

# Are you receiving unsolicited calls or texts?

## Did you know?

- On average the public receive **8** nuisance or unsolicited calls per month.
- Your personal information is being shared with third parties, who may contact you directly offering to take charge of your needs eg make a claim against a travel company if you fell ill whilst on holidays.
- Your personal information is provided in exchange for a fee paid to insurance brokers who pass on the information without telling you.

**Have you ever received a nuisance or unsolicited call or text from a third party?**

If **YES**, then you will be aware of the aggressive and annoying sales tactics which are often used to get you to use or buy a service which you didn't ask for or want.

What you aren't told is often the services offered will result in higher costs for customers.

The illusion of an efficient, integrated service is often that - an illusion.

#### **Could the nuisance call actually be to my benefit?**

Although they may tell you that you will benefit, this is not the case.

Their aim is not getting the best deal for you!

Their aim is to get you to sign up to their service so that they can get paid a referral or introduction fee by third party.

What they won't tell you in the phone call is that additional costs of their service are actually avoidable and only benefit the third parties.

#### **What can I do?**

- Contact a solicitor and they will be in a position to advise whether it is in your interests to enter into additional agreements.
- You may wish to register with the Telephone Preference Service which (TPS) is a central opt out register whereby individuals can register their wish not to receive unsolicited sales and marketing telephone calls. It is a legal requirement that companies do not make such calls to numbers registered on the TPS.

#### **How can I stop the calls and protect my information?**

- Under the law you have a right to object if you did not give consent. Also you can withdraw your consent at any time.
- Speak to a solicitor who will guide you on how to make a complaint to the data handler who may have passed on your personal information without consent.
- A data handler (eg insurance company or broker) must inform you of your right to object. This must be explicitly brought to your attention.
- A solicitor can advise on making a complaint to the Information Commissioners Office (ICO) which may result in a criminal prosecution or service of a monetary penalty notice on a data controller. Instead you may wish to contact the ICO directly yourself and lodge a complaint – this is a free service. There is a simple reporting mechanism on the ICO web site to report nuisance calls and messages <https://ico.org.uk/make-a-complaint/nuisance-calls-and-messages/>

#### **How do I complain?**

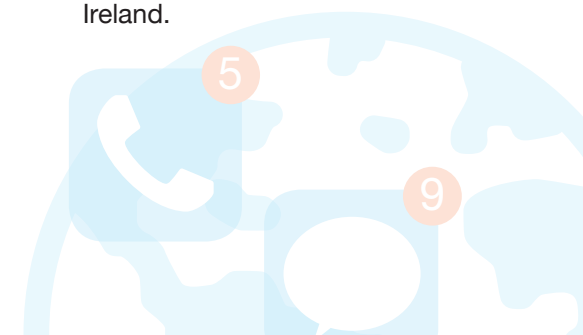
- A solicitor can provide you with a specimen complaint letter to send to the ICO and a notice to the data handler.
- The process is not complicated.

#### **What are the benefits of using a solicitor?**

- By using a solicitor you can feel happy that they will act in your best interests at all times rather than that of other parties.
- They will help put pressure on those companies who are engaging in unwanted, nuisance and unsolicited calls or texts which may cause you distress or concern.
- They will always seek a better outcome of your case on your behalf and will update you on the facts, findings and possible outcomes.
- Solicitors have a professional duty to act in your best interests at all times and will provide comprehensive face to face advice.

#### **What do I do next?**

- If you have any concerns or issues about unwanted, nuisance and unsolicited phone calls or texts contact a solicitor.
- You can contact a solicitor by visiting the Law Society's online solicitor directory – [www.lawsoc-ni.org](http://www.lawsoc-ni.org) which provides access to the contact details of solicitor firms throughout Northern Ireland.





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