

Communications Consumer Panel and ACOD's response to the DCMS committee's call for evidence of the impacts of Covid-19 in the communications sector

The Communications Consumer Panel, established by the Communications Act 2003, is a group of independent experts with direct sectoral experience. We ensure the citizen and consumer voice is represented in communications policy development.

The Panel's job is to ensure that the sector works for consumers, citizens and micro businesses - and in particular people who may be in a more vulnerable position in society. We carry out research, provide advice and encourage 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 have many of the same problems as individual consumers.

Four members of the Panel also represent the interests of consumers in England, Northern Ireland, Scotland and Wales respectively. They liaise with the key stakeholders in the Nations to understand the perspectives of consumers in all parts of the UK and input these perspectives to the Panel's consideration of issues. Following the alignment of ACOD (the Advisory Committee for Older and Disabled people) with the Panel, the Panel is more alert than ever to the interests of older and disabled consumers and citizens.

Response

The Panel welcomes the DCMS Committee's inquiry into the 'Impact of Covid-19 on DCMS sectors, and the opportunity to contribute evidence on behalf of consumers, citizens and micro businesses in the communications sector.

Consumer harm in unprecedented times

We listen by commissioning independent consumer research and meeting regularly with frontline consumer organisations: charities, not for profit organisations and consumer bodies, and advise those who have the power to directly effect change.

Our regular National Hub meetings in the four UK Nations and Consumer Stakeholder Hub meetings with representatives from across the UK, have taken place online during the Covid-19 crisis and have allowed us to deliver insights promptly to Ofcom and industry. During unprecedented times, it is even more vital to listen to the needs of those who the sector serves or affects, as there may be life-limiting consequences by not doing so. We

have also continued to meet regularly with providers across the sector, individually and in the Panel's Telecoms Industry Forum, meetings also currently being held online.

We have urged communications providers during this time to act with fairness and compassion, to go to exceptional lengths to meet challenging circumstances. Having identified that fairness to consumers (including micro business) was an area needing improvement in this sector a few years ago - and bringing this to the attention of Ofcom and DCMS - we have been pleased to see some recent, positive developments, prior to the Covid outbreak. These have included the Ofcom 'Fairness for Consumers' programme of work, automatic compensation, a reduction in landline costs for people whose only link to the outside world may be through their landline and improvements in bill clarity and the accessibility of services.

Short term and long term impacts

While the Covid-19 pandemic was bound to have an impact on the daily operations of the communications sector, -we have welcomed how dynamically industry and the DCMS moved to put in place measures to protect the most vulnerable consumers. We have been heartened to hear from industry examples of additional and surprising measures they have taken to support consumers - some of whom may not have been considered 'vulnerable' prior to the crisis.

Impacts under Covid-19 have been far-ranging and a list of these discussed at our National Hubs can be found on our website and as an annex to this response:

<https://www.communicationsconsumerpanel.org.uk/news/latest/post/746-the-panels-national-hubs>

Across the UK, communications services are an essential service, in line with other utilities. Consumers genuinely fear disconnection - insights from charities and consumer bodies supported the findings of our independent consumer research (published in 2019, here) 'Don't cut me off!'. That research found that consumers were so reliant on staying connected to communications services that they prioritised paying their communications service bills over other necessities, because the protection from disconnection that exists in other sectors does not exist in this sector.

To summarise briefly, issues raised at the Hubs included:

- Connectivity (across all services, from a lack of connectivity or competition in rural areas, to reliance on postal services, to reliability of broadband services while households and businesses operate from the same premises);
- Supporting people with additional support needs to use mainstream services and designing new, inclusive services (across the communications sector, including daily briefing broadcasts, which, in England, were not inclusive of BSL users) and wait times for text relay services;

- Data protection;
- Scams/profitteering - an increase in scams and in criminals benefitting from the vulnerability of consumers and citizens has been seen across all of the UK nations - there is still no sufficient reporting mechanism or legal protection for consumers, when compared to physical crimes. We are concerned about the psychological, emotional and behavioural consequences of being targeted by scammers;
- Effective communications with customers (including the prioritisation of vulnerable consumers and difficulty getting through by phone);
- Digital exclusion and skills;
- Affordability, debt and disconnection; and
- Dissemination of fake news

To expand on the points listed above - during the Covid-19 crisis, many consumers - whether previously vulnerable or not - have found it extremely difficult to contact their provider, with waiting times reported of a couple of hours for those who managed to get through. This highlighted the need to support consumers across a range of contact channels. This had a knock-on effect on consumers' ability to switch provider, negotiate a better deal, reduce the level of services they were paying for, report a fault, or negotiate a payment plan.

Some consumers were unaware of the agreement between the government and industry on debt and disconnection. We have heard examples of how some consumers, unable to get through to their provider via the telephone, searched their provider's website but found standard - and worrying - wording about debt collection agencies which had not been updated to promote the more compassionate measures. These consumers sought help from a range of sources from consumer organisations to alternative dispute resolution schemes, adding pressure to these services and their ability to serve other consumers.

Deaf consumers, or consumers with a speech impairment, who were reliant on using text relay services, were subject to further delays in getting through to organisations. Deaf consumers and citizens in England were not able to receive the daily government briefings in British Sign Language, unlike other nations' deaf consumers and citizens. We have worked with Ofcom to ensure that a range of consumers can access the helpful 'Stay Connected' guide the regulator published and are pleased that this has resulted in the publication of an Easy Read version of the guide.

The definition of 'vulnerability' is inconsistent across the sector. While supermarkets were able to identify quickly who was at most risk, consumers who were signed up to different communications providers received differing levels of service according to what arrangements their providers had in place.

Disabled consumers who are not online (and are statistically less likely to be online) or find face-to-face services preferable are finding it more difficult to engage with services,

due to the immediate health and safety measures being put in place to protect everyone from Covid-19; it is vital that providers do not lower their standards of accessibility on a longer term basis.

Consumers who only have access to one communications service, or one provider, require more protection, as they are at risk of falling victim to a 'single point of failure'. Similarly, consumers using additional services to make mainstream services accessible to them (services that may also be loss-making to a provider) are at higher risk in the market, as they may be less likely to be able to switch easily, due to the complexity of arranging for those services to be run by another provider.

As highlighted above, there has been an increase in scams and misinformation throughout the period, which was being tackled by a range of agencies including Ofcom. Before the pandemic, the Panel had commissioned independent consumer research, which we will be publishing soon. We will work with a range of stakeholders, policy makers and industry players to use the findings of the research to make a difference. We would urge governments to support industry in tackling scams - we see an inconsistent approach across companies and sectors, which would be enhanced by a greater level of legal protection.

Our concern, looking ahead to the next several months, is that this attitude of compassion and swift and effective collaboration to support those who most need it continues. Consumers who carry debt in one sector are unlikely to carry debt in that sector alone. Alongside unpaid phone-bills, or temporarily reduced payments as agreed with their broadband provider, they may have mortgage holidays coming to an end, deferred credit card payments, a rent increase imposed on them by a landlord struggling to cover their own bills, and uncertain income levels. Government, regulators and communication providers should continue to act together to support consumers as we begin to emerge from the Covid crisis.