

Which? news

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Switch with Which?

Switch with Which? – our free service that helps you find cheaper energy suppliers – has a new advice section on reducing energy costs at home. Visit the Energy Advice Centre at www.switchwithwhich.co.uk for tips on thermostats, boilers and household appliances.

Which? Online help

If one of your New Year's resolutions is to get savvy with the internet in 2009, don't forget you'll always find a complete set of all the products that we test on www.which.co.uk along with the lowest price you'll find online – updated daily. If you can't remember your login details needed to see our Best Buys, click on to 'I've forgotten my username & password' on the login page, answer a few simple questions, and we'll send you a reminder. If you still need help, don't forget our member helpline on 01992 822800 (Mon-Fri 8:30-18:00, Sat 9:00-13:00).

SERVICES RESEARCH TEAM

Fury at hold-up over handsets

Which? steps in after mobile phone firm fails to deliver

When Paul Hughes ordered two mobile phones – one for his daughter's birthday – he never expected how difficult it would be to get them delivered.

Paul ordered the two PAYG mobile handsets over the phone from provider 3, for £70 in September 2008. His account was debited promptly – but the mobiles didn't arrive on the agreed date – meaning that his daughter did not get the mobile in time for her birthday.

He called to complain and also went to the store presenting proof of purchase. However, 3 refused to give him a refund or the phones as it claimed to have no record of his order.

Two weeks later, after Paul took time off work to resolve matters, and after involvement by Citizen's Advice, 3 again promised to send the phones.

Another two weeks later, and following another two missed delivery dates and Paul taking more time off work, 3 still hadn't delivered the right order. At his wit's end, Paul asked Which? for help. After we called 3, the company finally delivered Paul's handsets and refunded the £70.

A 3 spokesman said: 'Buying phones from us should be simple – this time we made it difficult.

'When Mr Hughes ordered the handsets, there was an address discrepancy that meant the transaction



Paul Hughes faced a series of problems after ordering two phones

shouldn't have been processed. This is why we didn't dispatch the handsets, despite payment being taken.

'This was compounded by delivery problems when our couriers failed to deliver the handsets.

'We apologise for the confusion and inconvenience.'

Paul says: 'I'm grateful that, with Which?'s help, I've finally got what I ordered plus a £70 cheque, but it shouldn't have come to this.

'I've lost substantial income from taking time off work to sort this out, which should

have been taken into account in 3's level of compensation.'

He added: 'Through my business, I spend hundreds of pounds on contracts with 3 – when the contracts expire, I think that I'll take my business elsewhere.'

TAKE ACTION If you've got an unresolved complaint with a mobile operator, 12 weeks after your initial complaint you can take your case to a telecoms dispute resolution service, either Otelo (www.otelo.org.uk) or Cisas (www.cisas.org.uk), depending on which of the two your provider has joined. Keep records of all emails, phone calls and letters.



Phone firm 3 apologised to Paul

Brief case Tim's story

Our lawyers help with compensation claim

Tim Godfray called Which? Legal Service for help after being told a flight he needed to catch was overbooked.

Tim, chief executive of the Booksellers' Association, paid £191 for a Lufthansa flight on 14 October 2008 from Heathrow to Frankfurt, where he was due to give a presentation the next day.

Tim, and six colleagues who were also going to the presentation, checked in and went to the departure lounge to wait to board the plane.

A member of Lufthansa staff then told the group the flight had been overbooked and they would not be able to fly until later that day.

Tim feared that the presentation might be in jeopardy and called Which? Legal Service from the airport to ask for our advice.

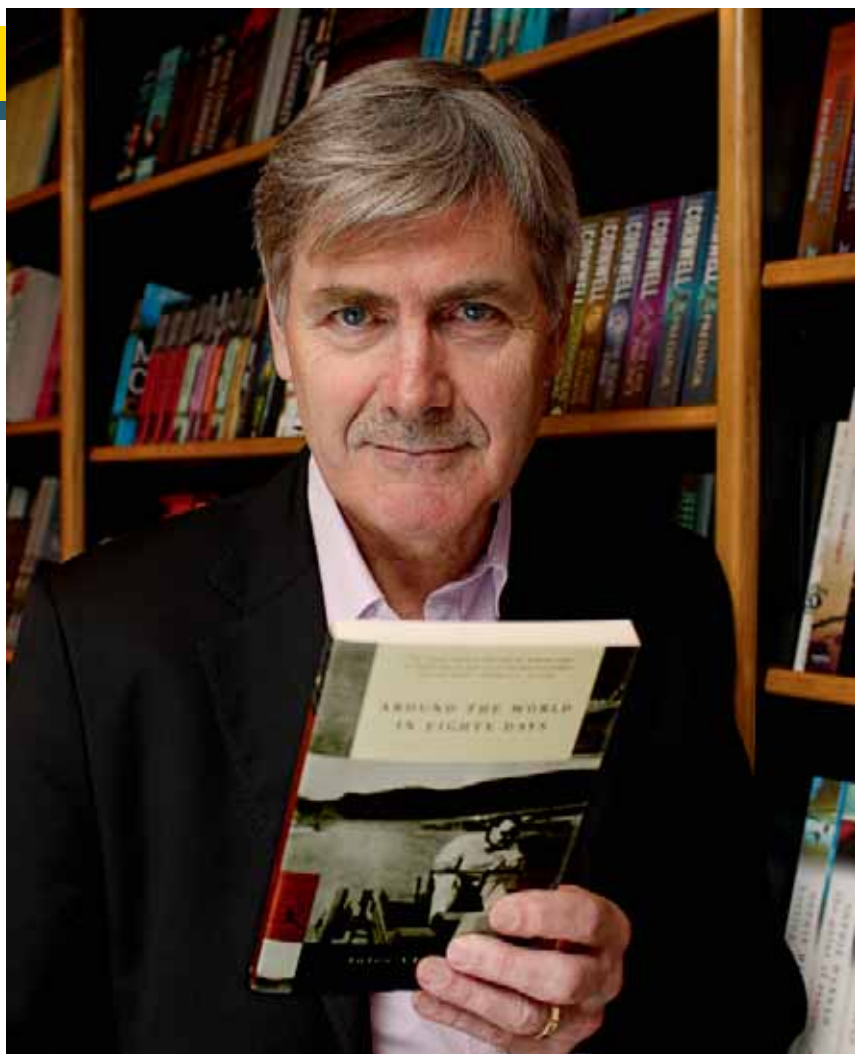
Our lawyer told Tim that the group was entitled to the alternative flight that Lufthansa had offered or they could take a full refund and

book flights on another airline if that would get them to Frankfurt more quickly.

We explained that, because they'd been denied boarding due to overbooking, they could also ask for compensation. As the distance being travelled was less than 1,500km, the group was entitled to €250 a person.

We also explained that while they were stuck at the airport, Lufthansa should ensure they were offered refreshments and meals appropriate to the delay plus two phone calls, emails or faxes so they could let people know they were held up.

RESULT Tim put his compensation claim to Lufthansa which agreed to pay the party €250 each. As it would get them to Frankfurt in time, Tim and his colleagues took the alternative flight Lufthansa offered, which left three hours later.



Tim Godfray sought our help after being told his flight was overbooked

YOUR RIGHTS

1 Overbooked flights

If your flight is overbooked, the airline should ask for volunteers to give up their seats. It should agree a package of compensation with them, as little or as much as the parties agree. If agreement can't be reached, or too few people volunteer, the airline

can bump passengers against their will.

2 Compensation rights

If you're denied boarding against your will, you are entitled to compensation set out in the Denied Boarding Regulation. How much this is depends on the distance you

were to travel. For flights of less than 1,500km, you are entitled to €250 a person. For a flight within the European Community (EC) more than 1,500 kilometres, or any flight between 1,500 and 3,500 kilometres that goes outside the EC, this is €400. For other flights you're entitled to €600.

These sums can be halved if the airline gets you to your end destination close to your scheduled arrival time. What is considered close depends on the distance you're travelling – from two to four hours. The rules apply for flights out of an EC airport or into one on an airline based in the EC.

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experienced lawyers who are ready to provide you with best value and practical advice tailored to your case on a wide range of everyday problems, from

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