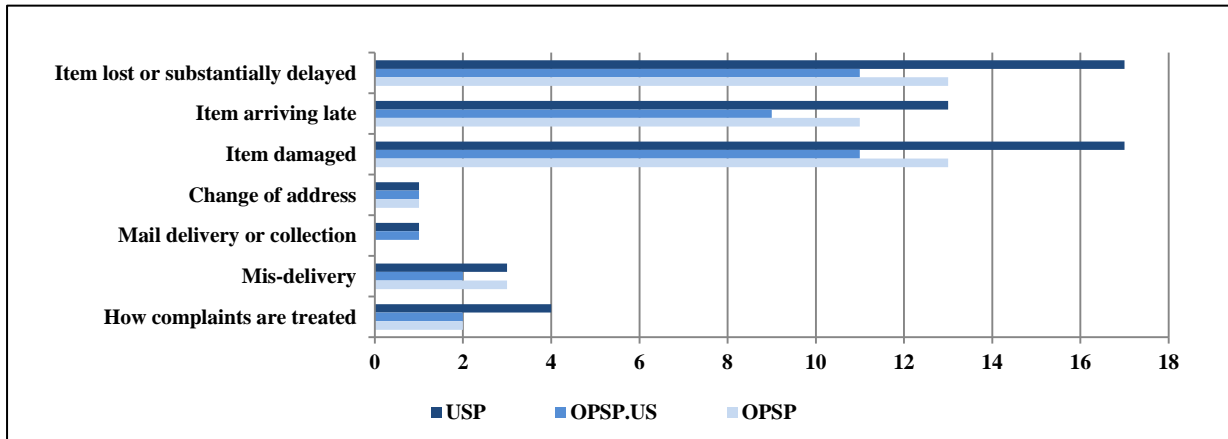
Note: “If yes” = question with multiple answers.

In almost all countries (18 out of 19) that have an obligation for a specific compensation scheme to be in place, this obligation covers, for the USP, items lost or substantially delayed and items damaged. Also for the USP, items arriving late were mentioned as being covered by 13 NRAs.

In most of the countries this obligation also covers items lost or substantially delayed and items damaged for other postal service providers active in the universal service area and for other postal service providers (10 and 14 out of 18, respectively).



Figure 13 – Compensation schemes for individual customers by type of service failure



Source: ERGP (17 NRAs) – BG, CZ, FR, FY,EL, ES, HR, HU, IT, LT, LU, MT, PL,RS, SI, SK, UK.

Legend: USP (Universal Postal Service Provider); OPSP.US (Other Postal Service Providers active in the Universal Service area); and OPSP (Other Postal Service Providers).

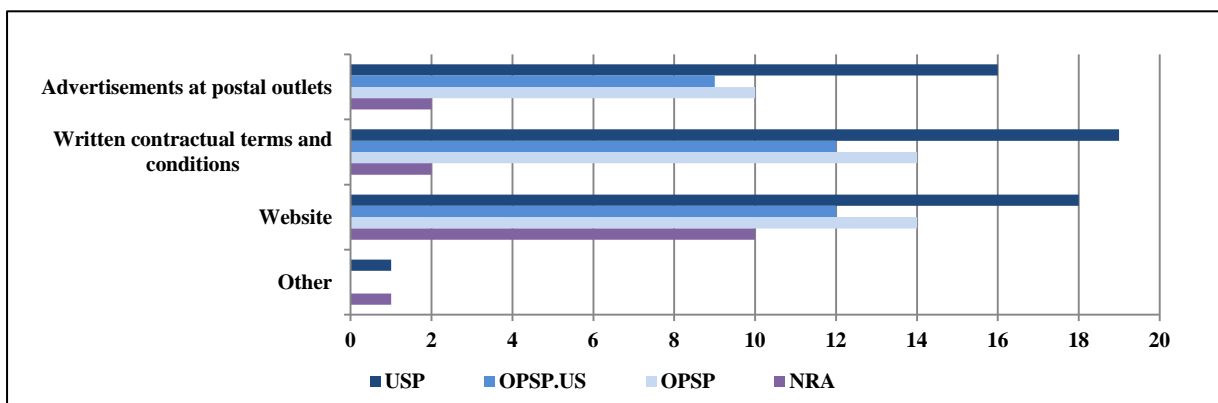
Note: Question with multiple answers.

All respondent NRAs (20 out of 31) identified written contractual terms and conditions as the mechanism mostly used by USPs to make consumers aware of existing compensation schemes, followed by the website (18) and advertisements at postal outlets (16).

This “ranking” remains almost the same for other postal service providers active in the universal service area and for other postal service providers also, but with fewer NRAs indicating their use by these providers.

The mechanism of information mostly used by NRAs is the website, having been mentioned in 10 out of 19 answers.

Figure 14 – Mechanisms to make customers aware of compensation schemes



Source: ERGP (19 NRAs) – BG, CZ, DK, EE, EL, ES, FR, HU, IT, LT, LU, MT, NO, PL, RO, RS, SI, SK, UK.

Legend: USP (Universal Postal Service Provider); OPSP.US (Other Postal Service Providers active in the Universal Service area); OPSP (Other Postal Service Providers); and NRA (National Regulatory Authority).

Note: Question with multiple answers.



### 5.5. Collection of data on complaints

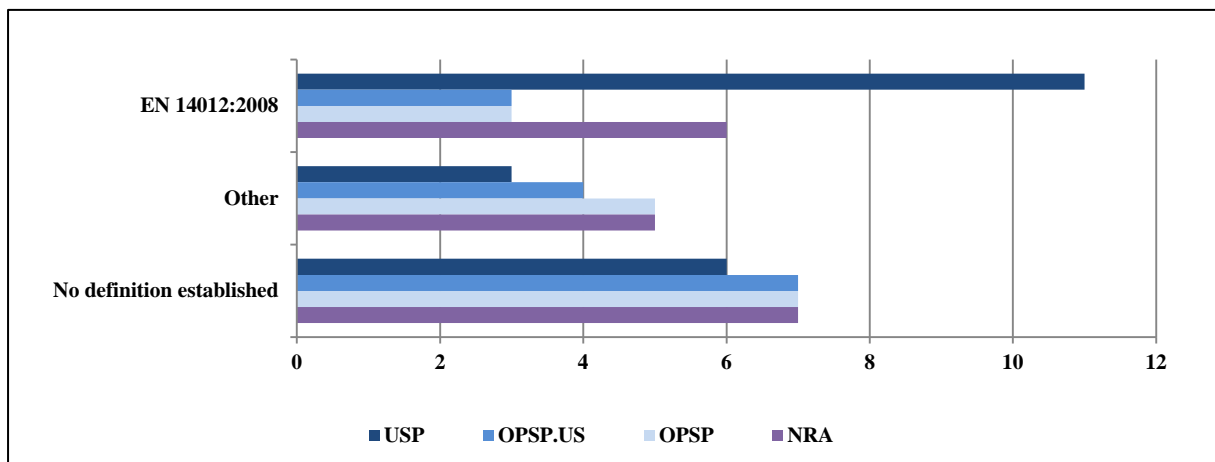
This chapter looks at the data that NRAs collect and have available on complaints about postal services. Figures on the categories of complaints received by the USPs in 2011 and 2012 are also shown. First we check what definition of complaint is used by NRAs and postal service providers.

Regarding the definition of complaint, the results seem to show that no common definition is used across countries and in each country between NRAs and postal service providers, although the definitions presented by most NRAs have common elements.

In almost half of the respondent countries (11 out of 23) the USP uses the CEN standard EN 14012:2008 definition, which was also mentioned to be used by 6 NRAs. Only 6 countries indicated that the universal postal service providers do not have a definition of complaint established.

5 NRAs indicated to have an alternative definition and 7 to have no definition established. Alternative definitions include inadequate postal service, claim/written submission, claim of liability for defects, expression of dissatisfaction made to NRA, directly or indirectly and by any means, about the conduct of the companies under its supervisory authority, about the products or the services provided by them as well as their internal complaints handling procedures.

Figure 15 –Definition of complaint



Source: ERGP (23 NRAs) – AT, BG, CH, CY, DK, FR, FY, EL, HR, HU, IT, LV, LT, MT, NL, NO, PL, PT, RO, RS, SE, SK, UK.  
 Legend: USP (Universal Postal Service Provider); OPSP.US (Other Postal Service Providers active in the Universal Service area); OPSP (Other Postal Service Providers); and NRA (National Regulatory Authority).  
 Note: question with multiple answers.

Almost all NRAs collect data on complaints received by the USP on universal services (27 out of 31). Out of these 18 indicated to collect data by category and 15 by service.

<sup>38</sup>The CEN Standard EN 14012:2008 defines complaint as the “expression of dissatisfaction made to an organisation, related to the perceived failure of its products, services or policies, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.”.



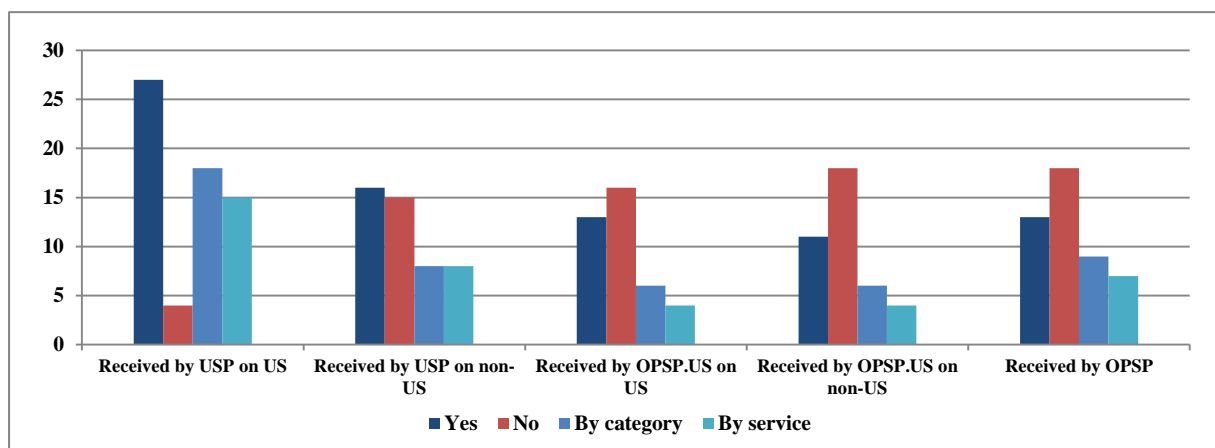
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Fewer NRAs collect data on complaints received by the USP about non-universal services (16 out of 31), which is more than last year though, when only 11 out of 31 NRAs indicated to collect these data.

The majority of NRAs do not collect data on complaints received by other postal service providers active in the universal area about universal services or non-universal services (16 and 18 out of 31, respectively). Also the majority of NRAs does not collect data on complaints received by other postal service providers (18 out of 31), which is even less than last year, when 21 out of 31 NRAs mentioned not to collect these data.

Based on the results of this year it could be said that more NRAs are collecting data on complaints and using a broader scope regarding both the providers and the type of complaints covered.

**Figure 16 – Collection of data on complaints by NRAs**



Source: ERGP (31 NRAs) – AT, BE, BG, CH, CY, CZ, DE, DK, EE, EL, ES, FR, FY, HR, HU, IE, IT, LT, LU, LV, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, UK.  
 Legend: USP (Universal Postal Service Provider); US (Universal Service); OPSP.US (Other Postal Service Providers active in the Universal Service area); and OPSP (Other Postal Service Providers).

The majority of the NRAs (16 out of 29) indicated that data on complaints about cross-border services are not collected.

**Table 31– Collection of data on complaints about cross-border services**

Question	Answer	Count	Country	%
NRA has data on complaints received by postal service providers about cross-border services?	Yes	13	BG, CH, EL, FY, HR, LT, LU, LV, MT, PL, PT, RS, SE	45
	No	16	AT, BE, CY, CZ, DE, DK, EE, ES, FR, HU, IE, IT, NL, RO, SK, UK	55

Note: CZ, LT and PT have only data about the USP on universal services.

Almost all NRAs have data on complaints made by users to the NRA (27 out of 30), covering in all these cases the complaints about the USP. Complaints made to the NRAs about other postal service providers are also covered in the majority of cases. These data refer to both universal service and non-universal service in most cases (19).



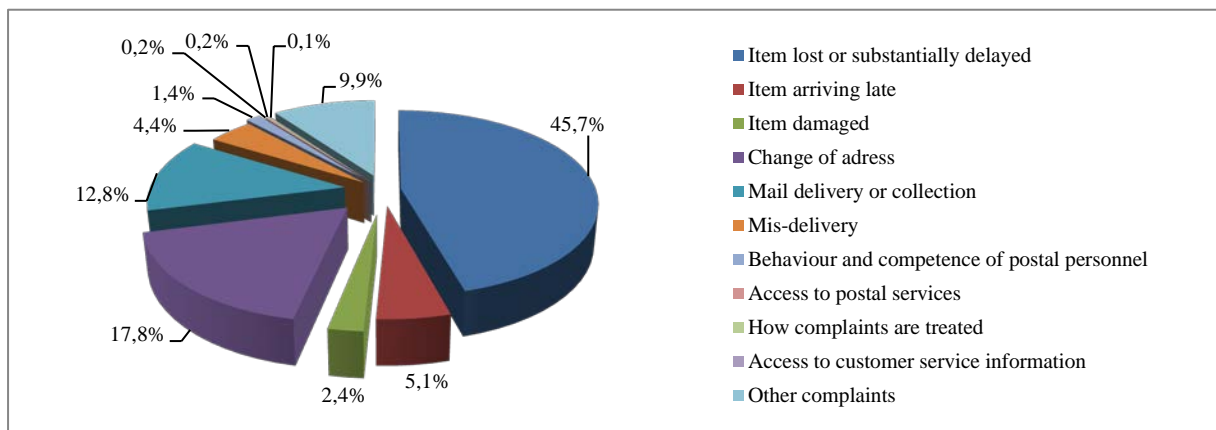
**Table 32– Data on complaints made by users to NRAs**

Question	Answer	Count	Country	%
Data on complaints made by users to NRAs?	Yes	27	AT, BG, CH, CY, CZ, DE, DK, EE, EL, ES, FI, FR, FY, HR, HU, IT, LT, LU, LV, MT, NL, PT, RS, SE, SI, SK, UK	90
	No	3	BE, NO, RO	10
If yes:	USP	27	AT, BG, CH, CY, CZ, DE, DK, EE, EL, ES, FI, FR, FY, HR, HU, IT, LV, LT, LU, MT, NL, PT, RS, SE, SI, SK, UK	100
	Other postal service providers active in the universal service area	19	BG, CH, CY, DE, DK, EE, EL, ES, FY, HR, HU, IT, LT, LV, MT, PT, SE, SK, UK	70
	Other postal service providers	20	AT, BG, CH, CY, DE, EE, EL, FR, FY, HR, HU, IT, LT, LV, MT, NL, PT, RS, SE, SK,	74

Note: “If yes” = question with multiple answers.

The next figures show the data on complaints received by the USPs in 2011 and 2012 sent by the respondent NRAs. The analysis of these data needs to bear in mind that there are significant differences between NRAs in the way the data are collected as well as in its scope.

**Figure 17 – Complaints received by the USP by category in 2011**



Source: ERGP (14 NRAs) – BG, DK, EL, FR, HR, HU, IE, LT, MT, NO, PT, RS, SE, UK.

Note: Not all the NRAs had data on every category listed.



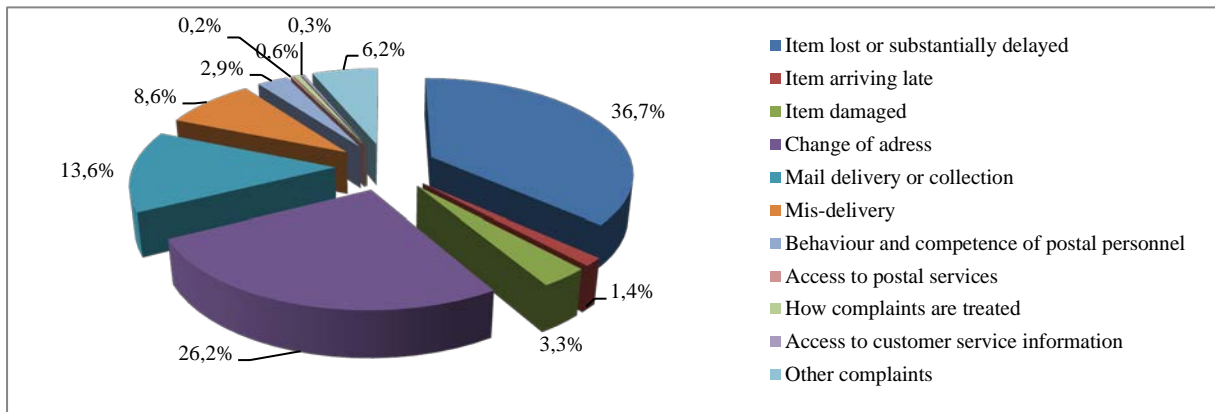
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Items lost or substantially delayed, change of address and mail delivery or collection are the subjects that users most complained about in 2012.

Although comparisons between the two figures presented are not rigorous, given namely that the 2011 and 2012 results do not have the same source, it is clear that the subjects users most complain about are the same in 2012 as in 2011

What also could be seen as relevant is a decrease in the weight of items lost or substantially delayed and items arriving late of 20% and 72%, respectively, and, on the other hand, an increase of 47% and 95%, respectively, in the weight of change of address and mis-delivery.

**Figure 18 – Complaints received by the USP by category in 2012**



Source: ERGP (12 NRAs) – BG, DK, FR, HR, HU, IE, LT, MT, PT, NO, RS, SE.  
 Note: Not all the NRAs had data on every category listed.





ERGP (13) 31 – report on QoS and end-user satisfaction

## **6 Conclusions on the current practices of the NRAs on the quality of service regulation and complaint handling procedures and consumer protection**

To ensure compliance with the obligations arising from the Postal Directives two particular tasks are usually assigned to national regulatory authorities (NRAs):

- the follow-up of quality of service issues;
- the follow-up of complaint handling procedures and consumer protection.

In this report the ERPG has collected core indicators and instruments to monitor the quality of service regarding end-user satisfaction, on the one hand, and complaint handling and consumer protection, on the other hand, linked back to regulatory measures taken in those fields.

The ERPG has also collected data regarding these core indicators and the report analyses the data, identifies trends on the market and describes the competence and current practices of NRAs.