



MARCH 2017 BULLETIN

Our 2017/18 Work Plan published

Following our recent consultation, we have published our Panel and ACOD's Work Plan for 2017/18. The Work Plan includes the key areas of engagement that we will focus on. Our key areas of engagement are:

- Broadband/mobile coverage and quality of service
- Nuisance calls
- Unfair policies and practices
- Customer service and complaints handling
- Vulnerability
- Access to broadcast and on-demand content

Our research topic is:

- The consumer experience of making complaints to communications providers

Areas under review:

- Progress on consumer related objectives highlighted in the Strategic Review of Digital Communications including pricing complexity, consumer information and switching
- Digital Participation
- Future plans for the public switched telephone network (PSTN)
- Affordability and debt
- Post - quality of service
- Internet of things, data privacy and security
- Micro businesses' experience of communications
- Non-geographic calls
- Spectrum Strategy

Additional ACOD specific work areas:

- Inclusion, portrayal and participation

[Our Work Plan in full is on our website.](#)

Update on Communications Consumer Panel and ACOD activities

The Panel meeting at the end of March marked an opportunity for us to say thank you and bid farewell to our Panel Member for Scotland, Mairi Macleod. Mairi has made an enormous contribution to the work of the Panel and ACOD and will be sorely missed. Mairi has helped particularly with the Panel's work on access services and played a very active role with our stakeholders in Scotland across a number of areas including digital participation and nuisance calls.

Mairi met with the Scottish government's Consumer and Competition Policy Unit this month to discuss the need for impact assessments of new policies, which take into account consumer and privacy issues, and also attended a [Competition and Markets Authority](#) and [Citizens Advice Scotland](#) joint seminar on vulnerable consumers.

Jo Connell and Chris Holland have held the latest in the Panel's meetings with communication providers this month, discussing the findings of our Digital Footprints research with 02 and Talk Talk.

Several representatives of the Panel, including Chris Holland, attended the launch of Ofcom's Access & Inclusion report, more of which below. This was followed by a meeting of Ofcom's Communications Consumer Forum, where Chris gave an update from the Panel as well as hearing views from other stakeholders.

Call to improve the uptake of social tariffs

Social tariffs help those who are on low incomes and in receipt of certain state benefits have access to communications services at a manageable price. However awareness and take-up of these tariffs are low - around 4.4 million people in the UK are eligible for social tariffs but there are only around 320,000 subscribers, less than 10% of those who qualify for them - and help is needed to publicise these to potential recipients.

Universal Service Providers - BT and KCOM in the Hull area - are required by legislation to provide a social tariff for low income users and those with special

social needs. BT provides BT Basic and KCOM provides the Social Access Package in the Hull area.

BT Basic is available to people who claim Income Support, Income-based Jobseeker's Allowance, Guaranteed Pension Credit, Employment Support Allowance (Income related) and Universal Credit (and are on zero earnings).

BT Basic costs £5.10 a month - including an allowance of £1.50 to spend on calls - and is open to both new and existing BT customers. Any additional calls to UK geographic numbers and UK mobiles are capped at a maximum price of £10 a month. This means that for a maximum of £15.10 a month BT Basic customers can have a landline and make unlimited calls to UK geographic and mobile numbers (subject to a fair use policy). Kcom's package is similarly structured.

BT Basic + Broadband is also available for an additional £4.85 a month, which includes an 'up to' 17Mbit/s broadband connection and 12GB of data per month.

More [information regarding managing landline costs](#) is on Ofcom's website.

The Panel and ACOD's consultation responses

Response to Ofcom's consultation on the Review of the General Conditions of Entitlement

We welcomed the work that Ofcom has undertaken in this review of the General Conditions (GCs). The significance of the review should not be underestimated as the Conditions provide the bedrock for the provision of communications services to consumers, citizens and micro businesses. The Panel engaged with the GC Review team at a number of points during the Review and we were glad to see our views reflected in the consultation document: the proposed revisions work to strengthen the consumer interest and avoid the risk of de-regulation undermining consumer protection.

We welcomed the focus on better consumer protection that is inherent in the proposed GC revisions - especially in the areas of complaints, consumers in vulnerable situations, CLI and widening protections in respect of debt collection. We feel that Ofcom could go further in some areas - such as providing quicker access to ADR when CPs fail to deal with complaints within a month, cost transparency on mobile handsets and mandating widespread promotion of GC15 support measures.

[Our response is here](#)

Response to the Citizens Advice Scotland Policy and Campaigning Work Plan 2017-18

Our response to this consultation related to the areas featured within the [Citizens Advice Scotland](#) work plan that are also within our remit: rural consumers, mobile phones, nuisance calls and scams. We support the focus that CAS plans to give these important issues in 2017/18 and look forward to continuing to work with CAS in ensuring consumers and citizens are protected from harm.

The attention CAS has given to the needs of rural consumers in its work plan is welcomed by the Panel and we are keen to learn more about the proposed Network of Rural Assemblies (NoRA), and to continue to work with CAS on issues affecting consumers and citizens in rural areas.

In our response, we also expressed our support for CAS' continued focus on improving the experiences of people on lower incomes by providing practical policy solutions.

We support CAS' work on nuisance calls and scams awareness and its participation in the [Nuisance Calls Commission](#) in Scotland, of which the Panel/ACOD is also a member. With nuisance calls continuing to prove a source of real harm and detriment to consumers, and disproportionately affecting consumers in Scotland, the Panel welcome CAS' focus on this important area.

[Our response is here.](#)

Response to the CAS Consumer Futures Unit Draft Work Plan 2017-18

We welcome the [Citizens Advice Scotland \(CAS\) Consumer Futures Unit's Work Plan](#) - particularly the proposed research into the postal services needs of SMEs in Scotland. The Panel conducted research in 2014 into micro businesses' experiences of digital communications services in the UK and we are interested to see the outcomes of the Unit's postal services research, which will give greater understanding of the extent to which the communications needs of smaller businesses in Scotland are being met. We are looking forward to continuing to work with Consumer Futures in promoting the rights of users of postal services in Scotland.

We have also commented on the Unit's cross-sectoral work regarding consumers in vulnerable situations and consumer tracking. The Panel believes it is vital that consumers are able to retain control and choice over the way their personal data is used. Priority Service Registers are useful and necessary, because the consumers of a particular service can have their needs recorded and receive the specific support they need to access a particular service or set of services. But the needs of a consumer of services in one sector may not be the same in another sector, so it is

paramount that providers do not collect or share more than is necessary and that they are able to safeguard sensitive personal data that would make consumers more vulnerable if it fell into the wrong hands.

[Our response is here.](#)

Response to Ofcom's consultation on procedures for handling content standards complaints, investigations and sanctions for BBC programmes

Our ACOD remit includes the portrayal and representation of older and disabled people in broadcasting, so we welcomed the opportunity to respond to this consultation.

In our response we have urged Ofcom to ensure that it monitors carefully the portrayal and representation of older and disabled people. [Ofcom's Public Sector Broadcasting \(PSB\) Diversity Research Summary 2015](#) certainly indicates that there is more work to be done, with 48% of all PSB viewers - and 51% of PSB viewers with a disability - saying there were too few people with disabilities represented on PSB TV.

It is vital that Ofcom sets a high standard when encouraging the promotion of diversity, equality and equality of opportunity among its stakeholders - including broadcasters. This includes the expectation of equivalent access of broadcast and on demand services. We also urge Ofcom to take the opportunity to make sure that its complaints processes - including complaints about the BBC - are open to all, to make sure that the views of older and disabled people can be heard, and allow complaints by letter, telephone and email, and using assistive technology.

[Our response is here.](#)

Response to Ofcom's approach to enforcement

We believe it is vital that consumers and micro businesses can see that Ofcom is willing and able to take firm and decisive action to protect them, where its regulatory powers allow, so we are pleased to see Ofcom propose methods to enable it to be clearer about the way it gathers information; keeps complainants and the subjects of investigations informed; shares information with relevant third parties; and how (and by whom) decisions are made. Publicising outcomes - especially those that have a direct impact on consumers - will be an important part of the overall process.

In our response to this consultation we also took the opportunity to encourage Ofcom to make all of its complaints processes available through accessible channels to all who are eligible to raise a complaint, including people who use assistive technology

[Our response is here.](#)

Other news

BT to be fined £42m for breaching contracts with telecoms providers

BT will be fined £42m for a breach of Ofcom's rules, after the company reduced compensation payments to other telecoms providers for late installations. The penalty is a result of an investigation by Ofcom into BT's network arm, Openreach.

The investigation found that, between January 2013 and December 2014, BT misused the terms of its contracts to reduce compensation payments owed to other telecoms providers for failing to deliver Ethernet services on time.

The penalty incorporates a 30% reduction to reflect BT's agreement to settle Ofcom's investigation by admitting full liability, and to set up a scheme to compensate the telecoms providers that have been affected

BT will also be fined £300,000 for failing to provide information to Ofcom. Through this Ethernet investigation, Ofcom became aware that BT failed to provide accurate and complete information for the original dispute, the Business Connectivity Market Review 2016 and this investigation.

[Read more about Ofcom's decision](#) on its website.

Ofcom's launches Access & Inclusion report - 1 in 5 disabled people still not using the internet

In an effort to learn if the communications market is delivering for vulnerable consumers, Ofcom has looked at a range of consumer research on the availability, take-up and affordability of communications services for these consumers, including telecoms, broadcasting and post. The report found internet access among disabled people has increased, from 65% in 2014 to 79% in 2016, however, one in

five disabled consumers are not online, and therefore face exclusion issues as a result.

Other findings of concern to the Panel were that 14% of young people (age 16-34), and 18% of consumers who have a long term disability or illness, have experienced difficulty in paying, or have been in debt, for a communication service. Ofcom is proposing that the requirements for providers to have fair debt management policies are extended to mobile and broadband services.

The report confirmed the Panel's concerns that older people as a whole are much less likely to shop around or switch to save money or get a better deal. In addition, as we have highlighted above, less than 10% of eligible consumers are taking up low-income telecoms and broadband tariffs.

The report also confirmed that visually and hearing-impaired consumers are poorly served by on-demand services where subtitles, audio description and sign language are provided far less often than on linear television. Our upcoming research, which will be released later this spring, highlights some of the gaps in provision, technical complexities and deficiencies in access service provision and will make a series of recommendations in this regard.

[The full report and data sets used can be found here.](#)

Ofcom opens automatic compensation consultation

Landline and broadband customers who suffer slow repairs, or missed deadlines or appointments, would receive money back from their provider, without having to ask, under [plans published by Ofcom](#).

Ofcom is proposing for customers to be paid automatic compensation, in the form of a cash payment or a credit to their bill. Ofcom estimates that the plans would mean up to 2.6 million additional landline and broadband customers could receive up to £185m in new compensation payments each year.

One-third of small and medium-sized enterprises (SMEs) use residential landline and broadband services and would also benefit from the proposals. SMEs can negotiate bespoke terms and there are standard landline and broadband business contracts that provide service guarantees and compensation for a number of different problems, including loss of service, but Ofcom's research found that 49% of SMEs were uncertain of their rights when providers fell short. Ofcom is therefore also proposing for greater transparency to help SMEs compare the service quality

and compensation arrangements for different contracts, and choose the one that best meets the needs of their business.

The consultation is open until 5 June. Further [details can be found here](#).

Plusnet fined £880,000 for billing former customers

Plusnet, a BT owned company, has been fined £880,000 by Ofcom for continuing to bill more than a thousand ex-customers.

The penalty is the result of an investigation which found that the telecoms company broke a fundamental billing rule by continuing to charge a group of customers for landline or broadband, after they had cancelled their service.

[Further details are on Ofcom's website.](#)

Ofcom's Disability Action Plan for Northern Ireland published

Ofcom's has published its second [Disability Action Plan for Northern Ireland](#); the new plan covers the period from 2017 to 2021. This follows a consultation last year, which the [Panel responded to](#).

The Plan outlines how Ofcom will fulfil its statutory disability duties, helping to promote positive attitudes towards disabled people and encouraging participation by disabled people in public life.

[The Plan is available here.](#)

Tech4Good Awards 2017

Nominations are open for the [AbilityNet Tech4Good Awards 2017](#), which celebrate people 'who use technology to make the world a better place'.

There are eight Awards categories: AbilityNet Accessibility Award; BT Young Pioneer Award; BT Connected Society Award; Comic Relief Tech4Good for Africa Award; Community Impact Award; Digital Health Award; Digital Skills Award; and Tech Volunteer of the Year Award. Entries close 8 May2017.

[Find out more about each Award and enter on the Tech4Good Awards website.](#)

Charity Digital Skills Report

The [Skills Platform](#) released their [Charity Digital Skills Report](#) this month, which investigated how charities across the UK are using digital, where there are skills gaps, and how these effect the sustainability of the sector. The aim is to help charities understand how their peers are using digital so that they can benchmark their own efforts.

[Read more about the Digital Skills Report here.](#)

Openreach consultation

On 10 March, BT notified Ofcom of its voluntary commitments to further reform Openreach. This means that Openreach will become a distinct company with its own staff, management, purpose and strategy. Ofcom consider that BT's March Notification sufficiently addresses the competition concerns as set out in its Strategic Review of Digital Communications. The consultation document explains why Ofcom believe this to be so and how they will monitor compliance with the new arrangements and assess whether they deliver positive outcomes for consumers and businesses.

[Read more here.](#)

Budget 2017

The Chancellor delivered the Government's Budget on 8 March, and announced that £200m of the £740m previously announced for digital infrastructure, would be invested in a programme of local projects to test ways to accelerate market delivery of full-fibre broadband networks.

In a blow for consumers, the Budget also announced that UK VAT will apply to mobile phone use outside the UK, whether or not it is within the EU. Currently VAT applies to mobile phone use by UK residents when in the EU, but not when outside the EU.

The Government also published its 5G Strategy alongside the Budget and announced a National 5G Innovation Network to trial and demonstrate 5G applications, with an initial £16m to run trials, and a new centre of 5G expertise within government to oversee the programme.

In addition, the Chancellor referred to the Consumers and Markets Green Paper (expected in April) in his budget speech, announcing there would be legislation to allow consumer enforcement bodies to ask the courts to order civil fines against companies that break consumer law, and the development of proposals to protect consumers from facing unexpected payments when a subscription is renewed or when a free trial ends, plus a focus on making terms and conditions clearer.

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