The Work of the Communications Consumer Panel and the Advisory Committee on Older and Disabled People

2014 - 2015

July 2015

Contents

Foreword

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.

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. A complete list can be found in Annex 1. 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 later in this 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 (CPs) around the UK. We will continue to take this work forward over the coming year.

Another important part of the Panel's and ACOD's role is to work closely with our stakeholders to ensure that together we can harness the power of transformation in the communications sector – and empower UK consumers and citizens to be part of a digitally capable and active society. We have advised on a number of research and policy projects from the point of view of older and disabled consumers and advised informally on Ofcom's Single Equality Scheme.

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. This report provides a comprehensive and I hope informative view of the Panel's work, its achievements and the value it provides to stakeholders – in particular, those whose interests it sets out to protect and promote.

Jo Connell OBE DL - Chair, Communications Consumer Panel and ACOD

About the Panel

The Panel's objective is to:

"protect and promote the interests of consumers, citizens and micro businesses in the communications sector by giving advice to Ofcom, the EU, Government, industry and others."

The Communications Consumer Panel consists of eight independent experts who work to protect and promote people's interests in the communications sector. Established by the Communications Act 2003, the Panel carries out research, provides advice and encourages Ofcom, governments, the EU, industry and others to look at issues through the eyes of consumers, citizens and micro businesses.

The Panel pays particular attention to the needs of older people and people with disabilities, the needs of people in rural areas and people on low incomes, and the needs of micro businesses, which face many of the same problems as individual consumers.

Four members of the Panel also represent the interests of consumers and citizens in England, Northern Ireland, Scotland and Wales. Our National Members not only have individual sectoral expertise but also have strong networks within their nations and it is vital that they bring this experience to bear in their work. Topography and population-spread vary across the nations, thus each present different challenges; but, at the same time, similar problems with communications services can have varying impacts and levels of detriment in different nations. Our National Members liaise with key stakeholders in the Nations to understand the perspectives of consumers and citizens in all parts of the UK and input these to the Panel's consideration of issues. They also attend meetings of the Ofcom Advisory Committee for each Nation so that there is a two-way communication of ideas.

The Panel engages with stakeholders to inform the advice that it gives and to help to keep the interests of consumers, citizens and micro businesses on the agenda across the sector. The Panel also engages with a range of other organisations working on behalf of these constituencies - including those representing older and disabled people.

The Panel and ACOD have a unique relationship with Ofcom. Sometimes described as a 'critical friend' to Ofcom, the Panel provides robust and independent advice that is constructive, realistic and cognisant of the trade-offs which regulatory decisions may sometimes involve. This is made possible by the fact that Ofcom shares information and ideas in confidence with the Panel at the beginning of regulatory processes, before consulting formally with other stakeholders. This unique position enables us to give strategic advice on policies early on in their development, as plans are being formulated, so that consumer and citizen interests can be built into Ofcom's decision-making from the outset.

Our single sector specialism generates and sustains a focus and expertise so that we can challenge in a constructive environment, offer comprehensive advice and influence the development of policy in a timely way. Attendees at Panel meetings realise that it is a place for robust, informed debate but with the over-riding intention to help Ofcom and other stakeholders deliver better policy and outcomes – for individual consumers, citizens, micro businesses and ultimately for the UK economy and society.

The Panel is highly cost effective, operating on a small annual budget. We remain based at Ofcom's offices so have low overheads. Where appropriate Ofcom shares data and research with

us, so that the Panel need only undertake research in carefully targeted areas where we identify a need for a specific consumer perspective. We meet monthly but conduct much of our work electronically, outside of meetings.

Panel Member updates

Panel members are appointed by Ofcom, subject to Ministerial approval, in accordance with Nolan principles and are eligible for re-appointment. Ofcom funds the Panel and provides a small but highly effective executive support team.

This year, Kim Brook, Member for Wales, completed his term. Jo Connell warmly thanked Kim for his valuable contribution during his time on the Panel.

The Panel and ACOD welcomed two new members. Rhys Evans joined as the new member for Wales. Rhys has worked on a range of consumer issues on behalf of vulnerable consumers across a number of sectors including retail, communications and energy in his previous role of Wales Director of Consumer Futures (formerly Consumer Focus Wales). He was previously Chair of the Consumer Direct Wales Advisory Board, and has advised the Welsh Government on a number of consumer issues.

Richard Hill joined as the new member for Northern Ireland. He is Chairman of the Consumer Council (Northern Ireland). Rick has previously been Chair of the Northern Ireland Screen Commission, Chair of Consumer Focus Post and member of the Consumer Focus UK Board, a member of the BBC Audience Council for Northern Ireland and BBC Broadcasting Council for Northern Ireland. He was made an MBE for services to Broadcast Media in 2014.

The Panel was extremely pleased that this year two of its members became MBEs. Jaya Chakrabarti was awarded an MBE for services to the creative and digital industries and to the community of Bristol in the Queen's Birthday Honours List; and Bob Twitchin was awarded an MBE for his services to disabled people and telecommunications in the New Year's Honours List.

Panel activities

Our job is to ensure that the communications sector works for consumers, citizens and micro businesses - and in particular the more vulnerable in society, which may include older people, disabled people and indeed anyone who finds themselves in a vulnerable situation. This means looking beyond the statistics and making sure that we also reflect the experiences of individuals in our priorities.

The Panel ensures that the consumer voice is heard on a broad range of issues, which we address in three main ways:

> ➢ Key areas of engagement: substantial proactive work to push an issue up the regulatory or policy agenda or seek a specific change in policy.
> ➢ Research: to stimulate and influence debate; and to inform and help with our policy advice and the work of others.
> ➢ Keep under review: the Panel keeps many other issues under review – particularly where we have previously raised concerns and stimulated action - and intervenes where appropriate.

We have a small budget for research and focused use of this has contributed evidence and insight to Ofcom's and others' work. For example, our *Going round in Circles* research has contributed to Ofcom work on quality of customer service, and our *Realising the Potential* research on the experiences of microbusinesses has helped Ofcom identify issues on delivery of services for Small and Medium Enterprises (SMEs). Both research reports were also welcomed by CPs, who told us that they found them of value.

Whilst some of our work can be assessed in terms of quantifiable data, such as the number of consultations we've replied to or our publications output, it is harder to apply such a measure when assessing the influence we have. This is because our activity is often behind the scenes, shaping policy as it is just starting to develop; and outcomes are often long term. So in terms of evaluating our impact and our role, we greatly appreciate the feedback we get from our stakeholders on various areas where we had given input or raised concerns and challenges including, for example:

"The work of the Panel and the Advisory Committee is important and impressive and the Board is grateful for your input into Ofcom's Annual Plan. The role of the Panel in advocating for consumers and citizens across Ofcom's activities (and with other stakeholders) is essential for strong representation. I note your focus on micro businesses alongside residential consumers, and am pleased that your research in this area last year contributed to Ofcom's work to assess the performance of the market for SMEs. I am grateful for ACOD's influence on accessibility and usability issues, notably the Committee's insights on next generation text relay." **Dame Patricia Hodgson, Ofcom Chairman**

"The BSG has benefited from the CCP sitting on its Executive Board where it provides an important voice. Given the areas that the CCP had outlined in its plan, particularly those highlighted above, the BSG looks forward to continuing and deepening its relationship with the CCP." **Broadband Stakeholder Group**

"The Panel continues to play an important role in promoting the interests of consumers and protecting vulnerable consumers. BT is supportive of its work and appreciative of its independent expertise and research outputs." **Consumer Affairs, BT Consumer**

"Also I would like to state how useful the team found the Panel's contributions during ATVOD's discussion with them on the accessibility of on demand services... It's that kind of specific knowledge from the consumer experience point of view which really helps inform our policy work in this area." **Content Standards, Licencing and Enforcement, Ofcom**

"Your remarks from the position of the consumer offered a refreshing alternative perspective to the session and would have been well received by delegates." **Westminster eForum**

Review of Ofcom's Consultation Process

Reflecting the consumer and citizen voice in policy development and decisions is vital – and yet hard to achieve effectively. So we set up a sub-group of the Panel, joined by two external stakeholders, to undertake a review of how Ofcom consults – in the widest sense.

The objective of the project was to a) review Ofcom's Consultation Policy and Guidelines; and, b) make recommendations for any improvements, with the intention that stakeholders', citizens' and particularly consumers' interests are best met in terms of engaging with the consultation process.

The scope of the review covered:

- Gathering evidence/views from various sources;
- Reviewing current consultation categorisations;
- Reviewing a sample of consultation responses;
- Reviewing best practice around consultations;
- Developing suggestions based on findings; and
- Making recommendations.

Following a series of constructive meetings with Ofcom colleagues, external stakeholders and a review of evidence, the sub-group made a series of recommendations which have been formally submitted to Ofcom. We will review the implementation of the recommendations later in 2015.

Influencing the debate

The Panel ensures that a range of organisations understand the consumer perspective; responds to a wide variety of consultations; and informs and stimulates debate by organising or presenting at a number of events and working with partners. In 2014/15 these have included:

AbilityNet	Competition & Markets Authority: Commercial use of consumer information	European Commission	National Advisory Committees for England, Scotland, Wales and Northern Ireland	Age Action Alliance
BIS: Consumer Rights Bill	Broadband Stakeholder Group	Nuisance Calls and Texts Task Force on Consent and Lead Generation	PhonepayPlus strategic plan & consumer journey research	Age UK
Department for Work and Pensions	Service and content providers	Federation of Small Businesses	Consultation Institute	UK Regulators Network
Telcoms Stakeholder Forum	DCMS/DCLG: Role of Public Libraries	NESTA	ADR Services	Mayor of London's Connectivity Summit
Financial and Legal Services and CAA Consumer Panels	DCMS: e-accessibility	CPECR regulations and a national public alert system	Extra Costs Commission	ATVOD
International Institute of Communications	House of Lords' Digital Skills Committee	National strategy for Scotland's public libraries	DCMS: tackling not-spots in mobile phone coverage	Essential Services Access Network
DCMS: Digital Communications Infrastructure Strategy	Scottish Parliament: Cross Party Group on Digital Participation	Citizens Advice	Action on Hearing Loss	Safer Internet Day
Consumer Forum for Communications	BIS: UK technical non-paper on e-commerce	Competition & Markets Authority: Mobile market consolidation	Tinder Foundation	Government Digital Service: Assisted Digital Group
Department for Communities and Local Government	Which?	Carnegie UK Trust	BIS: Implementing the ADR Directive	RNIB
Intellectual Property Office	Deaf Access to Communications	Business Disabilty Forum	Voice of the Viewer and Listener	Westminster eForum: ADR & Superfast Broadband Strategy

2014/15 work areas

As described in our published workplan, we undertook a range of work centred on the following key areas of engagement and research projects:

Key areas of engagement

- Nuisance calls
- Mobile and broadband coverage and quality of experience
- Customer Service and complaints
- Privacy and security of personal data
- Effective digital engagement

Research

- Micro-businesses' Experiences of Communications
- Digital Footprints - the use of personal data
- How organisations communicate with more vulnerable consumers

Review

- Affordability and debt
- Consumer Information
- Mobile payments
- Next generation text relay services and support for video relay initiatives
- Switching
- Content access services
- Spectrum Strategy
- Traffic management
- DAB switchover
- Postal services
- Non-geographic calls

Additional ACOD specific work areas

- Portrayal and participation
- Accessibility

Key areas of engagement

Nuisance calls and texts

Nuisance calls – including live marketing calls, silent calls, abandoned calls, and recorded marketing message calls - and texts from businesses can cause consumers irritation, anxiety, distress and potential financial loss. There is also a risk that they adversely affect people's likelihood of engaging with services by phone in general. A reduction in people's trust in their communications service is bad both for consumers and businesses.

Over the year, we worked closely with a range of stakeholders and are encouraged to see some progress in this area. We were particularly pleased to be a member of the Nuisance Calls and Texts Task Force on Consent and Lead Generation which has made a number of recommendations in the area of personal consent and companies' use of data. (See below for more detail.)

The Panel has been active throughout the year to push for better consumer protection against nuisance calls. The Panel has long called for Caller Line Identification (CLI) to be offered free of charge by default, which is currently not the case among all providers. There are few tools available to consumers to combat nuisance calls, but CLI generally allows people to make an informed decision about whether to answer a call.

As it is the service provided by telephone companies, and paid for by consumers, that is being abused it seems logical for CLI - one of the main available defence mechanisms against nuisance calls - to be freely available for 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. We have also argued for a requirement for all business calls to carry an authentic and returnable CLI - with an exemption process for those that may have a legitimate reason for withholding e.g. abuse shelters.

Following our call for action on these points, we were extremely pleased that Baroness Hayter shared our view and mentioned the Panel's concerns in the Lords' debate of her proposed amendments to the Consumer Rights Bill.

The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills (Baroness Neville-Rolfe) agreed that it was very difficult to complain about a caller if you cannot see who is making the call and responded *"We are now satisfied that we can seek a derogation from the e-privacy directive to impose a requirement to provide CLI on any person making unsolicited calls for direct marketing purposes. The Government will therefore commit today to bring forward secondary legislation to amend the Privacy and Electronic Communications Regulations in the coming months, following an appropriate consultation."*

We were extremely heartened by this undertaking and remain hopeful that the Government – and recalcitrant CPs - may reconsider on the issue of free CLI.

In March 2014, the Nuisance Calls and Texts Task Force on Consent and Lead Generation was convened by Which? at the request of the Department of Culture, Media and Sport (DCMS), following the publication of the DCMS Nuisance Calls Action Plan, and the Panel was pleased to be asked to contribute its expertise.

The task force met over five sessions and presented its report and recommendations to the Government in December. Key recommendations include:

1. Calling on businesses to improve their direct marketing practices.
2. Urging further action by the Competition and Markets Authority (CMA) and the Information Commissioner's Office (ICO).
3. Recommending that Government should lead a cross-sector business awareness campaign to ensure companies know their responsibilities when it comes to making marketing calls and texts; and consider how future legislation could tackle nuisance marketing.

In its November 2014 response[1] to Ofcom's call for inputs on the review of its use of Persistent Misuse Powers, the Panel highlighted that the Persistent Misuse Powers are a vital element of the protection framework for consumers and we urged their revision so that they better meet the needs of consumers in the context of high volumes of nuisance calls; and so that businesses can be very clear about regulatory expectations and consequences in respect of misuse.

The Panel confirmed its support of the reduction of the abandoned call rate threshold from 3% to 0%, with the overall aim of phasing out Answer Machine Detection (AMD) technology, thus eliminating one potential source of nuisance calls.

It is the Panel's view that the issue of consent to contact is fundamental in tackling nuisance calls – both in relation to people being able to give informed consent to be contacted or otherwise, and the proving of such if there is a dispute. We believe it is currently too easy for consumers to inadvertently give consent which overrides their Telephone Preference Service (TPS) registration.

The Panel therefore urged a move to a consistent opt-in standard of consent; that companies should check with consumers that their consent is still valid; fixed time-limits on consent should be adhered to; and that a company making a call should be able to state, proactively, when and where consent was given, and have such information to hand when the call is made.

In our Response to DCMS' proposal to lower the legal threshold for enforcement of the Privacy and Electronic Communications (EC Directive) Regulations 2003 ("PECR"), for regulations 19-24, to tackle unsolicited direct marketing calls and SMS text messages, the Panel fully supported the proposal to remove the existing legal requirement for the ICO to prove that a contravention was of a kind likely to cause 'substantial damage' or 'substantial distress'.

We were extremely pleased with the Government's subsequent announcement in February 2015 that, from 6 April 2015, there would be a change in the legislation to make it easier for the ICO to impose fines of up to £500,000 on the companies behind cold calls and nuisance texts. As we had additionally called for greater co-ordination between agencies, we were pleased that amendments to legislation will also make it easier for the ICO and Ofcom to exchange information.

We are encouraged by the recent greater priority given to enforcement and hope that that this will mean faster processing and swifter, more effective, action where appropriate. The Chancellor's announcement in the recent budget, to allocate £3.5m to explore ways to protect

---

[1] Response to Ofcom's call for inputs on its review of its use of persistent misuse powers – Nov 2014

vulnerable consumers, is a step in the right direction and we were pleased to be able to contribute to the roundtable on this subject.

There is however still much to be done and the Panel remains concerned by the latest complaint figures, the length of time progress in this area takes and the likely increase in pension marketing calls.

Mobile and broadband coverage and quality of experience

Consumers, citizens and micro businesses are more reliant than ever on communications services – and particularly mobile devices. Voice, text – and at a rapidly increasing pace data – are all central aspects to people's lives both collectively and individually. In the Panel's view, sub-optimal delivery of communications services as a result of inadequate infrastructure – be it a lack of reliable, fast broadband or the absence of robust mobile voice and/or data coverage - has long since ceased to be a cause of simple irritation for consumers and micro businesses; it is now an issue of real and significant detriment. We believe that the ambition should be for mobile and broadband coverage to be truly ubiquitous – and for mobile coverage to relate to both indoor and geographic coverage, as well as on roads and rail.

We have therefore worked closely with DCMS, Ofcom and other agencies over the last year. In particular, we provided a consumer and microbusiness perspective to both of DCMS' Digital Communications Infrastructure Strategy consultations, with Panel Member Craig Tillotson also contributing his expertise to scenario workshops. This allowed the Panel to highlight the need to consider external forces, such as the needs of an ageing population, when scoping out the needs of consumers - as well as micro businesses, where communications needs and challenges may differ from the SME community.

In responding to the Digital Communications Strategy[2] terms of reference, we strongly recommended that the Strategy should cover the future provision of broadband **and** mobile at a minimum - not just broadband - as consumers, citizens and micro businesses move towards being increasingly reliant on mobile devices. We also suggested that, given the need for robust modelling, a detailed assessment of current provision and the supply market was required.

With regards to the Digital Communications Strategy consultation[3] itself, the Panel noted that the document focused almost exclusively on connectivity. We noted that infrastructure cannot stand alone and must be linked to digital participation initiatives. We highlighted that the Strategy had to take into account likely take-up – the best connectivity in the world is fundamentally undermined if significant numbers of the relevant population are not able to use it to best effect. In our view, social inequalities will be heavily influenced one way or the other by communications availability and effective digital participation (or lack of these things).

In June 2014, the percentage of UK properties with superfast broadband availability was noted to be 78%. In Q1 2014, take-up was at 26.7%. In our responses to the Digital Communications Strategy consultation, which pre-dated the 2015 Budget announcements, the Panel emphasised its concern about the position, under the Superfast Broadband strategy, of those consumers, citizens and micro businesses in the last 5% i.e. those who are not included in the undertaking to

---

[2] http://www.communicationsconsumerpanel.org.uk/downloads/digital-communications-infrastructure-strategy-terms-of-reference-response.pdf
[3] Response to DCMS' Digital Communications Infrastructure Strategy Consultation Document – Oct 2014

extend superfast to 95% of UK premises by 2017. Much activity was anticipated to rely on market forces, but the likelihood is that the market will serve the market and not necessarily all consumers; the full reach of a digital infrastructure must be extended somehow. Ninety-seven percent of UK premises are able to access a basic broadband service, with download speeds of more than 2Mbit/s; 85% can access a standard service, with speeds of 10Mbit/s or more[4]. There are therefore 3% of households that are in postcodes where next generation access networks are not available. Whilst the percentage is small, the absolute number is significant and those who are affected deserve a high level of assistance and support. The Government cannot move to "digital by default" for provision of services without committing to universal access to fast broadband.

We have previously argued that broadband should be included in a revised Universal Service Obligation (USO). The inclusion of fixed line and narrowband alone is, in our view, outdated. We were encouraged therefore that, in the 2015 Digital Communications Infrastructure Strategy, the Government committed to looking to raise the USO – the legal entitlement to a basic service – from dial up speeds to 5Mbit/s broadband, ensuring that every household in the UK has access to basic broadband. It also committed to launching a scheme with local bodies across the UK in 2015 to subsidise the costs of installing superfast capable satellite services. This will build on the previous commitment that there will be at least 95% superfast broadband coverage by 2017 by offering a superfast capable solution to around a further 1% of premises.

We were pleased to see progress towards a broadband USO. However, we do not believe that 5Mbit/s is a sufficiently high threshold to serve current and future consumer needs. Consumers and microbusinesses deserve, and need, greater ambition on this, and we have urged a USO of a minimum 10 Mbit/s as soon as possible.

Consumers, citizens and micro businesses are increasingly reliant on mobile devices. DCMS' consultation[5] on tackling not-spots in mobile phone coverage provided the opportunity for the Panel to call on DCMS to consider national roaming as the solution to quickly and comprehensively tackle partial not-spots, a key issue for us for a number of years.

As highlighted in the DCMS document, partial not-spots affect 3% of UK premises, 10% of A roads, 16% of B roads and 21% of landmass. These figures have a disproportionately high impact in rural areas and may give rise to serious safety issues. However, partial not-spots are ubiquitous across the whole UK, including London and other major cities, particularly in-building.

Whilst we understand that 4G rollout is important, we argued that it is far more democratic and equitable for all parts of the UK to have access to at least some form of mobile voice and data provision via 2G and 3G than for only some areas to have access to 4G, and others to be left with a vastly inferior service. This is of particular importance given the drive to place more government services online and encourage people to self-serve as part of the digital by default initiative, supporting the case that internet access should be universal.

Our responses to both DCMS' Infrastructure Strategy consultations highlighted that consumers have never been able to do anything about not-spots other than buy SIMs from more than one Mobile Network Operator (MNO) and swap them over to gain coverage – which is not a solution,

---

[4] http://stakeholders.ofcom.org.uk/binaries/research/consumer-experience/tce-14/2_Change_Availability.pdf

[5] Response to DCMS' consultation on Tackling Partial Not-Spots in Mobile Phone Coverage – Nov 2014

but a costly and inconvenient process; whereas the MNOs do have the capability, technology and financial resources to fix the problem for their customers. This is particularly the case for business owners with a disability and for companies working in many rural areas and outside major conurbations.

The Panel has welcomed the 4G coverage obligation of 98% indoor coverage UK wide, and 95% in each Nation by the end of 2017, and the mobile infrastructure project as tools to increase rural broadband and mobile voice/data coverage. We hope that the recent undertakings given by MNOs to Government - guaranteed outdoor voice and text coverage from each operator across 90% of the UK geographic area by 2017 and full coverage from all four mobile operators increasing from 69% to 85% of geographic areas by 2017 - will make a significant impact and we will encourage close monitoring of their rollout and efficiency.

We were also encouraged by the Department of Transport announcement in February that train operators are being asked to set out how they will meet the commitment to provide free wi-fi on trains for passengers. All train operators bidding for new franchises and direct award agreements will have to include this specification in their bid. There is no new franchise agreement due in the next two years but £47.8 million of funding will be released from the Department for Transport to ensure wi-fi is available on selected services from 2017.

However, we consider that there is still some way to go and it is vital that consumers and citizens in the widest sense should not be left behind, left out or left wanting. Excellent network coverage and call quality combined with the provision of better information will help people make better choices – and make greater use of the functions and applications that they want, which in turn we believe will drive up service levels and ensure that a thriving competitive market benefits all stakeholders.

Consolidation in the mobile market is an issue of interest to the Panel in the context of consumer impact. The Competition and Markets Authority's recent invitation to comment on one such proposal was an opportunity for us to highlight our concerns that the position of all UK telecommunications consumers must not be weakened in any way by the anticipated acquisition. There is now a risk of even fewer providers offering services to consumers. The consumer should be at the heart of a competitive market and the Panel is concerned that a reduction of players in the communications market risks diminishing competition and consumer choice.

It is of significant concern to us that consumers appear to have experienced significant price increases in other European markets e.g. Austria where there has been a reduction in the number of MNOs in the market. We have encouraged a detailed and thorough exploration of what safeguards might be necessary to protect consumers.

Customer Service, complaints and Alternative Dispute Resolution (ADR)

Over the past year, the Panel has continued to highlight the customer service recommendations it made following its 2013 research, _"Going round in circles? The consumer experience of dealing with problems with communications services"_. We have asked for regular updates from communications providers so that we can hold them to account in relation to our recommendations in five key areas from the report: quality of information; contact staff training; consumer contact experience; support for older and disabled consumers; and ADR referral processes.

The Panel was disappointed to discover that many consumers who participated in its research were unaware of their options to escalate their case, either within the provider or by way of recourse to an ADR scheme.

ADR is an important way to redress the power imbalance between consumers and communications providers who have greater resources, knowledge and control over the products and services which are in dispute.

We have previously emphasised that a crucial step in the resolution of complaints is for providers to inform consumers, in a clear and timely fashion, of their right to take a complaint to the relevant ADR. We are pleased to see that Ofcom has acknowledged customer service, and in particular ADR, as a key consumer issue and has focused efforts on addressing the areas where improvement is needed.

From July 2011, Ofcom required communications providers to provide additional information to consumers about their right to take unresolved complaints to ADR. Since then, providers have been required to include relevant information about ADR on consumers' bills and to write to consumers whose complaints have not been resolved within eight weeks to inform them of their right to go to ADR.

In our response[6] to BIS's consultation on implementing the ADR Directive, we highlighted our recommendations in relation to ADR. These included:

a) Communications providers should:

- 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.

b) Ofcom should independently review the efficacy of, and access to, escalation procedures across the industry.

c) Ofcom, the ADR schemes, industry and consumer advocates should undertake serious consideration of a shorter complaint duration time than eight weeks before consumers can approach the ADR schemes.

We also strongly encouraged the open publication of data on how providers perform in terms of information about numbers of complaints referred to ADR and numbers upheld. We believe that this can be achieved fairly by taking into account the size of the provider and its overall customer base – so that the information is consistent and useful to consumers. It may also serve as an incentive to companies to improve their complaint handling so that fewer consumers feel the need to go to ADR.

CPs are legally required to belong to an ADR service and to offer it to consumers when complaints cannot be resolved. But in the retail arena generally, the Directive requires there to be an ADR service whilst not mandating its use by traders. We find this a paradoxical position. However,

---

[6] Response to BIS' consultation on Implementing the Alternative Dispute Resolution Directive and Online Dispute Resolution Regulation June 2014

since the aim of the Directive is to encourage consumer confidence, we suggested that traders be required upfront to state whether they are part of an ADR scheme. This may cause some traders to think twice about non participation and it would give consumers a greater degree of knowledge and confidence before they purchase, rather than having to wait until a complaint occurs to find out if the trader intends to allow access to an ADR scheme.

Privacy and security of personal data

The Internet of Things (IoT) offers many exciting possibilities for UK consumers and citizens, but its development also leads to concerns in relation to privacy, data protection, the control of data and security. This is particularly relevant to the growth of big data – especially that of machine to machine data. What sets this apart from our current situation is the new development of aggregated data and inferred data. So while there are great opportunities for innovation, there are risks too. Consumers need to be given the tools to control their data and understand how data has evolved, how it might in future, the value of their data and the implications of their consent to its release and use. Companies need to ensure that they have a compliance culture (which could involve a Code of Conduct for example) - to supplement any existing regulatory framework - and adhere to it.

The IoT potentially offers the possibility of providing a significant improvement in the lives of people with disabilities and may help to improve quality of life. Connected devices offer people with disabilities, that prevent them from direct interaction with objects in their typical locations, the possibility of control via a mobile app. Connected devices also offer easier control to people who may struggle with a particular device, but can access and interact with it through tailored setups on their own mobile phones or other devices.

We raised these issues in our response[7] to Ofcom's call for input on promoting and investing in the IoT. Just over three-quarters of UK adults (77% - 1st quarter 2014[8]) have fixed or mobile broadband and consumers have access to a vast range of online services and applications. Many of these are free at the point of use, but these are often funded indirectly by the data that consumers provide about themselves and the websites they visit. Previous research by the Panel *Online Personal Data – the Consumer Perspective*[9] suggested that few consumers have top-of-mind concerns in this area, although they express significant concern when asked about specific privacy issues. However with machine-to-machine data exchange on the horizon, and as the market for personal data becomes ever more complex and monetised, it is increasingly important that people understand the implications of the consent they are giving organisations for the use of their data and, with regard to security, the precautions they can take.

We highlighted the challenges that we currently face in relation to the privacy of data and data protection and how this will become more sharply defined with the development of the IoT. However, there is an opportunity to learn from the experiences of the use of data online and how it has been utilised along the value chain by some commercial organisations, sometimes to detrimental effect for the consumer - e.g. as a partial cause of nuisance calls.

The IoT will potentially involve a vast increase in the collection and transmission of data – and particularly sensitive personal data. The protection of this data is paramount. Consumers can only take responsibility if they know how their data is being collected and processed and have the

---

[7] http://www.communicationsconsumerpanel.org.uk/downloads/iot-final.pdf
[8] Ofcom 2014 http://media.ofcom.org.uk/facts/
[9] http://www.communicationsconsumerpanel.org.uk/online-personal-data/online-personal-data-1

tools to manage its use. This should not mean making privacy policies longer and more complicated – in fact there is a good case for simplifying such information. Consumers should also be able to reverse decisions that they have made to share personal data. Companies need to use their expertise in content presentation to provide privacy information and tools in user-friendly ways. We therefore called for consumer-centric policies - clear and layered privacy notices and flexible regulations that allow innovation but hold companies responsible if they misuse data.

There is the risk that IoT devices could be hacked in ways unbeknown to the user. We have already seen examples of this – and it is of particular concern that some devices lack the capability of being adjusted by the consumer to change or increase security levels – e.g. password setting.

Network security and reliability of supply take on added importance in the context of the IoT. If, for example, wellbeing and healthcare are managed via the IoT, the quality and consistency of supply is paramount. If issues should occur, there needs to be fast and effective back up and a safety net of some kind - especially for more vulnerable people.

Exploiting the benefits for consumers must surely start with full awareness and understanding, and then true benefits must be identified and appropriately regulated. Although industry may be best placed to lead development in many respects, the Panel highlighted that it would like to see Ofcom take a proactive role when it comes to assessing consumer impacts, protection and awareness.

Effective digital engagement

While the advantages of online connectivity apply to all groups in the community, they are especially relevant to disabled people and older people, many of whom may be less mobile than younger people. And yet we know that the take-up of the digital world is unequal amongst the population, with older people more likely to be excluded.

Building on our Consumer Framework for Digital Participation[10] and informed by our 2012 Bridging the Gap: Sustaining Online Engagement research, the Panel identified a number of areas for strategic focus and made a series of recommendations for Governments, policy makers and those delivering on the ground.

This year, the Panel has continued to press a range of stakeholders working in digital participation to address the needs of all consumers and citizens, including the Government Digital Service and the Department for Communities and Local Government. We responded to two consultations looking specifically at digital take-up and engagement, outlining our concerns and highlighting our recommendations. Labour's Digital government review[11] put forward questions in relation to three propositions:

- Access and Skills - Citizens should have access, and the skills they need, to use government digital services.

- Citizen Needs First - The design and production of government digital services should put the interests, abilities and needs of citizens first.

---

[10] http://www.communicationsconsumerpanel.org.uk/the-consumer-framework-for-digital-participation/the-consumer-framework-for-digital-participation-1
[11] http://www.communicationsconsumerpanel.org.uk/downloads/labour-digital-gov-review-300514.pdf

- People-Powered - The development of government digital services will follow a co-production model and be governed by a set of principles designed to ensure that citizens' interests are respected and that services are people-powered.

In September, we provided the consumer and citizen perspective[12] to the House of Lords' call for evidence in relation to digital skills in the UK.

In both of these responses, we acknowledged that we now live in an era in which we are seeing many government services become "digital by default" and where being online is becoming more and more a necessity of life and less and less of an optional extra. Whilst solutions may be complex, the issue itself is straightforward: approximately 21% of the UK population lack basic digital literacy skills. The potential consequences of this exclusion are serious: for individuals, especially those who are more vulnerable; for society; for business; and for the UK economy.

An increasing number of commercial services are only available online - or delivered offline in a way that effectively penalises users, through high cost or lower quality. Those people still functionally offline will be at an increasing disadvantage and risk being left behind in terms of ease, convenience, inclusion, speed and cost. It is our belief that unless fundamental action is taken, the digital divide risks becoming an ever greater digital gulf as the distance increases between those who are online and those who remain firmly anchored in the offline world. Digital literacy, especially on security matters, is going to be critical.

We have previously strongly supported the establishment and/or consolidation of comprehensive digital help and free access at locations people use - e.g. schools and colleges open to local citizens after school hours, post offices and libraries - under a unified programme of government digital help for citizens. We also indicated our belief that there should be a free helpline for users of digital services to provide technical as well as specific service support.

Libraries already offer free internet access and have trained staff available to help people. In our comments[13] on the Department for Culture, Media and Sport and Department for Communities and Local Government's report considering the current structure and role of public libraries, we noted that the rapidly changing nature of the delivery of both commercial and government services means that enabling people to interact confidently with these services on-line is more crucial than ever; we responded similarly[14] to the National Strategy for Scottish Public Libraries Working Group call for comments in developing a national strategy for Scotland's public libraries. We believe that libraries have a vital role to play, in conjunction with other locally based agencies, in supporting and encouraging people who are not fully digitally engaged. We also encouraged the much greater availability of free public wifi, together with advice about relevant security.

We will continue to place the consumer perspective, including that of people in the most deprived communities, at the heart of the digital engagement debate. We will also encourage governments and others to ensure that there are offline alternatives provided to online public service delivery for those who are unlikely to complete these processes online.

---

[12] http://www.communicationsconsumerpanel.org.uk/downloads/hol---digital-skills-final.pdf
[13] http://www.communicationsconsumerpanel.org.uk/downloads/dcms--dclg-libraries-march-2014.pdf
[14] Comments on the development of a national strategy for Scotland's public libraries – Dec 2014

Lost and stolen mobile phones

The Panel has been concerned for some time about the lack of consumer protection from high bills run up on lost or stolen mobiles and we've been urging action to limit consumers' bills for such charges. This became a key area of work for us during 2014/15.

Although the absolute numbers of consumers involved may be small, the amounts involved are often high and potentially ruinous – and indeed can be life-changing for those people affected. Media coverage in the last year has continued to highlight extreme examples of large bills experienced by affected consumers and the effect on their lives, but this may represent only the tip of the iceberg of consumer detriment in this area.

In 2013, the then Culture Secretary announced an agreement between the Government and four of the mobile companies to implement a cap on bills on lost/stolen mobile phones, with the ambition of introducing it in the spring of 2014. The Panel was concerned that there had been little movement in this area since then and so we wrote to Ed Vaizey, the Minister for Culture, Creative and Communications industries, and to the mobile operators, to encourage more focused efforts towards an automatic minimum level of protection for all customers, on all tariffs. We also discussed the matter with MNOs face to face. The promised consumer protection has now been agreed - in March 2015 - and we look forward to it being delivered. Fraud prevention and management systems have been in place within the mobile industry for many years and so the ability to swiftly block unusual or excessive usage already exists. We have been encouraging the implementation of the liability cap by all MNOs without further delay, along with the exploration of further potential technical solutions.

Research

Realising the potential: micro businesses' experiences of communications services

The Communications Consumer Panel's remit includes micro businesses (those businesses employing nine or fewer people).There are an estimated 5.2 million private sector businesses in the UK and 95% of them can be classified as a micro business. They account for 33% of UK private sector employment and 18% of turnover. The Panel wanted to understand:

- Which communications technologies and services micro businesses use and their importance to the business.

- What are their experiences of the communications sectors and services?

- What are the barriers and challenges, and what are the opportunities?

- What, if anything, should or could be done to improve communications experiences to contribute to greater growth?

The Panel commissioned Jigsaw to carry out independent, qualitative research with 115 micro businesses from across the UK. The research highlights that communications services play a critical role in the success of micro businesses. However, they face a wide range of challenges in using and fully exploiting the opportunities offered by these services and technology for the benefit of business. A significant number of respondents in our research were dependent on the reliability and performance of residential grade communications services, particularly with respect to the internet. However, this means that when services are disrupted, there can be longer delays in rectifying issues or repairing faults than would normally be the case in a business environment as businesses are also reliant on residential grade support services. Many micro businesses feel they lack negotiating power or leverage with their communications provider that larger companies enjoy.

The Panel's report, *'Realising the potential: micro businesses' experiences of communications services'*, highlights that, for micro businesses to gain greater benefit from their communications services, action needs to be taken in three key areas:

- ➢ Government, in association with the regulator (Ofcom), industry and communications providers, should focus on supplying improved speeds and coverage for both fast broadband and mobile voice and data.
- ➢ Communications providers should consider offering tailored communications service packages for micro businesses, facilitating access to robust services and business grade support levels.
- ➢ Government, Ofcom, local authorities, local enterprise partnerships, chambers of commerce, trade associations and communications providers should review the information and advice they offer about the benefits of investing in communications, tailored to the needs and time restraints of micro businesses.

Our detailed recommendations are:

Improved Speeds and Coverage

The Panel encourages:

- ➢ Government and Ofcom to investigate the effectiveness of methods of increasing mobile coverage as a matter of urgency – including the possibility of national roaming. Improved coverage must also address road and rail coverage.
- ➢ Government to explore, as part of the Digital Communications Infrastructure Strategy, a revised minimum requirement for standard broadband connection which would enable micro businesses to support better their online requirements.
- ➢ Government to raise awareness of, and stimulate demand for, its small business initiatives, including the rollout of superfast broadband e.g. ensuring micro businesses are aware of the possibility of aggregating vouchers and are enabled to use growth vouchers to good effect.

Tailored Services:

The Panel recommends that communications providers:

- ➢ consider the introduction of intermediate contracts which are essentially a residential supply but with enhanced support, as well as improved service levels and response times to service faults. It is vital that: information about such contracts is in unambiguous language; there is transparency about key contract terms and conditions, price and any penalty clauses; and that there is ease of contact to skilled customer service staff. There is also a need to ensure improved co-ordination between multiple providers in the value chain around a single customer – particularly customer-facing and wholesale providers.
- ➢ better support this growing market sector and look to tailor tariffs and packages to introduce more flexible contractual terms that are currently only available to larger corporations. Additionally, contract terms should not unduly impair businesses' freedom to switch due to lengthy fixed terms or hefty termination penalties.
- ➢ consider how these ancillary services can be included as standard as part of a competitively priced core package.

In terms of consumer protection, we have strongly argued that micro businesses should be classed as consumers for the purposes of the Consumer Rights Bill.

Information and Advice:

The Panel encourages:

- ➢ Local Enterprise Partnerships, Chambers of Commerce, local authorities and trade associations to consider how they can support micro businesses by the provision of an advice hub.
- ➢ Government, communications providers and business support organisations to review their current information and advice for businesses in relation to communications services and tailor it as appropriate for micro businesses.

- price comparison websites to offer clear information on data and broadband packages that are relevant to micro businesses.
- Ofcom to use its resources to support micro businesses seeking information that enables them to assess and judge different providers' performance.

A copy of the Panel's report can be downloaded here

In January, Panel Chair, Jo Connell spoke at the launch of Ofcom's Consumer Experience Report and shared highlights of the findings from the Panel's research. In responding[15] to Ofcom's call for inputs on communications services and SMEs, we highlighted evidence from our research. We have also held a series of follow up seminars across the UK to discuss the research findings and its recommendations with key stakeholders and to facilitate discussion between those who can deliver action in this area. You can read Jo Connell's presentation here

The Panel welcomes the recent focus that the SME market is receiving from Ofcom and other stakeholders. In September, Ofcom outlined its programme of work designed to enable businesses to get the best out of communications services in the UK. This has included a dedicated online portal to provide small businesses with access to information and advice to help them make the most of communications services. Over the coming year, the Panel will continue to urge improvements in the key areas mentioned above and look to take forward the results of our research and related recommendations in conjunction with a range of relevant stakeholders.

Inclusive communications

In its 2014/15 workplan the Panel outlined its intention to conduct research into 'How organisations communicate with more vulnerable consumers'. We have therefore undertaken a study into 'Inclusive Communications', designed to explore how accessible a range of organisations are to their customers. The research covers specifically those people who may have additional communication support needs, such as people with disabilities and older consumers (aged 75+). The agency has conducted 40 in-depth interviews which are now being analysed. We are pleased that Ofgem has already expressed an interest in our work in this area and formally urged energy suppliers to note our related recommendations. We will publish the research and our report later in 2015.

Other areas of work

The Panel and ACOD have kept a wide range of topics under review during the year. Further detail on a selection of these is highlighted below.

Consumer Switching

The Panel has long called for the process of switching CPs to become easier for consumers and micro businesses. Low switching levels lead to reduced competition and a worse deal for consumers across the board. If consumers are more aware of the potential benefits of switching and can switch between providers quickly and easily, consumers will benefit from enhanced competition and innovation in communications markets.

---

[15] Response to Ofcom's call for inputs on communications services and SMEs

However switching between CPs is often complex, and involves steps that must be coordinated between different providers in ways that do not arise in other consumer markets. What should be an easy and seamless consumer journey as part of a vibrant market can be an obstacle-ridden process that, evidence suggests, discourages switching and thus deprives consumers of potential benefit. Additionally, consumers may suffer instances of poor service that are in themselves a cause of harm and detriment – as well as having a negative impact on the industry's reputation.

The Panel has previously urged providers to work with Ofcom to design a unified switching system as soon as possible. Ofcom's strategic aim should, we believe, be harmonised switching processes for all communications services including mobile, pay TV and cable services.

In response to Ofcom's call for inputs on consumer switching[16], we restated our view that the current regime has not, for some time, been sustainable and reiterated our view that a Gaining Provider Led (GPL) process should be the model for all switching processes.

Later in the year, we re-emphasised these points when responding[17] to Ofcom's consultation on switching on the KCOM copper network.

Spectrum Strategy

Whilst the Panel recognises the increase in mobile device ownership, we are unsure about the evidence base behind demand predictions – the reliability of which we do not believe can be certain. Although it is important that consumers and citizens can enjoy the mobile data services they want and need, there are also sections of society who will not benefit to such an extent from improvements to mobile services. It is important that a balance is struck between the potentially competing needs of these groups.

The likely global harmonisation of 700 MHz for mobile broadband has the potential to bring about benefits for UK consumers. However, with the World Radiocommunication Conference (WRC-15) taking place this year, we felt we needed to raise some of the potential risks for consumers with this proposed harmonisation in terms of their access to Digital Terrestrial Television (DTT), additional costs (as a result of the need for new aerials and potentially filters) and possible confusion. In our view, Internet Protocol television (IPTV) is not currently a viable alternative to DTT.

We raised our concerns when responding to two of Ofcom's consultations - its consultation on the future use of the 700MHz band and its call for comments on the UK preparations for the WRC-15. We stated that it is vital that the DTT platform can remain viable, innovative and competitive so that the interests of consumers and citizens who are not on a pay TV platform are protected. We therefore urged that careful consideration is given to the impact that any change in spectrum allocation could have on DTT consumers - especially more vulnerable people.

The Panel indicated that Ofcom would need to impose very high, near universal coverage obligations for voice and data on any awards of 700 MHz spectrum, along with meaningful sanctions if they are not met.

---

[16] http://www.communicationsconsumerpanel.org.uk/downloads/switching-final-sept-2014.pdf
[17] Response to Ofcom consultation on processes for switching fixed voice and broadband providers on the KCOM copper network

Similar issues were addressed in our response[18] to Ofcom's consultation on Public Spectrum release of 2.3 and 3.4 GHz. Although the Panel appreciates and understands the benefits that the allocation of the 2.3 and 3.4 GHz bands to mobile services would bring, we urged that careful consideration be given to the impact that this could have on existing users of adjacent frequencies. Whilst Ofcom's judgement is that interference issues are limited, we raised our concerns about some of the assumptions that have been made in addition to certain proposed mitigations.

As in our response to 700 MHz, we requested further detail on the costs and benefits of the spectrum reallocation to mobile services; including the costs and benefits to consumers. The Panel indicated that vulnerable consumers will need particular consideration, information and support during any transition. We made a recommendation that, if the decision is made to reallocate the spectrum, there should be a proactive support scheme with appropriate funding and an information campaign.

We will continue to encourage Ofcom to work with operators to ensure that they are using their allocated spectrum to best and most efficient effect as part of any process to make further spectrum available.

Postal services

In our response to Ofcom's draft Annual Plan[19], we welcomed under *Priority Three, Promote Opportunities to Participate*, that Ofcom will review the factors that potentially affect the sustainability of the universal postal service. It is crucial that Ofcom is proactive in this area. We are very conscious of the importance of postal services to consumers, citizens and micro businesses across the UK – and that older and disabled consumers value postal services even more highly than the population in general. It is vital that Ofcom continues to ensure that the postal services provided are of high quality, affordable and accessible. During the year, we reviewed Ofcom's research to ensure that consumers' and citizens' needs are fully considered and will continue to keep progress under review.

We believe, too, that access to redress when complaints are unresolved should be well promoted and easy to use – through companies own escalation procedures or through the Postal Redress Service. To this end, in addition to the other workstreams, we have urged the close monitoring of quality of service targets and robust enforcement action if these are not met. We also believe that the review must include the issue of detriment when, for example, in some areas online purchases can be made only on payment of a surcharge or cannot be made at all. We are interested to know whether increased competition in the parcels market has led to detriment for consumers.

Mobile termination rates

In August, the Panel responded to Ofcom's consultation on mobile termination rates[20].

---

[18] Response to Ofcom's consultation on the Public Sector Spectrum Release: Technical coexistence issues for the 2.3 and 3.4 GHz award May 2014
[19] http://www.communicationsconsumerpanel.org.uk/downloads/ofcom-annual-plan-response-15-16-final.pdf
[20] http://www.communicationsconsumerpanel.org.uk/downloads/mobile-termination-rates---final.pdf

Unsurprisingly, the accompanying research showed that consumers are unaware of, and are likely to be largely indifferent to, the type of network their calls terminate on and the technology used. We believe that mobile termination rates should be as close as possible to the cost to the terminating operator and that savings to the originating network should be passed on to the consumer.

Public alert systems

There are occasions, such as during an emergency situation, when there is a high demand for information. This information is potentially most effective when issued early on in an incident, allowing those who receive it to take the recommended action to limit the impact of the emergency.

In its comments on the proposal to amend the PECR Regulations to enable the future implementation of a national public emergency alert system[21], the Panel welcomed the Government's recognition that a public alert system should not be reliant on one particular technology, and noted that the implementation of a mobile-based system to sit alongside existing communications methods - such as social media, TV and radio broadcasts - would provide a significant enhancement to current capabilities. We agreed that a public alert system should be capable of disseminating alert messages through multiple channels to improve the likelihood that it is received by as wide an audience as possible.

We stated that alert messages should be sent quickly and be geographically targeted so that they a) reach those believed to be at direct risk due to their location; and b) do not trouble other people needlessly. Similarly, it is important that warnings are not issued unnecessarily, as this may diminish their impact on future occasions. We also highlighted that the issue of stand-down messages was key. We were extremely pleased that the subsequent statement following the consultation incorporated many of our points.

Additional ACOD specific areas of work and accessibility

ACOD's remit includes providing specific advice on matters relating to television, radio and other content made available via services regulated by Ofcom.

During the year, we have maintained our focus on work to ensure that, as far as practicable, all content users have equivalent access.

The Panel believes that text relay is a vital service as it enables people with hearing and/or speech impairments to communicate with others via the telephone. The Panel therefore warmly welcomed Ofcom's approval of BT's enhanced text relay service. Ofcom told all UK landline and mobile providers that they must give their customers access to an enhanced text relay service by 18 April 2014. We were extremely disappointed that the launch of the 'Next Generation Text Relay Service' (NGTR) was delayed from its intended launch deadline after its testing revealed technical problems relating to the connection of emergency calls. While recognising that the safety of deaf and hard of hearing people must be paramount, were surprised that such a problem was only identified so late in development by a company as experienced in product development as BT. We were in contact with BT to stress that we were keen that problems should be resolved

---

[21] http://www.communicationsconsumerpanel.org.uk/downloads/pecr-amendment-re-emergency-alerts-final.pdf

as speedily as possible and were pleased when the service was launched in October 2014 so that users could begin to benefit from the improved services.

We will continue to work with Ofcom as it monitors the new text relay service to ensure it meets the required standards and undertakes research to compare the current and new relay service, as well as monitoring developments in speech recognition technology which may support further improvements to text relay services in the future.

We have continued to engage with Ofcom's range of work on the accessibility of content, and also met with ATVOD and the BBC in relation to the provision of access services on video on demand content. We have recently written to the BBC Trust urging the publication of statistics in relation to the BBC's provision of subtitles on video on demand (VOD) content. We wish to see everything possible being done to improve the provision of subtitles on VOD content sooner rather than later. We and have therefore also highlighted to the BBC the potential for the iPlayer to be made an open source portal, given its comprehensive functionality by comparison to other technologies/services used by some other broadcasters/providers.

Our response to the Public Service Content in a Connected Society consultation[22] emphasised that it is extremely important that the Public Service Broadcasters provide excellent levels of accessibility – in its broadest sense - to content to ensure that, as far as practicable, users can enjoy equivalent access.

In our response[23] to Ofcom's call for inputs on speaking Electronic Programme Guides (EPGs), the Panel supported the view that the speaking EPGs should be introduced as a mainstream application. We have long argued that provision for people with disabilities should be built into technology as standard, rather than as a separate piece of development or hardware and we see no reason why EPGs should fall into a different category – particularly given the importance of TV to people with partial sight or blindness. We called for the initiative to be implemented as soon as possible.

Ofcom's review of signing arrangements on television was an opportunity[24] for the Panel to encourage a progressive rise in provision over 10 years, as we believe that deaf consumers of relevant channels should benefit from improvements over time equivalent to those for other access services and other channels.

Panel members Mairi Macleod and Bob Twitchin also attended 'The future of subtitling conference', organised by Action on Hearing Loss (AoHL), the UK Council on Deafness (UKCoD) and Sense, where a broad range of participants represented subtitle users, organisations for the deaf, access service providers and broadcasters. The two main topics of debate were subjects that the Communications Consumer Panel has been following closely in recent months - the quality of live broadcast subtitles and subtitling on video on demand services (and specifically how to increase the amount of VoD subtitles).

---

[22] http://www.communicationsconsumerpanel.org.uk/downloads/psb-260215.pdf

[23] http://www.communicationsconsumerpanel.org.uk/downloads/speaking-tv-programme-guides-080914.pdf

[24] Response to Ofcom's consultation on review of signing arrangements for relevant TV channels – Sept 2014

During the year, we also worked closely with Ofcom on its development of research with disabled consumers in relation to their use of communications. We have also advised Ofcom on its Corporate Social Responsibility duties and building accessibility, and have been very pleased to see improvements to accessibility being made.

Annex 1: Consultation responses and advice

- Response to the CMA's preliminary invitation to comment in relation to the anticipated acquisition by BT Group plc of EE (to follow)

- Response to BIS' invitation to comment on the UK technical non-paper on e-commerce (digital single market) March 2015 PDF

- Response to the Competition and Markets Authority's call for information on the commercial use of consumer data March 2015 PDF

- Response to Ofcom's draft Annual Plan 2015/16 and Ofcom's reply PDF Feb 2015

- Response to Ofcom's consultation on Public Service Content in a Connected Society (review of public service broadcasting) Feb 2015 PDF

- Response to the consultation on the proposal to amend the PECR Regulations to enable the future implementation of a national public emergency alert system - January 2015 PDF

- Response to Ofcom's call for inputs on communications services and SMEs - January 2015 PDF

- Response to Ofcom consultation on processes for switching fixed voice and broadband providers on the KCOM copper network - Dec 2014 PDF

- Response to DCMS' proposal to lower the legal threshold for enforcement of the Privacy and Electronic Communications (EC Directive) Regulations 2003 ("PECR"), for regulations 19-24, to tackle unsolicited direct marketing calls and SMS text messages - Dec 2014 PDF

- Comments on the development of a national strategy for Scotland's public libraries – Dec 2014 PDF

- Response to Ofcom's call for inputs on its review of its use of persistent misuse powers – Nov 2014 PDF

- Response to DCMS' consultation on Tackling Partial Not-Spots in Mobile Phone Coverage – Nov 2014 PDF

- Response to Ofcom's Call for input on promoting investment and innovation in the Internet of Things – Oct 2014 PDF

- Response to DCMS' Digital Communications Infrastructure Strategy Consultation Document – Oct 2014 PDF

- Response to Ofcom's call for inputs on speaking TV programme guides – Sept 2014 PDF

- Response to Ofcom's consultation on the UK preparations for the World Radiocommunication Conference 2015 (WRC-15) – Sept 2014 PDF

- Response to Ofcom's consultation on review of signing arrangements for relevant TV channels – Sept 2014 PDF

- Response to Ofcom's call for inputs on consumer switching – Sept 2014 PDF

- Response to the House of Lords Digital Skills Committee's call for evidence in relation to Digital Skills in the UK – Sept 2014 PDF

- Response to Ofcom's consultation on future use of the 700 MHz band – Aug 2014 PDF

- Response to Ofcom's consultation on its mobile call termination market review 2015-18 – Aug 2014 PDF

- Response to PhonepayPlus' strategic plan 2014-17 July 2014 PDF

- Response to BIS' consultation on Implementing the Alternative Dispute Resolution Directive and Online Dispute Resolution Regulation June 2014 PDF

- Response to Ofcom's consultation on the Public Sector Spectrum Release: Technical coexistence issues for the 2.3 and 3.4 GHz award May 2014 PDF

- Evidence to Labour's Review of Digital Government May 2014 PDF

Annex 2: Financial report

	Actual 2014/15	Budget 2014/15
Panel Member Fees	103,987	110,015
Panel Member Expenses	14,257	22,380
Support (inc. Advisory Team, research, consultancy, stakeholder relationships and design and publications)	244,997	243,283

Annex 3: Panel Members

Jo Connell OBE DL (Chair)

After a career in IT, Jo retired as Managing Director of Xansa plc in 2003. She was a Trustee of Help the Aged from 1991 and Chair from 2004-2009 where she played a key role in facilitating and supporting the charity's merger with Age Concern England to create Age UK, the UK's largest older people's charity.

Since 2001 Jo's roles have included being a Non Executive Director at many information technology and communications companies including RM plc and THUS Group plc. Jo was also Chair of the Hospice of St Francis, Berkhamsted, Master of the Information Technologists' Company in 2008/9 and Pro Chancellor and Chair of the Board of Governors at the University of Hertfordshire until August 2013.

Jo is currently Chair of the Worshipful Company of Information Technologists charity and a trustee of the Hertfordshire Community Foundation. In 2008 Jo was appointed a Deputy Lieutenant for Hertfordshire. In 2012 she was awarded the OBE for services to older people.

Jaya Chakrabarti, MBE

After two and a half degrees in Physics/Materials (University of Bristol) Jaya set up Big Red Square Ltd (then Squidge.com) in 1999 as a search engine company. Following Google the company went for plan B, a digital media company, Nameless Media Group Ltd. Jaya and her team have built Nameless into an award winning agency.

Rhys Evans (Member for Wales)

Rhys Evans has worked on a range of consumer issues on behalf of vulnerable consumers across a number of sectors including retail, communications and energy in his previous role of Wales Director of Consumer Futures (formerly Consumer Focus Wales). He was previously Chair of the Consumer Direct Wales Advisory Board, and has advised the Welsh Government on a number of consumer issues.

Rhys runs his own business deliver coaching, mentoring and management training programmes. He is a member of the Association for Coaching and also manages to work part-time as a Senior Research Fellow for the Welsh Institute for Health & Social Care at the University of South Wales.

Chris Holland (Member for England)

Chris Holland was Head of Specialist Dispute Resolution at BT where he was responsible for a wide range of specialist customer service areas, including all aspects of BT's membership of Ombudsman services: communications. He helped implement the telecommunications ombudsman service (Otelo), and until March 2011 was a non-executive director of the Ombudsman Service Ltd. He was Chairman of the Otelo Members Board between 2006-2011. Chris held a number of customer services roles in BT, including heading the Chairman and Chief Executive's Service Office between 1987-2001.

A qualified counsellor, Chris has done voluntary work with young people. Currently he is Chairman of the Postal Redress Scheme (POSTRS); he acts as a consultant across all dispute resolution schemes offered by IDRS Ltd, including the Communications and Internet Services Adjudication Scheme (CISAS); he has a consultancy role with Time to Change, a mental health charity; and he is a member of the Voice of the Listener and Viewer.

Richard Hill, MBE (Member for Northern Ireland)

Following degrees in Applied Maths and Church History, Rick worked as a parish minister for 17 years. He left church work in 2007 to develop a portfolio career.

He is Owner/Director of Titanic Gap Ltd, Media Consultancy, a Board member of the Independent Press Standards Organisation and until May 2015, Chairman of the Consumer Council (Northern Ireland).

He has previously been Chair of Northern Ireland Screen Commission, Chair of Consumer Focus Post and member of the Consumer Focus UK Board, a member of the BBC Audience Council for Northern Ireland and BBC Broadcasting Council for Northern Ireland.

He was made MBE for services to Broadcast Media 2014

Mairi Macleod (Member for Scotland)

Mairi Macleod was born and brought up in the north of Scotland and now lives in Glasgow.

She worked for 15 years in the field of access services for television, in particular subtitling – first with ITFC, then a long period with the BBC in London and Scotland, and latterly with Red Bee Media Ltd. Since 2009, she has been doing a variety of freelance work, including social policy research interviewing, training, subtitling and translating.

In 2009, she was appointed to Ofcom's Scottish Advisory Committee for a four-year term.
Mairi Macleod is a volunteer for Deaf Connections, a charity based in Glasgow.

Craig Tillotson

Craig has enjoyed a successful and varied career as a large business board director, business unit director and strategy consultant in the telecoms, technology and payment industries, gaining substantial operations and strategic management experience within the Vodafone and T-Mobile Groups. From 2001 to 2003 he was Product Management Director for Vodafone UK launching Vodafone Live and the original Mobile Broadband product set. In 2003 he became Strategy and Wholesale Director and in 2007 took over the leadership of the UK Consumer Business Unit.

In 2012 Craig joined the Board of the Faster Payments Scheme Limited where he is the Chief Executive. He is responsible for the day-to-day management, operational integrity and strategic development of the scheme.

Craig is also Chairman and Managing Director of the Mobile Payments Service Company Limited, the company that runs Paym, the cross-industry bank and building society mobile payments service launched in April 2014.

Craig has recently been appointed by the Financial Conduct Authority as an industry member of the newly formed Payments Systems Regulator Statutory Panel.

Bob Twitchin, MBE

Bob Twitchin was Chair of the Oftel Advisory Committee for Elderly and Disabled People (DIEL) from 2000 to 2004 and a member of the Ofcom Consumer Panel (now the Communications Consumer Panel) from 2005 to 2008. He was a member of the steering group of PhoneAbility until 2015, a charity that was dedicated to improving access to ICT for older and disabled people. Bob is an Associate of the Business Forum on Disability.

Bob is a fellow of BCS, the Chartered Institute for IT, and formerly Chair of IT Can Help, a network of volunteers providing free help with computing problems to disabled people at home, in day care centres or residential care. ITCanHelp is part of Abilitynet, a UK charity helping disabled people to use computers and the internet to change their lives at work, at home and in education.