

Panel Bulletin

Update on Communications Consumer Panel and ACOD activities

Highlights from the Panel's recent stakeholder engagement include:

In September, Chris Holland, Member of the Communications Consumer Panel and ACOD gave a speech to communications providers, Ofcom and other stakeholders at the Consumer Forum for Communications' Workshop on Ofcom's Comparing Service Quality report.

Chris gave an opening speech, urging communications providers to improve not only the quality of their overall service, but also their customer service. Chris called on all stakeholders to explore how best to ensure that consumers are fully informed on the things that matter most, in a way that doesn't overwhelm them, but that helps them get the best possible level of service

The full text of Chris' speech can be found [here](#).

Panel member Karen Lewis recently attended Digital Agenda's Power and Responsibility Summit, which debated regulation, trust and the unintended consequences of the digital age and looked at the digital changes taking place across society and the economy. It covered critical themes including privacy, online safety, trust, developer ethics and fake news. Further details from the Summit can be found [here](#).

Karen also met with Professor Hamish Laing and Professor Tom Crick from Swansea University to discuss the challenges of ensuring that older and disabled people are able to maximise the use of the internet in the context of health and care.

The Panel's Access Services ('Time to Catch Up!') [research](#) was recently presented to the Digital Television Group's Accessibility Group. The Group comprises representatives of device manufacture companies, broadcast and on-demand content providers, charities and Ofcom. The aim was to promote the findings of the research, to increase awareness of the issues faced by consumers who need - or would benefit from using - subtitles, audio description and signing. The discussion focussed on the need to assist consumers in

overcoming barriers to accessing services that are already available and the need to encourage organisations in the supply chain to share information on technical specifications, to improve usability. The Panel and members of the Group share a desire for more collaboration across the industry, with the recent audio description awareness campaign cited as a good example of this. We will continue to engage with the Group and its members to keep accessibility and inclusivity prominent on the agenda. We've also been meeting broadcasters individually to explore the issues raised by the research.

Panel member Rick Williams attended the UK Cinema Association Technology Challenge Fund Launch Workshop on 10 October 2018. Rick is a member of the judging panel of the Technology Challenge Fund.

In November, Panel Chair Jo Connell and Member Amanda Britain attended a workshop on migration to VoIP.

Research into complaint-handling and Alternative Dispute Resolution (ADR)

The lack of progress in communications providers' complaint handling over the last few years is disappointing and the recommendations stemming from our recent research offer providers an opportunity to raise their game significantly. We're meeting CPs to discuss the findings of the report including our [recommendations](#) and arranging a series of events around the UK to discuss findings with a range of stakeholders.

The Panel's [research](#) examines communications providers' handling of complaints to see what progress has been made since the Panel's last research in this area and where improvements are still needed. We were particularly interested to understand how people were using ADR and to assess if complaint handling processes were accessible to all consumers, particularly people in vulnerable circumstances.

The Panel commissioned Futuresight to undertake in-depth, qualitative interviews with 74 consumers. We particularly wanted to understand the experiences of people in more vulnerable circumstances, as well as disabled people, older people and those running micro businesses. We've made a series of [recommendations](#) arising from the research so that the opportunities offered by existing and emerging communications services are inclusive and fair, and so that the market succeeds in meeting the needs of us all.

The research looked into the experiences of consumers who had had problems with their communications provider (CP), including some in more vulnerable circumstances and some

who had escalated their complaint to an ADR.

The Panel and ACOD's consultation responses

Response to BEIS' Green Paper: Modernising Consumer Markets

Further to our last update on this subject, we've published our response to the consultation. We focused on consumer representation in telecoms and across sectors, with a particular concern for consumers and citizens in vulnerable circumstances.

Subjects we covered in the response included:

- data portability and the need to protect consumers and citizens' from mishandling of data;
- the need to ensure that people are properly compensated for unacceptable performance;
- effective consumer advocacy across the spectrum of policy development;
- the need to encourage industry to develop a culture that is flexible and treats all customers fairly, including urging that terms and conditions are kept short, clear and as transparent as possible and to present them in a way that is meaningful and useful to every consumer; and
- the importance of easy and free access to an independent, effective and fair ADR.

Our full response is [here](#).

Response to Ofcom's proposed guidance on protecting access to emergency organisations when there is a power cut at the customer's premises

This consultation was on Ofcom's guidance for providers, rather than the General Conditions. The Panel welcomed the guidance overall, but advised Ofcom to consider:

- Extending the minimum of one-hour access to battery back-up or another solution in the event of a power outage in the premises to two hours as standard and eight hours for consumers identified as 'at risk';
- Using the powers afforded to it under the General Conditions to protect access to alarm-receiving centres and the '105' emergency power cut telephone number;
- Guide CPs that where customers are on their CP's Priority Service Register, or who have otherwise flagged to the CP that they would be 'at risk' without access to their landline, the above should also allow access to a nominated friend or family member;

- Guiding CPs to promote their Priority Services Register to all consumers; and
- Encouraging CPs to apply consistent criteria to the collection of sensitive personal data and to form collaborative partnerships to allow best practice to be shared.

We urged Ofcom to implement the guidance without delay, but also to build in the opportunity to review the guidance when necessary for the protection of consumers in vulnerable circumstances.

Our full response is [here](#).

Response to Ofcom's proposed cap on the cost of calls to directory enquiries services

We raised concerns with Ofcom about the impact of costly calls to directory enquiries, on people who are older or haven't got access to the internet and advised that nothing but a price cap would protect these consumers. People who rely on directory enquiries must not be taken advantage of.

We welcomed Ofcom's announcement last week of a price cap.

In our earlier consultation response, we welcomed the proposed cap to reduce the cost of directory enquiries per minute, bringing the average 90 second call to a cost of £3.10 (including VAT), in line with BT's recently announced reduction.

However, we do not consider that the cap alone goes far enough to protect consumers, without also introducing a cap on the cost of the call overall. We therefore recommended to Ofcom a cap on the price per minute as proposed, with overall cost fixed at the price of a 4.5 minute call.

We agree with Ofcom that the alternative remedies assessed and set out in the consultation document would not go far enough to address potential harms to consumers (these included greater price transparency and a cap on the overall call duration).

We also urged ongoing monitoring with a view to reviewing the effectiveness of the cap once it has been established.

Our full response is [here](#).

Response to Ofcom's consultation on End of Contract and Out of Contract Notifications

Having previously raised concerns about the fair treatment of consumers at the end of their minimum contract period, we were pleased to see Ofcom propose that providers implement - within 6 months of Ofcom's final statement - notifications for consumers reaching the end of their contract. We advised Ofcom to include notifications for consumers who are already outside of their minimum contract period be included within this period, rather than the nine-month period proposed within the consultation document. Those consumers are already outside of the protection of an agreed contract.

We also supported the inclusion of end of contract notifications and out of contract notifications within the scope of communications that must be offered by CPs in alternative formats. It is vital that these notifications are provided in formats that include all consumers.

Our full response is [here](#).

Response to The Scottish Government's consultation on a new Consumer Body for Scotland

Across the telecoms sector, the fast-paced consumer landscape is complex and can be confusing for consumers to navigate. Given the complex policy environment for telecoms, we consider that clarity in the roles and responsibilities of the new consumer body will be essential - avoiding overlap and duplication with existing bodies. In our response, we highlighted that it will be important for Consumer Scotland to have a focus on the particular challenges affecting telecoms consumers in Scotland, which would complement the work of the Panel.

Our full response is [here](#).

Response to Ofcom's consultation on end-of-contract and out-of-contract notifications

The Panel is in favour of consumers receiving clear communication from CPs regarding their current contract status and the end of their current contract term. We are, however, mindful of the need to guard against overloading consumers, especially those who may become overwhelmed by large volumes of correspondence, with information that may not be helpful to inform their choices.

We agree with Ofcom's proposal that notifications should be sent to all residential and Small Business customers who take Public Electronic Communications Services.

We strongly urge Ofcom to reduce the implementation period for out of contract notifications to no longer than six months; and we similarly urge Ofcom to address the issue of non-coterminous contract end dates within bundles.

Our full response is [here](#).

Response to Ofcom's consultation concerning mobile handsets

We welcome the proposals to provide consumers with better and clearer information and support the idea of CPs telling customers the different costs for each element of their deal.

We urge Ofcom to consider the issue of handset unlocking as part of this initiative - the issue relates directly to helping consumers get a better deal in respect of mobile handsets.

We do not believe that Ofcom should rule out looking again at the possibility of split contracts if there is evidence that the current proposals fail to achieve a reduction in consumer harm.

We welcome Ofcom's stated focus on vulnerable consumers and are interested to see how CPs ensure the needs of all consumers are met in terms of having equal access to information and options.

Our full response is [here](#).

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This is the bulletin of the Communications Consumer Panel and ACOD. Established by the Communications Act 2003, the Panel consists of eight experts who carry out research, provide advice and encourage Ofcom, Government, the EU, industry and others to look at communications issues through the eyes of consumers, citizens and micro-businesses. The bulletin is an update on the Panel and ACOD's activities and developments in the sector.

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