

Solar telemarketing — make the right call



Telemarketing can be an effective way to reach potential customers. However, some practices may frustrate consumers, have a negative impact on your reputation, or even fall foul of the law.

Lead generation is one example. This is when a business or call centre asks questions to gauge interest, and then either uses the information itself or sells it as a 'lead' to others.

Leads can be sold to multiple businesses that each make follow-up calls, so consumers can become frustrated and confused if they're inundated with calls. If calls are being made to consumers on the Do Not Call Register without consent, this would be in breach of Australia's telemarketing rules.

The Australian Communications and Media Authority (ACMA) is targeting telemarketing compliance in the solar industry, focusing on lead generation and ensuring consent to make calls has been obtained.

What are the rules?

Australia's telemarketing rules are set out in the *Do Not Call Register Act 2006* and the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017.

Australians can opt out of most telemarketing calls by listing their numbers on the free Do Not Call Register. Telemarketers must not call numbers on the register without consent (with limited exemptions).

The Telemarketing Industry Standard sets out strict rules about when calls can be made, when they must be ended and what information must be provided.



It's important to understand your obligations before engaging in telemarketing. If you break the rules, the penalties can be up to \$210,000 per day.

How to get it right

1. Be careful when buying telemarketing leads or marketing lists:

- > Have a written contract in place that requires compliance with the telemarketing rules.
- > Check the list against the Do Not Call Register. A process called 'washing' removes numbers that are on the register. It's your responsibility to ensure purchased lists are washed—consider doing it yourself or making it part of your contract with third parties.
- > Get—and maintain—records of consent to call numbers on the register. It's your responsibility if any numbers on the register are called without consent.

2. Check in with your outsourced provider:

- > If someone else is making calls on your behalf, it's important to check their compliance with the rules, as you may be liable.

- > Ensure call centres can provide you with call recordings for leads.
- > Monitor their compliance by reviewing complaints and checking outgoing call records.
- > Take action if you find out the call centre is doing the wrong thing—it's your business reputation on the line.

3. Meet the minimum standards:

- > Only make calls between 9.00 am and 8.00 pm weekdays, and 9.00 am and 5.00 pm Saturdays.
- > Provide all required information, including the name of your business and the purpose of the call.
- > End the phone call as soon as someone asks to do so.
- > Display a caller ID number that can be called back.

Further information about the telemarketing rules and list washing is available at donotcall.gov.au.

