

FEBRUARY 2016 BULLETIN

Jo Connell presents the Panel's Inclusive Communications Research

Panel Chair, Jo Connell, presented the Panel's new [Inclusive Communications](#) research at Ofcom's Consumer Experience event on 10 February, which was attended by a range of stakeholders including communications providers, charitable organisations and consumer groups.

Jo's presentation, "*We're not all the same!*", provided an overview of the Panel's new qualitative research which explores in detail how accessible communications providers are to customers with additional communication support needs, such as people with disabilities, and older consumers aged 75+. We'll be hosting a series of roundtable events for stakeholders in March to discuss the issues we found and explore potential solutions.

The events will be held on:

- 2 March in Belfast
- 11 March in Glasgow
- 18 March in Cardiff

If you would like to attend one of these events, please contact Karen Keany for further information at media@communicationsconsumerpanel.org.uk

Panel responds to Ofcom's Consumer Experience 2015 report

At Ofcom's Consumer Experience event, Panel Chair, Jo Connell, also commented on the 10th Consumer Experience Report.

Jo highlighted that, overall, the communications market appeared to be working pretty well for consumers in general, with the average household spend on communications falling in real terms and residential broadband now averaging five times as fast as 2009.

However, she noted that there are still too many people that are unable to participate fully in the market or reap benefit from its development, noting that in rural areas, 48% of premises - approximately, 1.5 million households - are unable to achieve download speeds of 10Mbit/s; and 9% are unable to achieve 2Mbit/s. Jo said the Panel had welcomed the DCMS' announcement last year regarding a Universal Service Obligation (USO) of 10 Mbit/s and we look forward to seeing an implementation plan as soon as possible Rural areas also

experience disproportionate problems with mobile coverage: only 55% of the UK's total land area is covered by all four operators to give a basic (2G) voice service. Coverage inside buildings tends to be worse than outside, and indoor coverage in rural areas is particularly poor. So while 72% of rural premises in the UK have voice call coverage from all networks outdoors, only 31% of rural premises have the same level of coverage indoors. And 13% of rural premises have no coverage at all indoors.

Jo highlighted the Panel's concerns about disproportionate increases in fixed line rental - especially for the 10% of UK households who do not take broadband. These consumers are more likely to be older or on a low income. Jo also highlighted that increasingly complex pricing and promotional offers made it hard for people to compare prices and identify the best deals.

Jo welcomed the publication of information on broadband and mobile coverage, but noted that the report revealed a significant percentage of people still have difficulty in comparing communications services prices, mobile coverage and broadband speeds, encouraging more work to be done in this area.

Jo acknowledged that the publication of quarterly complaint stats had a tangible effect on providers, and stated that the Panel would like to see this go further, with the publication of Alternative Dispute Resolution (ADR) referrals and outcomes.

A copy of Ofcom's Consumer Experience report can be found [here](#).

Update on Communications Consumer Panel and ACOD activities

Over the past month, Members of the Communications Consumer Panel and ACOD have been meeting with a range of stakeholders to discuss a variety of consumer issues.

We strongly believe that, as far as practicable, all users should have equivalent access to content across platforms. This month Panel Members Mairi Macleod and Bob Twitchin visited Ericsson to hear about the latest developments in subtitling. There have been important technical developments in the provision of live subtitling and we are extremely keen to see these promoted and used as soon as possible for the benefit of people who currently experience detriment from the provision of delayed text.

Panel Member Chris Holland, attended a Digital Policy Alliance discussion about the Smart Society and the UK's digital strategy. Chris said: "clearly the digital economy offers huge opportunities, but there remain challenges in terms of connectivity; digital skills; data security; and digital participation. The Government's emerging Digital Strategy will be vital in helping address these issues in a way that helps and supports consumers, citizens and small businesses."

Panel Member Mairi Macleod, also attended the Scottish Parliament's Cross Party Group on postal issues. The meeting discussed parcel delivery charges, especially in online transactions. A trading standards officer from the Highland Council noted that refusal to deliver, or excess charges for delivering, are thought of as problems affecting remote rural areas, but in fact can affect people living in areas which are not at all remote - often

through simple ignorance of geography and misuse of postcodes. This is compounded by some companies not making clear on websites that different delivery charges may apply, depending on location, until the point of payment is reached - or, sometimes, after payment. Best practice would be to make delivery charges clear at the very beginning of the process.

Consultation Responses

The Communications Consumer Panel and ACOD responded to Ofcom's '**Review of how we use our persistent misuse powers: Focus on silent and abandoned calls**'. In our response, we welcomed the review and the proposal to reset the policy, tightening it up to provide the best chance to take effective and efficient enforcement action. We also welcome the clarification in relation to abandoned calls, although we urged Ofcom to go further and also supported enhancing its enforcement process, so that it can take greater, and more effective, enforcement action more quickly.

The full consultation response can be found [here](#).

The Communications Consumer Panel and ACOD responded to **DCMS' consultation on 'Requiring direct marketing callers to provide Calling Line Identification (CLI)'**.

We fully support the proposal to require that direct marketing companies provide CLI. The problem is significant - Ofcom has estimated that the overall number of nuisance calls made to UK consumers is around 5 billion per year: silent calls comprise about 1.5 billion calls, abandoned calls around 200 million, live sales 1.7 billion calls and recorded sales messages 940 million. Older people are also significantly more likely to be affected by the incidence of such calls.

We agreed that the Government should amend the Privacy and Electronic Communications Regulations (PECR) to make it a requirement for direct marketing callers to provide CLI. Mandatory CLI from direct marketing companies, requiring a genuine telephone number that can be called back, will be a vital tool in protecting and helping consumers. It is right that it should become an industry standard, to ensure that companies that are reckless in their treatment of consumers can be held to account. However, our response note that for consumers to truly benefit from the proposed display of CLI on calls from direct marketing companies and be able to make a truly informed decision about whether to answer a call, they must be able to see immediately what that number is.

The Panel has previously urged the provision of free caller line identification (CLI) by default for consumers. The Panel believes that, since it is the service provided by telephone companies, and paid for by the consumer, that is being abused then it is logical for CLI - one of the main available defence mechanisms against nuisance calls - to be freely available to all consumers. Additionally, the CLI service can be used to report nuisance calls to regulators as well as being critical for the effective use of handsets and services that rely on caller display to block and filter certain calls.

The full consultation response can be found [here](#).

Draft Work Plan consultation - 2016/17

The Communications Consumer Panel and the Advisory Committee on Older and Disabled People (ACOD) have published their draft Work Plan and proposed priorities for 2016/17

You can find a copy of it [here](#).

The draft Work Plan explains the Panel and ACOD's role, describes the different ways in which we engage with issues, explains how we have chosen our draft priorities for the coming year and sets out the areas that we propose to address. This Plan is being put out for consultation in February and March 2016 and will be reviewed following comments made by stakeholders. The consultation runs until 27 March 2016.

Ofcom publishes initial conclusions of its Strategic Review of Digital Communications

Given the increasingly central role of digital communications services in people's lives, society and the economy, it is vital to support fully the communications needs of all consumers, citizens and micro businesses.

Consumers, citizens and micro businesses are more reliant than ever on communications services - mobile devices particularly have experienced an exponential rise in use. In the Panel's view, any sub-optimal delivery of communications services has ceased to be a cause of irritation for individual consumers and micro businesses - it is now an issue of real detriment.

The Panel therefore welcomes the proposals outlined in Ofcom's [initial conclusions](#) of its Strategic Review of Digital Communications and looks forward to working with Ofcom and providers to ensure that the detail delivers on the broader aims.

The Strategic Review, [which was announced](#), last year, sets out Ofcom's approach to regulating the communications market for the next decade. The key proposals of the review are:

- **A strategic shift to large-scale investment in more fibre.** To facilitate this, BT's Openreach will be required to open up its network of telegraph poles and underground tunnels to allow competitors to build their own fibre cables.
- **Better quality of service across the telecoms industry.** Ofcom intends to introduce rules on faults, repairs and installations; transparent information on quality of service across all operators; and look to introduce automatic compensation for consumers when things go wrong.
- **Reform of Openreach.** Ofcom intends to reform Openreach's governance and strengthen its independence from BT. Ofcom believes that Openreach should be governed at arm's length from BT Group in the future.
- **Better broadband and mobile coverage.** Ofcom will work with Government to deliver a new universal right to fast, affordable broadband for every home and business in the UK. This will start with 10 Mbit/s for everyone.

- **Empowering consumers to make informed choices.** Ofcom intends to provide consumers with more accessible and engaging information on services available to them, and continue to make switching easier.
- **Deregulate and simplify whilst protecting consumers.** Ofcom intend to step back from regulation where people and businesses no longer need it, including where there is a real prospect of competition.

A summary of the report can be found [here](#).

Concerns about the proposed H3G and O2 merger

The Panel welcomed [the article in the Financial Times by Ofcom CEO Sharon White](#) where she outlined concerns about the proposed O2 and H3G merger.

We've [written to the European Commission](#) expressing our objections.

Panel Chair, Jo Connell, said; “It is the Panel’s view that, beyond benefitting the companies involved - which should not alone be grounds for approving the deal, we have yet to see any credible reasons why this merger should be allowed to proceed. The Panel finds it hard to envisage any circumstances in which this deal could be good for consumers in either the short or long term. The proposed merger between H3G and O2 will reduce the number of MNOs in the UK from four to three. We cannot see how less competition supports the aim of a competitive market that works for consumers.”

New advice published by UKRN on the extra help available to older, ill, or disabled people

The Panel has welcomed published [new advice](#) from the UK Regulators Network on the extra help available to older, ill, or disabled people when using services such as gas, electricity, water, phones and public transport.

This leaflet is a product of coordinated work by regulators to address the issues faced by vulnerable people with particular needs.

Children's fact sheets and activity sheets on their media use

The Panel is very conscious of the extent of the rapidly evolving privacy and security issues facing people in a highly connected world . We've therefore welcomed Ofcom's publication of [fact sheets and activity sheets](#) for children aged 8-11 to use within schools and/or with their parents. These are based on findings from Ofcom's annual 'Children and parents: media use and attitudes report'.

Ofcom has created two fact sheets based on the results for children in the 8-11 age group:

- ‘What devices do you have, and use?’
- ‘How online smart are you?’

To accompany the fact sheets it has created activity sheets containing the questions asked behind each set of results, to prompt discussion. These activity sheets also contain useful URLs for children and parents. These were created in collaboration with Childnet and were launched to coincide with Safer Internet Day 2016. They are available with other media literacy publications on the Ofcom website at www.ofcom.org.uk/medialiteracyresearch.

Freelance Communications Adviser

The Communications Consumer Panel is looking to appoint the services of a Communications Adviser on a self-employed basis for a fixed period of a minimum of 12 months (with potential for an extension) from April 2016. Further details can be found [here](#).

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