



Communications Consumer Panel and Advisory Committee for Older and Disabled People: Priorities and Work Plan 2015/16

Introduction

This is the 2015/16 Work Plan for the Communications Consumer Panel and Ofcom's Advisory Committee for Older and Disabled people (ACOD). It sets out our priorities for the coming year.

The limit of the Panel's resources - both financial and the executive team - directly impact upon the extent of its work so there is a need to focus on key areas of consumer interest. Accordingly, the Plan strives to encompass and prioritise those issues most likely to impact significantly upon consumers, citizens and micro businesses in the communications sector, including postal services. At the same time it seeks to enable effective monitoring of a broader range of topics so that the Panel and ACOD can react flexibly to emerging areas.

Role

The Communications Consumer Panel is an independent panel set up under the Communications Act 2003. The Panel pays particular attention to the needs of: more vulnerable people; older people and people with disabilities; the needs of people in rural and urban areas; people on low incomes; and micro businesses, which face many of the same issues as individual consumers.

The Panel has eight members who between them have experience in many different fields, including accessibility, consumer advocacy, dispute resolution, the telecoms, digital and content industries, access services, micro and small business, the third sector, social policy and market research. There are four members of the Panel who 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 and citizens in all parts of the UK and input these perspectives to the Panel's consideration of issues. These Members also attend meetings of the Ofcom Advisory Committee for each Nation and seek to ensure a two-way communication of ideas.

To take advantage of the synergy between the Panel and ACOD and to avoid potential duplication, cross-membership of the two bodies was established in Summer 2012. The remits of the bodies remain unchanged. This means that Members, in their ACOD capacity, also provide advice to Ofcom on issues relating to older and disabled people including television, radio and other content on services regulated by Ofcom.

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

The Panel is often described as a 'critical friend' to Ofcom. We provide robust and independent advice that is constructive, realistic and cognisant of the trade-offs which regulatory decisions often involve. This is made possible by the fact that Ofcom shares information and ideas with the Panel early in the regulatory process before consulting formally with other stakeholders. We publish information about our advice and activities on our own website <http://www.communicationsconsumerpanel.org.uk>

The Panel's objective

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, Governments, industry and others.



Context

Given our role to influence Ofcom, it is vital that we take into account the work to be undertaken by Ofcom in the coming year, as well as wider developments in the area of communications. Our Work Plan is therefore informed by Ofcom's priorities and workstreams, as outlined in its Annual Plan¹, in addition to other significant developments which will affect consumers, citizens and micro businesses in the UK.

We will remain alert to issues that may arise during the course of the year; and for many of the areas that we have identified there are specific dimensions arising from the devolved Nations. Our work with the Advisory Committees and other stakeholders in the Nations will inform our approach to these matters. Additionally, we will undertake close co-operation and explore joint working with other consumer-focussed organisations on a range of issues that relate to the topics listed on page 4, or that arise during the year.

Wider developments

In addition to Ofcom's Plan for the year and its Strategic Review Of Digital Communications there are a number of other developments underway or anticipated during 2015/16 which are relevant to consumers, citizens and micro businesses in the UK. These include:

- The changing consumer landscape;
- Changing industry structure;
- The outcome of the forthcoming General Election in terms of impact on consumer-related policy;
- The implementation of the Consumer Rights Act;
- Anticipated European Commission initiatives e.g. regulatory proposals for a Connected Continent, data protection
- The Government's Telecoms Consumer Action Plan

Priorities for 2015/16

We have developed our Work Plan by applying two questions to each issue that it might address:

- What is the scale of the issue for consumers, citizens and micro businesses?
- Can the Panel and ACOD make a difference?

The Plan was put out for consultation during February and March 2015 and was reviewed following comments made by stakeholders.

Types of engagement

We organise our work by focusing our ongoing effort on areas of key engagement, using research to inform our work and keeping a wider range of topics under ongoing review. In

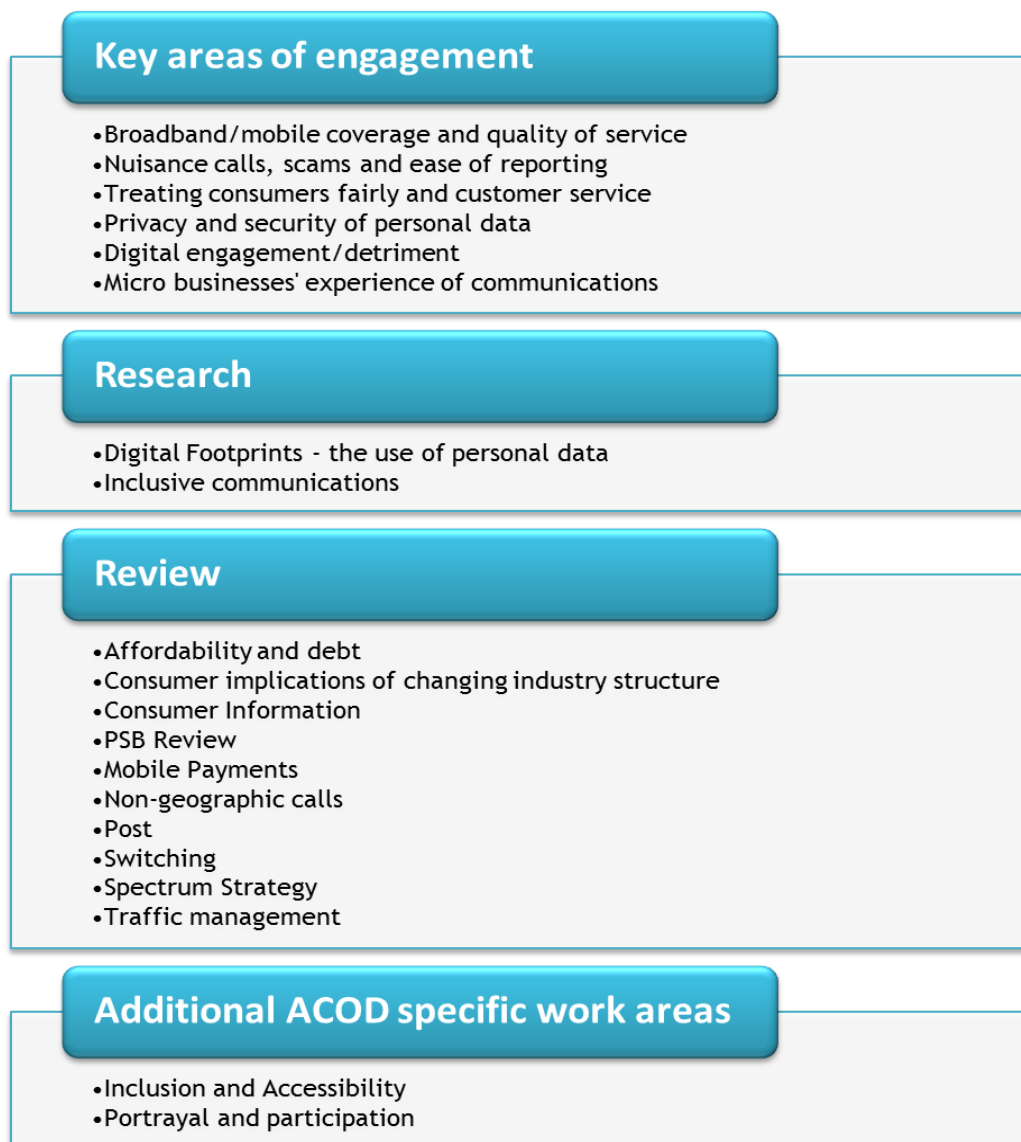
¹ <http://www.ofcom.org.uk/about/annual-reports-and-plans/annual-plans/annual-plan-2015-16/>

relation to other issues, we will review them as appropriate and provide advice as necessary.

The fast changing communications environment means that we must also build flexibility into our plans in order to be responsive to new challenges. We may receive requests for advice in relation to issues that are not in our Work Plan, and the Panel itself is likely to identify new issues which are of importance to consumers and which warrant its attention. We will continue to monitor issues in the communications field and liaise with a wide range of organisations representing the interests of consumers to gather - and share - intelligence about developments.

Our proposed work areas are set out below.

Work areas 2015/16²



² More detail about the areas we intend to keep under review can be found on our website

Key Areas of Engagement:

Broadband/mobile coverage and quality of service (including inadvertent roaming/future of voice/Broadband Universal Service Obligation)

Consumers, citizens and micro businesses are more reliant than ever on communications services - and particularly mobile devices. 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.

The Panel 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 Mobile Network Operators (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 progress. However, for now, there is still some way to go.

Specific objective

We will help ensure that the needs of consumers, citizens and micro businesses are central to policy making, that delivery of a high quality service experience is consistently achieved and that consumers and citizens are not excluded from participating effectively in the digital world. To do this, we will continue to engage with Governments, Ofcom, Broadband Delivery UK (BDUK) and industry so that consumer and citizen interests are taken into account in relation to both the provision of infrastructure and quality of experience.

Nuisance calls/texts, scams and ease of reporting

Nuisance calls/texts from businesses - including live marketing calls, silent calls, abandoned calls, and recorded marketing message calls - can cause consumers irritation, anxiety and distress. They can cause micro businesses to waste their resources. If a scam is involved, there can be financial loss too. There is also a risk that these unwanted contacts adversely affect people's likelihood of engaging with commercial services by phone, which in turn could mean lost business for some firms. The potential loss of people's trust in their communications service is bad both for consumers and businesses.

Nuisance calls have been a priority work area for the Panel since 2012/2013. We have worked closely with a range of stakeholders and we were encouraged to see some tangible progress in this area e.g. the DCMS Nuisance Calls Action Plan, the Which? Taskforce's report, the budget announcement of a £3.5 million package to explore ways of protecting vulnerable people from nuisance calls, the move to lower the Information Commissioner's

Office's (ICO) threshold for enforcing the regulations and the amendment of the legislation to make it easier to exchange information between Ofcom and the ICO.

Specific Objective

To help reduce both the incidence and the impact of nuisance calls/texts including silent calls and unrequested marketing calls and texts, the Panel will continue to work with Governments, Ofcom, the Telephone Preference Service (TPS), the ICO, the Direct Marketing Association (DMA), industry and other consumer groups to encourage: implementation of the recommendations of the taskforce's review of consumer consent; co-operative efforts between agencies; effective use of the available technology; and support for consumers and micro businesses wishing to report nuisance calls or scams - so that people are well informed and better protected. This year we will look in greater detail at how consumers can be better protected from scams (via telephone and post). We will also continue to urge the provision of free caller line identification (CLI) for consumers, following our call 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.

Treating consumers fairly and customer service (including contract termination and lost and stolen)

The Panel continues 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*](#)³. You can read about the report and the Panel's detailed recommendations on the Panel's website⁴. We have committed to seek regular updates on these areas of concern with communications providers so that we can understand and monitor progress on the initiatives they are undertaking.

We have been concerned for some time about the lack of consumer protection from high bills run up on lost or stolen mobiles. From time to time media stories highlight extreme examples of large bills experienced by consumers and the potentially life changing and ruinous effect they can have on individuals. In 2013, the then Culture Secretary, announced an agreement between 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 promised consumer protection has now been agreed in March 2015 and we look forward to it being delivered.

³ <http://www.communicationsconsumerpanel.org.uk/downloads/going-round-in-circles.pdf>

⁴ <http://www.communicationsconsumerpanel.org.uk/going-round-in-circles/going-round-in-circles>

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 and the exploration of further potential technical solutions. We wrote to DCMS and the major MNOs in 2014 to highlight our concern, and we have also been discussing this matter with MNOs face to face.

Last year, in our report [Realising the potential: micro businesses' experiences of communications services](#)⁵, we called for greater support for micro businesses from governments, industry and communications providers to help them maximise the opportunities presented by communications services. Following research with micro businesses from across the UK, we highlighted that for micro businesses to gain greater benefit from their communications services, inter alia action needs to be taken in three key areas - including that communications providers should consider offering tailored communications service packages for micro businesses, facilitating greater access to robust and reliable services, and providing business grade support levels.

Specific Objective

The Panel will continue to urge Governments and the communications industry to treat consumers - including micro businesses - fairly and to raise the level of customer service in the industry so that people enjoy better protection and improved, holistic standards. We are discussing the findings of our research studies, and related recommendations, with communications providers and Ofcom and will review progress later in the year. We will pay particular attention to the needs of disabled people (and other potentially vulnerable consumers) with specific communication needs.

Privacy and security of personal data (including the Internet of Things)

The range of opportunities offered by the internet, mobile apps and micropayments provide consumers and citizens with a host of potential benefits. 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. This becomes more important with the potential of the Internet of Things to collect and use increasing amounts and types of consumer information.

Specific Objective

To represent consumers' and citizens' interests so that they can be as well informed and protected as possible, the Panel will build on its previous research (*Online Personal Data -*

⁵ <http://www.communicationsconsumerpanel.org.uk/downloads/panel-micro-business-report-final.pdf>

*the Consumer Perspective*⁶) to identify and highlight the issues, draw attention to the need for further work, and encourage regulators - including Ofcom, Governments and the EU to ensure that consumer and citizen views and experiences are at the heart of policy making and regulation in this area.

Digital engagement/detriment

For some time it has remained the Panel's 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 rooted in the offline world. We live in an era in which we are seeing many Government services become "digital by default" and when being online is becoming a necessity of life rather than an optional extra.

While the advantages of online connectivity apply to all groups in the community, they are especially relevant to disabled people, those on a low income 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. Amongst the general population, 88% of adults have internet access anywhere, but this is significantly lower amongst disabled people - the 2014 British Population Survey reports levels of internet access of 60-75% for these people⁷.

Building on the *Consumer Framework*⁸ that we published in 2010, which remains as current as ever, and informed by our 2012 *Bridging the Gap: Sustaining Online Engagement*⁹ research, the Panel has identified a number of areas for strategic focus and made a series of recommendations for Governments, policy makers and those delivering on the ground. Whilst solutions may be complex, the issue itself is straightforward: approximately 21% of the UK population lack basic digital literacy skills¹⁰. 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.

Specific Objective

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 do this by working with Go ON UK, the Government Digital Service (GDS) and other stakeholders so that we can help ensure that the full range of people's digital engagement needs are being met, supported by practical consumer information, choice and truly universal fast

⁶ <http://www.communicationsconsumerpanel.org.uk/online-personal-data/online-personal-data-1>

⁷ <http://stakeholders.ofcom.org.uk/market-data-research/market-data/consumer-experience-reports/consumer-experience-14/> page 86

⁸ <http://www.communicationsconsumerpanel.org.uk/smartweb/digital-participation/the-consumer-framework-for-digital-participation>

⁹ <http://www.communicationsconsumerpanel.org.uk/smartweb/research/bridging-the-gap:-sustaining-online-engagement>

¹⁰ BBC/Go ON UK survey

http://www.bbc.co.uk/learning/overview/assets/bbcmedialiteracy_20130930.pdf September 2013

broadband for all. 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, for whatever reason, to ever undertake these processes online.

Micro businesses' Experiences of Communications

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 over 18% of turnover. As part of its 2014 recent report [Realising the potential: micro businesses' experiences of communications services](#)¹¹, the Panel commissioned Jigsaw to carry out independent, qualitative research¹² with a wide range of 115 micro businesses from across the UK.

The research highlighted 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 technologies for the benefit of the business; and, for the people running these enterprises, time is often at a premium. Following the research, we highlighted that for micro businesses to gain greater benefit from their communications services, action needs to be taken in three key areas:

Governments, in association with 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.

Governments, 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.

Specific Objective

To better promote the needs of micro businesses we will continue to urge improvements in these areas, and we will take forward the results of our research and related recommendations in conjunction with a range of relevant stakeholders.

¹¹ <http://www.communicationsconsumerpanel.org.uk/research-and-reports/realising-the-potential-micro-businesses--experiences-of-communications-services>

¹² <http://www.communicationsconsumerpanel.org.uk/downloads/micro-business-qualitative-research-written-report-final.pdf>

Research:

Digital Footprints - the use of personal data

As more and more data is collected about people - both as they knowingly disclose information on platforms such as social media and as they unknowingly share digital details about themselves whilst conducting everyday business - two fundamental questions occur:

1. What are the implications for our individual privacy?
2. How can we control and manage the use of our personal data more effectively?

Although the range of opportunities offered by the internet, mobile apps and micropayments provides consumers and citizens with a host of potential benefits, it is increasingly important that people understand the implications of the consent they are giving organisations for the use of their data and the precautions they can take to safeguard their personal information.

Building on our earlier research (*Online Personal Data - the Consumer Perspective*¹³) we will explore how best to identify and highlight the pertinent issues that need to be considered as policy making and regulation develop in this area. We aim to publish this work in 2016.

Inclusive communications

The Panel's 2014/15 workplan outlined its intention to conduct research into 'How organisations communicate with more vulnerable consumers'. A new study 'Inclusive Communications' has been developed from this idea - designed to explore how accessible a range of organisations are to their customers. The customers of specific interest are those with additional communication support needs such as people with disabilities, and older consumers (aged 75+). We aim to publish this work in 2015.

Additional ACOD specific work areas

Inclusion and accessibility (including speaking Electronic Programme Guides/Next Generation Text Relay/video relay/subtitling on TV and video on demand)

We will continue to engage with Ofcom's range of work on the accessibility of content, including on the accuracy of live subtitling, which examines how effectively user requirements are being met, and also maintain our focus on the provision of access services on video on demand content, so that, as far as practicable, users have equivalent access. We will continue to engage with the work to inform potential users about Next Generation Text Relay, as well as its further development. We will also continue to advise

¹³ <http://www.communicationsconsumerpanel.org.uk/online-personal-data/online-personal-data-1>

Ofcom on the development of its Single Equality Scheme and particularly its disability action plan which sets out how Ofcom will ensure that it is a positive organisation for disabled employees and consumers.

Portrayal and participation

The participation of older and disabled people in programmes, and their accurate portrayal, are central pillars to maintaining audiences' confidence and engagement with broadcast content. We will engage with Ofcom's and broadcasters' work in this area.