

Communications Consumer Panel and ACOD's response to Ofcom's consultation on Trialling Consumer Remedies

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

We provide in this brief response the Panel's support for Ofcom's proposals.

We support the introduction of a General Condition that requires communications providers (broadband, mobile, home phone and pay TV companies) to perform field trials, creating 'real-life scenarios' to test the impact of proposed changes and learn from the actual experience of a group of consumers before taking further action that may impact groups of consumers. We note that this approach has been successful in the energy sector, following the CMA's recommendation that Ofgem introduce the requirement to run consumer trials into energy providers' licence conditions.

Regarding the relevance of the sample of consumers taking part in a trial, we appreciate Ofcom's assurance in the consultation document that: "The sample of participants used is typically representative of the group of customers the remedy is aimed at, so that the results can be used to infer how this group as a whole would behave." We would urge that Ofcom automatically considers vulnerable consumers a group to include in any trial.

We agree that Ofcom should use its discretion when requiring a specific trial and should consult on it, but that it should have the power as an addition to its regulatory toolkit, to require any provider to take part, assuming the trial was viable according to a thorough assessment and taking into account responses to consultation on the trial.