

SEPTEMBER BULLETIN

Communications Consumer Panel calls for Communications Providers to up their game on ADR referral

The Panel was seriously concerned by the results of an [independent study](#) into Alternative Dispute Resolution (ADR) published by Ofcom this month. Jo Connell, Chair of the Communications Panel commented; “This study clearly highlights the need for some Communications Providers (CPs) to take action to address their woefully poor performance in this area- they need to be proactive in raising the profile of ADR schemes. The escalation of complaints should not have to be prompted by consumers. All providers should tell consumers at an early stage about how they can escalate complaints if necessary.”

ADR is an important way to redress the power imbalance between consumers and CPs, who have greater resources, knowledge and control when it comes to complaints about products and services. A crucial step in the complaints handling process is for providers to inform consumers, in a clear and timely fashion, of their right to take a complaint to the relevant ADR service.

The Panel is extremely disappointed by the findings of this study. Of the cases analysed in the sample, the research highlighted:

- the lack of communication about ADR, with the first mention almost always coming from customers
- that only one-fifth of complaints were logged with a correct start date
- in over 60% of the cases where consumers had requested a deadlock letter, they did not receive one.
- that approximately 5% of the complainants that should have received an eight week letter from their CP (which inform consumers of their statutory right to ADR) had done so.

Based on recommendations made following our research, [“Going round in circles? The consumer experience of dealing with problems with communications services”](#) and in light of this new research that suggests that there continues to be no improvement, the Panel continues to call for:

Communications providers to:

- review and strengthen their escalation processes and staff awareness of them to make them more effective; and

- ensure that consumers are aware of their rights, particularly with regard to the use of ADR, early in the process.

Ofcom to:

- independently review the efficacy of, and access to, escalation procedures across the industry.

Ofcom, the ADR schemes, industry and consumer advocates to:

- undertake serious consideration of a shorter complaint duration time than eight weeks before consumers can approach the ADR schemes.

We are pleased that Ofcom has acknowledged customer service, and in particular ADR, as a key consumer issue and is undertaking action to focus efforts on addressing those areas where improvement is most needed.

We have urged Ofcom to pursue our recommendations and to hold providers to account when their complaints-handling performance falls below acceptable standards. Publication of more complaints handling data would be helpful to consumers and would provide some incentive for CPs to improve performance. Such data should include:

- information about complaints referred to ADR, both the number referred and the number upheld, and taking into account size of provider; and
- information about providers' performance against the code of practice as measured by independent audit.

ADR is the final stage of the complaint resolution process and as such it should be easy to access and faultless in its availability. It is helpful for consumers, who need to be made much more aware of their right to use it; and it is useful to the industry that serves those consumers as it provides a common and clear path to independent dispute resolution in a way that should inspire confidence and lead to a good reputation.

You can read the full version of the Panel's comments [here](#)

Ofcom instigates a monitoring and enforcement programme into compliance with requirement to publicise details of services offered to end-users with disabilities

The Panel was also concerned by the results of Ofcom's [mystery shopping exercise](#) published in August which suggest that disabled consumers may not consistently be getting the information they need via in-store, online or telephone interactions in order to find out about the services that are available to them. We agree with Ofcom that this gives rise to a serious concern that there is a risk of significant consumer harm within the UK communications market.

So we're pleased that Ofcom has commenced [a monitoring and enforcement programme](#) to assess the steps that Communications Providers (CPs) are taking to ensure that the

services they provide to users with disabilities, as required under GC15.1 to 15.9, are widely publicised. We will be closely monitoring updates on this work.

The findings of this report dovetail with recent qualitative research commissioned by the Panel into how communications providers and other organisations support communication with their older and disabled consumers across the UK. Forty one older and disabled participants discussed their experiences of communication services and communication providers. The findings and associated recommendations are currently being finalised and will be published this autumn.

Scottish Cross Party Group on Digital Participation

Panel Member for Scotland, Mairi Macleod attended the September meeting of the Scottish Cross Party Group on Digital Participation. Mairi reported that there were two presentations: the first was on the work of the Scottish Rural Parliament, which aims to give a stronger voice to rural communities in policy and decision-making. Two of the objectives in their action plan concern digital communications:

- That the mobile phone signal in rural areas is significantly improved over the next five years
- That broadband of sufficient speeds reaches all rural communities as quickly as possible

The second presentation was an update from the SCVO digital team on the progress of their Challenge fund, one of the means by which they are fulfilling their remit to increase digital participation in Scotland, and other initiatives. In the two rounds of funding so far, £350,000 has been awarded to 58 projects supporting over 8,500 people, using a range of delivery methods. 73 organisations are being supported to increase their digital capabilities. Projects are asked to assess digital skills at the beginning and end, to see what the impact has been.

Ofcom's Communications Market Report Stakeholder event in Glasgow

Mairi Macleod also attended the Ofcom's stakeholder event discussing the recent Communications Market Report.

Ofcom's Director of Nations & Market Developments, James Thickett, and Vicki Nash, Director of Nations (Scotland) spoke about the findings as they applied to the UK as a whole and Scotland in particular.

Chris Yiu, who leads SCVO's digital participation team, highlighted that there were still particular groups that are being left behind. He said that older people and people on low incomes are starting to use tablets more, but what do those without a 4G subscription or fixed internet access do? This is a divide that is hard to see and, whilst congratulating Ofcom on its recently launched mobile coverage maps, he suggested that maps for free Wi-Fi coverage would also be good.

Questions from the floor covered such topics as the unnecessary lack of transparency in mobile bills; a challenge to all the organisations present as to what they were doing to help people cope with government digital platforms; and how much smartphone use is carried out via Wi-Fi and how much via the mobile networks.

Digital UK seminar - shaping the future of terrestrial television

This month, Panel member Chris Holland attended Digital UK's seminar on the future of terrestrial television. Chris reported that Jonathan Thompson, CEO of Digital UK, said that DTT is used in 75% of UK homes but there is a worry about the impact of potential loss of spectrum (to other uses). He identified four main themes as Freeview grows and develops:

- Connectivity
- Picture quality
- Support for viewers
- Partnerships

Steve Unger, Ofcom's Group Director of SITE, reflected on the changing TV market, identifying four main ingredients for future TV platforms:

- Content distribution
- Ease of use
- Pricing
- Content quality

Steve highlighted that ease of use was a key challenge, with new platforms needing to match the experience of traditional TV.

Other speakers observed that live viewing of broadcast TV still dominates, but that younger viewers lean towards more on-line content and stay with it as they grow older. However, one prediction was that live viewing to a TV set will dominate for at least 20 years.

Update on Panel Activities

Over the summer, the Panel has responded to four consultations including:

- [DCLG/DCMS' call for evidence - How the planning system in England can support mobile connectivity](#)
- [Ofcom's consultation - Introduction of an Approval Logo for the Metering and Billing Scheme and modification to the Direction](#)
- [Ofcom's discussion document - Review of the Regulation of Royal Mail](#)
- [Ofcom's consultation - Revising the Penalty Guidelines](#)

Issues considered at recent Panel meetings included:

- Citizens Advice - Calling the Shots report
- 2.3/3.4 GHz
- O2 outage
- Digital Single Market
- PSB
- Disabled consumers mystery shopping research
- Nuisance calls/Persistent misuse
- CSR
- Post
- Broadband USO
- Triple Play switching
- Digital Communications Strategic Review
- Online consent

Update on lost and stolen mobile phones

A key area of work for the Panel has been to encourage greater consumer protection from high bills run up on lost and stolen mobile phones, urging action to limit the consumer's exposure to such charges.

Last year, the Panel wrote to Ed Vaizey, the Minister for Culture, Creative and Communications Industries to highlight that little progress had been made on implementing the agreement for caps on bills for lost or stolen mobiles that had been announced by his predecessor in 2013. The Panel also held a series of face-to-face meetings with the mobile network operators to highlight the issues directly.

The Panel is pleased to note that EE, O2, Three, Virgin and Vodafone have now implemented a £100 cap when a phone is reported lost or stolen within 24 hours. If you are with Vodafone and you miss the 24 hours but report your phone as missing within five days, you should only be responsible for paying up to £500 for unauthorised usage outside of your allowance.

Further details can be found on the Ofcom [website](#)

Ofcom expands its online business portal

Ofcom has updated its [online business portal](#) with new information including a 'jargon buster' to explain confusing terminology, a 'basics' guide for new start ups and infographics to show the benefits communications services can bring to businesses.

The portal was launched last year to provide advice to small and medium-sized enterprises (SMEs) on choosing and switching provider, navigating and negotiating contracts, and resolving complaints.

The revised website provides information on how businesses can get the most from their communications services, providing information on:

- what to consider when choosing services and provider;

- how to change provider, and what to watch out for when signing up for a service;
- contracts and the things to consider before signing up;
- how to complain, your rights as a business and where to go for help if needed

European Commission opens consultation on the evaluation and the review of the regulatory framework for electronic communications networks and services

The Commission has launched a consultation to gather input for the evaluation process in order to assess the current rules and to seek views on possible adaptations to the framework in light of market and technological developments, with the objective of contributing to the Digital Single Market Strategy.

The consultation closes on 7 December 2015. Further details on the consultation and how to respond can be found [here](#).

Ofcom publishes latest telecoms and pay TV complaints

Ofcom has published its eighteenth quarterly report on the volume of consumer complaints made to Ofcom against the major providers of telecoms and pay TV services.

The data covers the three-month period from April to June 2015 (Q2), and includes complaints made about 13 providers of fixed line telephone, fixed line broadband, pay monthly mobile and pay TV services.

The total volume of telecoms and pay TV complaints made to Ofcom continued to decrease in Q2 2015, even as the number of consumers taking up these services increased. Broadband, mobile pay-as-you-go and mobile pay monthly services saw the most notable reductions in total volume of complaints.

Landline telephone services

Despite seeing a reduction since Q1 2015, EE continued to generate the highest volume of landline complaints as a proportion of its customer base (0.34 per 1,000 customers). The main complaint drivers for EE landline customers were problems changing provider (32%), concerns about faults, service and provision (29%) and complaints handling (17%).

Broadband services

EE also generated the most complaints for broadband as a proportion of its customer base during the second quarter of this year. However, their complaints volume did decrease from 0.51 per 1,000 customers in Q1 2015 to 0.45 in Q2 2015. Problems relating to faults, service and provision (40%), billing, pricing and charges (20%) and complaints handling (20%) were the main drivers of complaints about EE broadband.

Mobile pay-monthly services

Vodafone continued to be the most complained about mobile provider in Q2 2015 (0.14 complaints per 1,000 customers). The main drivers of Vodafone complaints were problems

with billing, pricing and charges (34%), complaints handling (27%) and concerns around faults, service and provision (17%).

Pay TV services

TalkTalk became the most complained about pay TV provider. Their complaints volume increased to 0.14 per 1,000 customers, compared to 0.12 in Q1 2015. The main reasons for TalkTalk complaints were fault, service and provision issues (36%), billing, pricing and charges (28%) and issues relating to complaints handling (17%).

A summary of the report and links to further information can be found on the [Panel's website](#).

New Broadband support scheme for rural communities launched in Scotland

A new funding programme for broadband for rural communities across Scotland has been launched. The new Scottish Rural Development Programme (SRDP) broadband grant scheme is a £9 million fund that will be used to support community-led broadband projects.

The Broadband Scheme is part of the £1.3 billion [Scottish Rural Development Programme](#) (SRDP) 2014-2020. This scheme is being administered by Community Broadband Scotland on behalf of the Scottish Government Rural Payments and Inspections Division (RPID). It is open to groups of communities to establish and scale-up the demand for superfast broadband services in areas that are unlikely to be served by the Digital Scotland Superfast Broadband Programme (DSSB).

Communities will link together to form joint community projects which can be taken to the market to deliver a broadband solution for their area.

The scheme will:

- support communities to establish and scale-up the demand for superfast broadband services in areas that are unlikely to be served by the Digital Scotland Superfast Broadband Programme (DSSB)
- support community projects that create, improve and extend superfast broadband infrastructure in remote and rural Scotland.

The Scheme is now open for applications. Further information, and details of how to apply, can be found here www.communitybroadbandscotland.org

5G Innovation Centre opens at Surrey University

The University of Surrey has opened the 5G Innovation Centre (5GIC), the world's largest academic research centre dedicated to next generation mobile and wireless connectivity

The centre, which will accommodate more than 170 researchers, has received £70million of investment, including £12m from the Higher Education Funding Council for England (HEFCE).

Opening alongside the Centre is the 5GIC's new testbed facility, featuring a fully functioning advanced 4G network. Over time, this will be upgraded to include 5G technologies and large scale Internet of Things. By 2018, the testbed should deliver 10Gbit/s per cell, ten times faster than the highest 4G data rate.

Further details can be found [here](#).

NSPCC and O2 launch initiative to help keep children safe online

The [NSPCC](#) has [joined forces with O2](#) with the aim of getting every family in the UK to talk about and understand their child's online world, just as they would their day at school. A nationwide programme of workshops will give parents and families the skills and knowledge to understand the internet as children do.

Expert advice will be available through the NSPCC's website, free online safety workshops, a new helpline for parents and from trained staff in O2 stores. There will also be events for parents and children all over the UK. The workshops will start in January 2016 and be running in London, Birmingham, Leeds and Northern Ireland. Or people can indicate if they would prefer a different location.

You can get advice on anything you're not sure about, including:

- setting up parental controls on your computer or other devices
- help adjusting privacy settings
- understanding social networks
- concerns about online gaming

New Consumer Ombudsman Launched

A new Consumer Ombudsman has been launched to deal with consumer complaints about goods or services in any sector not already covered by an ombudsman.

The new service is being launched by Ombudsman Services, which already runs an ombudsman scheme for the energy and telecoms sectors, among others.

The new Consumer Ombudsman will accept all consumer complaints about retail companies, home maintenance, improvement or installation services, second-hand cars, car repairs and car servicing via an online form that is available at www.consumer-ombudsman.org

The timing of the launch comes as the latest figures from Ombudsman Services reveal there were 66m complaints about products and services last year - equating to a complaint every 1.2 seconds.

The Ombudsman Services research also revealed that many who have a problem still take no action - up to 40m problems were not pursued, with the majority saying that complaining isn't 'worth the hassle'.

Customers also said the process of complaining was too daunting, with the legal system being too complicated, hard to access and expensive.

The Consumer Ombudsman will provide customers with a single place to go if they have a complaint, providing they have given the company a reasonable amount of time - usually up to eight weeks - to resolve the problem.

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