JULY 2015 BULLETIN

Communications Consumer Panel publishes its Annual Report

Our driving force continues to be our belief that, given the increasingly central role of communications in people's lives, society and the economy, it is vital to support fully the communications needs of consumers, citizens and micro businesses. Work must continue to ensure that the full range of communications services are made available to the whole population. In addition to high standards of coverage, speed and reliability, it is essential that these components are backed by an excellent customer service and complaint handling system.

Our Annual Report outlines our activities over the last year. Among other things our report summarises our work on a range of communications issues, in particular our activity in relation to pressing for action on nuisance calls, mobile and broadband coverage and limiting changes for calls made on lost and stolen mobiles. The Panel's and Advisory Committee on Older and Disabled People's (ACOD) work this year has encompassed a wide range of communications issues. Although we are a small team, we have provided the consumer, citizen and microbusiness perspective to Ofcom and other stakeholders on a variety of policy and research projects as well as responding to a broad range of consultation topics - at an average of one a fortnight. We've engaged with a range of stakeholders and have been particularly active in relation to pressing for action on nuisance calls, mobile and broadband coverage and limiting charges for calls made on lost and stolen mobiles.

This year, we built on our '*Going Round in Circles?*' research that we commissioned in 2013/14 to understand the experiences of people who had contacted their communications provider to try and resolve an issue. We have pursued the issues highlighted in the research with communications providers and Ofcom throughout the year. We remain particularly concerned about consumers' ability to access Alternative Dispute Resolution (ADR) schemes and this will be an area of particular focus for us in the coming year.

In 2014/15, we commissioned and analysed new research into the communications experiences of micro businesses. We found that communications services play a vital role for these businesses but their use of these services is hampered – with many of their concerns and frustrations echoing those of individual consumers and citizens. You can read more about the research, '*Realising the Potential',* and our associated recommendations in the report. We have used the findings to give voice to these consumers and discussed

the recommendations for action with a number of stakeholders, including communication providers around the UK. We will continue to take this work forward over the coming year.

Jo Connell, the Panel's Chair, said; "In our view, consumers' and micro businesses' interests need promoting and protecting more than ever. Their needs and expectations, taken along with industry consolidation and rapid technological development, add greater impetus to the importance of regulatory protection and industry initiatives in this increasingly important sector. We encourage Ofcom to move more quickly in taking clear and robust decisions to help consumers, citizens and microbusinesses make the very most of a thriving and competitive market. We believe that the cornerstone of success will be a combination of availability, accessibility, reliability, innovation and trust."

Ofcom completes first phase of digital communications review

Ofcom has outlined the challenges facing the UK in ensuring that consumers and businesses receive high-quality digital communications services over the next decade and beyond. Ofcom's Strategic Review of Digital Communications, announced in March 2015, is examining competition, investment, innovation and the availability of all digital communications services. These include broadband, mobile, landline and bundled services. The regulator is now seeking views on its review, which is focusing on four main areas detailed in its discussion document:

Investment and innovation

Ofcom wants to see the widest possible availability of high-speed broadband at home, at work and on the move. Ofcom estimates that a broadband speed of 10Mbit/s is necessary to benefit from today's popular online services, such as on-demand video. However, 8% of UK households cannot currently access those speeds.

Availability is a concern in more rural areas, particularly in the nations and regions, but also in some urban places where roll-out costs or low incomes present particular barriers. Ofcom's review will seek possible solutions to these problems.

Ofcom is considering what further options might be available to improve mobile services.

Making sure competition delivers

A major focus of the current review is how well competition is delivering benefits to consumers and businesses. Ofcom's last strategic review led to the creation of Openreach, through which BT is required to provide access to competing providers on equal terms, for them to offer telecoms services to consumers. BT's network has evolved in recent years, with fibre lines running closer to premises. This may require different models of competition than those that worked best for the traditional copper telecoms network.

In addition, Ofcom has been concerned that Openreach's performance on behalf of providers has too often been poor, requiring the introduction of rules for faster line installations and fault repairs.

The review will address these issues, and Ofcom is seeking views and evidence on future regulatory approaches. It will also examine converging media services - offered over different platforms, or as a 'bundle' by the same operator.

Empowering consumers and businesses

People tailor communications services to their own needs, choosing from a range of providers at a price that suits them. For this to work properly, they need to understand the range of options available to them, and be able to switch between them effectively. Ofcom's review is considering whether consumers have all the information they need to make the choice that is right for them, both when researching the market and at the point of sale. It is also looking at how switching between providers might be made easier.

Ofcom is keen to explore new ways in which consumers can engage with the market, in order to benefit from competition.

Targeted regulation and deregulation

The rules that govern the communications sector must evolve to keep pace with developments in technology, consumer needs and expectations. Ofcom's review will identify where existing regulation may be simplified, removed or replaced.

Next steps

The discussion document marks the conclusion of the first phase of Ofcom's Strategic Review of Digital Communications.

Since announcing the review, Ofcom has been engaging with a wide range of stakeholders - including industry, consumer groups, the UK Government and devolved administrations - through meetings and workshops.

Ofcom will now take forward the review's second phase, and is seeking evidence and responses to the discussion document by 8 October 2015. This will inform a statement at the turn of the year on priorities and action, which will shape Ofcom's regulatory approach for the next decade.

Launch of the Digital Inclusion Outcomes Framework

The Government Digital Service (GDS) has announced the launch of a Digital Inclusion Outcomes Framework. The Framework is intended as a single, flexible template for tracking digital inclusion in the UK, and evaluating activities locally. GDS note that one in five adults in the UK remain offline or lack the basic digital skills needed to realise the benefits of being online. Engaging this 'hard to reach' final fifth of the population will require significant investment. In order to justify investment at a time when resources are scarce, and ensure it's optimised, there is a need to know what works in delivering outcomes, and to track progress towards them.

Historically, it has been hard to compare and share learning meaningfully. Activities are often measured by volume, rather than value, so it's difficult to tell what is working and

measure the impact of these activities on people's lives. Similarly, ability to track progress in the UK is hampered by a lack of comparability across studies and over time. And, while existing indicators show how many people are making use of digital technologies, and how frequently, they don't illustrate how people are benefiting from them.

The Digital Inclusion Outcomes Framework was designed specifically to address these challenges, by helping to evidence the wider economic, health and social benefits of digital inclusion.

The toolkit is a prototype, and the GDS Digital Inclusion team and Research Working Group are now looking for help from a range of partners to help develop, test, refine, share and embed it. Anyone who chooses to use the Framework will be able to demonstrate how their digital inclusion activities contribute to local priorities and needs. This should help make the case for investment and partnerships, and drive improvement by identifying what works in delivering better outcomes. For more information on the Framework, how to use it, and how you can get involved, click here.

Ofcom fines EE £1m over complaints handling failures

EE has been fined £1,000,000 for failing to comply with Ofcom's rules on handling customer complaints. Ofcom's investigation found that, over the period investigated - from 22 July 2011 to 8 April 2014 - EE did not provide certain customers with accurate or adequate information about their right to take their complaint to an alternative dispute resolution (ADR) scheme.

EE failed to send out written notifications to a number of customers that should have referenced their right to take their complaint to ADR eight weeks after they first raised their complaint. EE also failed to state in its Customer Complaints Code that, where relevant, customers could access its ADR scheme by requesting a 'deadlock letter'. A number of customers who had requested a 'deadlock letter' during this time were not sent them as required, and in some cases customers were told by EE that letters of this type were not issued.

In addition, between July 2011 and February 2014, EE sent paper bills to Orange customers and written notifications to Orange, 4GEE and T-Mobile customers that did not reference that they can use its ADR scheme for free.

Ofcom requires all telecoms providers to have procedures in place that follow its approved Code of Practice for complaints handling. Ofcom has taken steps to address EE's failure to comply with these complaints handling obligations.

As a result of Ofcom's investigation, EE has amended its Customer Complaints Code to include a correct reference of its obligation to issue a 'deadlock letter'. EE has also amended the information provided on its paper bills and in its written notifications to make sure customers are informed that they may use ADR at no cost to themselves.

Full details can be found on Ofcom's website.

Government begins debate on the future of BBC

The Government has set out the topics for debate as part of the process to review the BBC's Royal Charter. With the BBC's current Charter due to expire at the end of 2016, the Government's consultation paper - a 'Green Paper' - is the first stage of the process in setting a new Charter.

This consultation is broken down into four key areas:

1. The BBC's mission, purpose and values

2. What the BBC does in terms of its scale and scope

3. BBC funding

4. BBC governance and regulation

The public consultation marks the start of the Charter Review process. Over the coming months, the Department for Culture, Media and Sport will be engaging with the public and industry. To support the Charter Review, Culture Secretary John Whittingdale has announced the appointment of a group of experts from across a range of industries and backgrounds. Its remit will be to provide expertise, challenge and advice during the Charter Review process.

The consultation paper, including an online response form, can be accessed here. The consultation will last for 12 weeks, from 16 July to 8 October 2015. The Government will then bring forward proposals based on the consultation in the spring 2016.

Ofcom consults on accessibility of on-screen TV guides

Ofcom has published a consultation on ways to make on-screen TV guides more accessible to visually impaired people.

On-screen TV guides (known as electronic programme guides, or EPGs) help people plan their viewing and discover new programmes. But people with visual impairments can find them difficult to use.

Following a call for inputs, and feedback from stakeholders including the Panel and ACOD, RNIB and EPG providers, Ofcom is proposing that EPG providers work with manufacturers to provide better accessibility features, enabling viewers to:

➢ have EPG information on channels, programmes and navigation menus read out as speech, to help them navigate the EPG and choose programmes to watch or record;
➢ magnify parts of the EPG display, or increase the size of text, to make it easier to read;
➢ highlight or list separately programmes with audio description or signing, making these programmes easier to find; and
➢ view the EPG in a high contrast display.

The closing date for responses is 30 September 2015.

UK Tech4Good Awards – 2015 winners announced

The winners of the fifth UK Tech4Good Awards have been revealed as:

- Accessibility Award: Open Bionics
- BT Ingenious Reward: what3words
- Community Impact Reward: Simon Community Northern Ireland
- Digital Health Award: BuddyApp
- Digital Skills Award: Apps for Good
- IT Volunteer of the Year: Rachel Moat
- Young Peoples Award: I'm Okay
- Peoples Award: EVA Park
- Winner of Winners Award: Open Bionics
- Judges' Award: Raspberry Pi

Over 150 entries were received from organisations and individuals, all of who work to ensure inclusion through digital technology.

The Tech4Good Awards recognise organisations and individuals who use digital technology to improve the lives of others. They are the only awards to highlight the wealth of charities, businesses and volunteers across the UK that harness the power of technology to benefit the community.

Further details on the Awards and the winning companies can be found on the Tech4Good website.

Consultation on plans to improve mobile switching

Ofcom is consulting on options to make it easier for consumers to change their mobile phone provider.

Mobile users currently face different processes for switching provider, depending on whether they wish to keep their existing mobile phone number.

Ofcom is concerned these processes may cause confusion and increase the perception that switching is hard, meaning consumers may miss out on the best deals.

This consultation seeks views on a range of mobile switching options. These include a simple process – technically known as 'gaining provider led' switching – which places the responsibility for the switch entirely in the hands of the company to which the customer is moving. This would mean the customer would no longer need to contact their current provider to switch, unless they wish to.

The consultation closes on 06 October 2015.

New Digital Project #NotWithoutMe

The Carnegie UK Trust is launching a new digital inclusion project #NotWithoutMe in August 2015.

The Trust highlights that not all young people are digital natives. Life chances for those who lack basic online skills will be diminished. Young people who are vulnerable, particularly those at 'points of transition' (homeless, in care, unemployed, in secure accommodation) are most at risk of falling out with the digital mainstream.

The focus of this project will be on skills development. Increasing and improving digital participation for those who may be vulnerable, lacking in digital skills and unable to fully access opportunities available through digital inclusion.

An open application process will identify 3 projects – which directly address challenges and test solutions to digital inclusion for vulnerable young people. Each will be awarded a development grant, receive input from an expert reference group and support to develop partnerships with private, public and voluntary sector organisations.

For more information contact **NotWithoutMe@carnegieuk.org**

Ofcom publishes report on Personal Data and Privacy

Ofcom has published an independent report on personal data and privacy.

Ofcom commissioned WIK-Consult to carry out a literature review of the experimental research looking at the effectiveness of different approaches to informing consumers about proposed uses of their data, and securing their engagement and consent. The purpose of publishing the report is to make a contribution to broader discussions in relation to the Internet of Things (IoT) and consumer data privacy.

The report looks in general terms at:

➢ the role of informed consent in privacy law,

➢ the role of informed consent in practice and

➢ potential ways to improve informed consent in practice.

The report also specifically considers the impact of (IoT) on these areas. The review gathers insights from the fields of behavioural economics, consumer behaviour research, IT, law and psychology.

Given the role of consumer data in underpinning the rapid growth and evolution of the Internet of Things, the regulator believes that it is important for it to better understand how relevant information can be conveyed to people when they sign up for services such that they can make informed choices. Being properly informed is an important element of creating a trusted environment. A trusted environment will help ensure that consumers benefit from future developments in the internet connected devices ecosystem

Ofcom plans to use the insight from this report to inform its thinking later this year in work on data privacy in the area of IoT as set out in their January 2015 consultation statement.

The full report can be found on Ofcom's website

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