



Inclusive Communications:

A desk review of the obligations on service providers regarding accessible communications for elderly and disabled people and the provision of these services

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Section 1

Introduction

The following desk research is intended to provide background context to the qualitative research study *Inclusive Communications*. This study was commissioned by the Communications Consumer Panel and the Advisory Committee on Older and Disabled People (ACOD) to provide a comprehensive understanding of the quality of service offered by communications providers within the wider context of people's experiences of other large organisations. Examples of the types of organisations included in the discussion include communications providers, utility companies, NHS, large government departments e.g. DWP, HMRC, Passport Office, and financial service providers such as banks and pension providers.

The customers of specific interest are those with additional communication support needs such as people with disabilities, and older consumers (aged 75+). The qualitative research explores people's experiences of service providers in terms of, for example; how accessible they make themselves to people with additional needs; how inclusive their points of contact are; the quality of service they deliver via these channels; and how well the needs of those requiring additional support are met.

In order to understand the context of these experiences it is important to be aware of the obligations the suppliers of the services explored in the research are subject to.

Communications providers (CPs) have an obligation to comply with General Condition 15 – 'Special Measures for End-Users with Disabilities' (GC15). GC15 contains a number of special measures for disabled end-users of communications services. As well as providing special services, communications providers are also required to publicise the availability of those services for disabled consumers. Organisations outside of the communications market do not fall under the GC15 mandate.

GC15 is one of a list of General Conditions¹, enforced by Ofcom². Ofcom is the UK's communications regulator, covering the TV and radio sectors, fixed line telecoms, mobiles, postal services, plus the airwaves over which wireless devices operate. Its objective is to make communications work for everyone. Ofcom's powers are defined by the Communications Act 2003, as well as other Acts of Parliament. For the protection of consumers, the Communications Act 2003 put in place a requirement for an independent Consumer Panel (the Communications Consumer Panel³), able to conduct independent research and give advice to Ofcom and other bodies, to protect and promote the interests of consumers and micro-businesses - its Members also undertake the responsibilities of Ofcom's Advisory Committee on Older and Disabled People.

There are also some general regulations, standards and guidelines that are relevant and apply to service providers and public authorities such as the Equality Act and the Disability Discrimination Act. (See Section 2).

Scope of desk research

¹http://stakeholders.ofcom.org.uk/binaries/telecoms/ga/CONSOLIDATED_VERSION_OF_GENERAL_CONDITIONS_AS_AT_28_MAY_2015.pdf

² <http://www.ofcom.org.uk/about/>

³ <http://www.communicationsconsumerpanel.org.uk/>

The following desk research has been commissioned in order to be able to place the research findings of people's experiences of communicating with large organisations other than communications providers into context. The aim of this report is to highlight relevant regulations, policies, guidance's, codes of conduct and examples of best practice with regard to elderly, disabled or vulnerable customers across the range of services covered in the qualitative research study.

The report covers the following areas: utilities: gas, electricity, water; NHS; large Government departments, police and emergency services and financial service providers. It looks at regulators, government policy and individual companies and organisations. Where there is relevant research in the public domain this is highlighted.

The report first looks across sectors with an outline of the general legislation, standards and guidance's that have relevance to Inclusive Communications. Any cross-sector initiatives and relevant cross-sector research, as at the time of the desk research, are highlighted. The report then looks at these areas by individual sector. Links to sites and documents are contained within the individual sections. There is a page of references and links in the Annex.

Context: Obligations on Communications Providers: GC15

The services for disabled consumers mandated in GC15 are:

- Access to an approved text relay service for people who have hearing or speech impairments
- Free directory enquiries for customers who are unable to use a printed directory because of a disability
- Priority fault repair (fixed line only) for customers who depend on the telephone because of severe ill-health or disability and have an urgent need for a repair
- Third party bill management, enabling a nominated friend or relative to act on behalf of someone who needs help to manage their affairs
- Bills and contracts in formats such as large print, braille and audio on request
- There are also other requirements relating to broadcasting services for disabled people, such as subtitling and audio-description, and sign language.

Section 2

Cross-sector: relevant legislation and standards, initiatives and research

Cross-sector Legislation, Guidance and Standards

Equality Act 2010

The Equality Act became law in October 2010⁴. It replaced, and aimed to improve and strengthen, previous equalities legislation, including the Disability Discrimination Act 1995.

Businesses are under an obligation to make reasonable adjustments where, if the adjustment were not made, a disabled person would be at a substantial disadvantage compared to people who are not disabled. It is explicit in including the provision of information in “an accessible format” as a ‘reasonable adjustment’.

More information and Government Guidance to the Act can be found here:

<https://www.gov.uk/equality-act-2010-guidance>

<https://www.gov.uk/government/publications/equality-act-guidance>

United Nations Convention of Rights of Disabled People

The United Nations Convention on the Rights of Disabled People is an international human rights treaty that grants disabled people a comprehensive set of rights. The UK ratified the convention in July 2009. All UK government policies and practices must comply with the convention. A summary of the key points can be found on the UK Government website:

<https://www.gov.uk/government/policies/creating-a-fairer-and-more-equal-society/supporting-pages/united-nations-convention-on-the-rights-of-disabled-people>

BSI Standard: BS 18477 Inclusive service provision. Requirements for identifying and responding to consumer vulnerability

The voluntary British Standard 18477:2010 was developed to encourage the use of fair, ethical and inclusive practices and improve accessibility to services for all. It was developed with the involvement of Citizens Advice, Consumer Futures, the Office of Fair Trading and government bodies to help organisations better design, market, assist and deliver services to all consumers. It includes the provision that bills, letters and other communications are available in a range of accessible formats and that organisations do their best to ensure that customers receive information in their preferred format.

Ofgem, in their strategy for consumer vulnerability, is encouraging energy providers and distributors to look at it as one option towards implementing a practical approach to tackling vulnerability. (See p10).

⁴ The Equality Act 2010 does not apply to providers in Northern Ireland.

BS 18477 Inclusive service provision. Requirements for identifying and responding to consumer vulnerability.

Web accessibility guidelines

The World Wide Web Consortium (W3C) has developed Web Content Accessibility Guidelines 2.0, a set of guidelines stipulated by) used to ensure web sites are designed and written in a way that makes them accessible to everyone. Many of the organisations in this report are abiding by these. <http://www.w3.org/standards/webdesign/accessibility>

Cross-sector initiatives and research

UK regulators' network⁵

The UK's economic regulators have joined together in the UK Regulators Network (UKRN)⁶ to ensure effective cooperation between sectors. Without cutting across the independence or specific goals of each regulator, UKRN is intended to strengthen work across sectors. It will explain and take account of the differences between sectors, while maximising coherence and shared approaches in the interests of consumers and the economy.

UKRN's members are independent bodies established in statute with a range of duties including economic regulation, consumer protection and competition law.

They include: **The Civil Aviation Authority (CAA)**, The **Financial Conduct Authority (FCA)** and the **Payment Systems Regulator (PSR)**, **Office of Communications (Ofcom)**, **Office of Gas and Electricity Markets (Ofgem)**, **Water Services Regulation Authority (Ofwat)**, **Office of Rail Regulation (ORR)**, **Northern Ireland Authority for Utility Regulation (Utility Regulator) Monitor**, the sector regulator for health, participates in the network and its projects as appropriate, **The Water Industry Commission for Scotland (WICS)** is a contributing member which generally participates in projects as an observer, The **Competition and Markets Authority (CMA)** has observer status in UKRN

Citizens Advice Bureau⁷ – tackling vulnerability and promoting inclusivity

Citizens Advice have published two papers on the topics of vulnerability and inclusivity:

- Centre for Consumers and Essential Services, University of Leicester (2014). *Research report for Citizens Advice: Tackling consumer vulnerability: regulators' powers, actions and strategies (CCES, 2014)*. This examines the role of the regulators in the energy, water and financial sectors.
- Citizens Advice (January 2015). *Treating Consumers Fairly. Flexible and Inclusive services for all*. This explores the impact of the British Standard 18477:2010 (see above). There is no legal requirement for organisations to follow the Standard, but Citizens Advice has been encouraging companies, particularly the regulated essential goods and service industries, to adopt it voluntarily.

⁵ <http://www.ukrn.org.uk/>

⁶ <http://www.ukrn.org.uk/>

⁷ [The Citizens Advice service is an independent charity which provides advice people need for the problems they face, and to improve the policies and principles that affect people's lives. http://www.citizensadvice.org.uk/](http://www.citizensadvice.org.uk/)

Links to the two reports can be found here: <https://www.citizensadvice.org.uk/about-us/policy/policy-research-topics/consumer-policy-research/tackling-consumer-vulnerability/>

Section 3

General Observations

In reviewing the current regulations and standards relating to older and disabled people and the research conducted by regulators and the CAB some general points emerge:

The role of the regulators: The Citizens Advice commissioned research raises some questions about the current role of the regulators. It suggests that the focus of government and regulators on promoting competition has still left consumers facing difficulties and it asks what should be the balance between depending on market mechanisms and formal intervention.

“Much of the focus from government and regulators has continued to be based on promoting competition but this in itself has proved highly problematic and consumers still face significant difficulties in these services...The issue of which regulatory tools to use and the balance between them is a long standing issue within the theory and practice of regulation but continues to be a matter of debate”.

(Centre for Consumers and Essential Services (CCES), University of Leicester (2014) Research report for Citizens Advice: Tackling consumer vulnerability: regulators’ powers, actions and strategies, p11)

It points to the need for the regulators to have in place an:

“[...] effective means of ‘external auditing’ that involves a range of relevant organisations which work with consumers in vulnerable circumstances”. This could be done through the use of existing structures (such as the Financial Services Consumer Panel and Ofcom’s Communications Consumer Panel and Advisory Committee on Older and Disabled People) or by setting up external ‘challenge groups’ for each regulator or jointly. This should be underpinned by a clear mechanism so that external input is taken on board and seen to be so. This should not be a one-off exercise but one that becomes an integral part of the regulators’ consumer vulnerability policies and monitoring.” (CCES 2014, p7)

The role of companies: Citizens Advice point out that companies have different policies and practices which places the onus on the regulators to help drive forward good practice.

“Ultimately the success of the regulators in tackling consumer vulnerability revolves very much around the responsiveness of the companies. This means recognising that company behaviour and policies can greatly add to the risk of consumer vulnerability, and taking practical steps to eliminate poor practices and learn from good practice.” (CCES 2014, p7)

The role of government: The Citizens Advice research raises a point about how consumers can fall between regulators, government and companies.

“While the regulators have a central role to play, government too has a critical role in tackling the causes and consequences of consumer vulnerability in these essential services. It is clear that there is often a gap between the expectations of consumers and the public about what regulators can do and their actual statutory powers. Wider social policy is seen as the responsibility of government but governments frequently

leave key issues such as the affordability of essential services to the regulators and companies. The interests of consumers in these sectors are often in danger of being stranded between regulators, government and companies, with especially serious implications for people in vulnerable circumstances.” (CCES 2014, p14)

Move towards co-operation between organisations and sharing learnings: The establishment of the Regulators’ Network and the Government’s emphasis on identifying and sharing good practice, its Inter-Departmental Ministerial Group on Disability, the Disability Action Alliance and the support for Disabled People’s User Led Organisations are all evidence of a growing understanding of the need to have a co-ordinated response to the issues facing disabled, elderly and vulnerable people.

Focus on vulnerability: While the focus of the *Inclusive Communications* research is on elderly and disabled people, it is worth noting that there is a move towards a more rounded understanding of consumer vulnerability across some of the regulators examined. This would include people who are vulnerable while not necessarily being elderly or classified as disabled. Regulators such as Ofgem have a consumer vulnerability strategy in place and Ofwat and the FCA have been developing strategies in this area. These are examined in Sections 4, 5 and 10 of this document.

Website accessibility: It is noticeable that a number of organisations have adopted an accessibility link into their home page which links to information on how to improve the page for people who have visual impairment. Many organisations adhere to the W3C guidelines.

There is a difference between many companies’ policies and the elderly or disabled person’s actual experience of service provision: Despite regulation and increasing government guidance, differences between companies remain in terms of how accessible they are to disabled consumers and the consumer experience. This can only be fully assessed through specific consumer research such as the recent Ofcom Mystery Shopping research in the communications market.

Section 4

Utilities – Gas and Electricity

Energy Regulator (Great Britain): Ofgem

Role and Duties

Ofgem⁸ (Office of Gas and Electricity Markets) is a non-ministerial government department and an independent National Regulatory Authority, recognised by EU Directives. It is the energy regulator for Great Britain. <https://www.ofgem.gov.uk/>.

It is governed by the Gas and Electricity Markets Authority (GEMA). The Authority determines strategy, sets policy priorities and makes decisions on a wide range of regulatory matters, including price controls and enforcement. The Authority's powers are provided for under the following: Gas Act 1986, Electricity Act 1989, Utilities Act 2000, Competition Act 1998, Enterprise Act 2002 and measures set out in a number of Energy Acts.

Ofgem's priority is: *"to protect and make a positive difference for all energy consumers. We work to promote value for money, security of supply and sustainability for present and future generations. We do this through the supervision and development of markets, regulation and the delivery of government schemes. We work effectively with, but independently of, government, the energy industry and other stakeholders. We do so within a legal framework determined by the UK government and the European Union."* (Ofgem Consumer Vulnerability Strategy 2013, p7⁹)

Ofgem is required to have regard to people who are disabled or chronically sick, people of pensionable age, people on low incomes and people living in rural areas. (Ofgem's powers and duties are summarised in CCES 2014 pp 18-21).

Ofgem needs to have regard to the fulfilment of the general objectives of the Gas and Electricity Directives¹⁰ as well as the statutory guidance issued by the Secretary of State on social and environmental matters.¹¹ The current Social and Environmental Guidance to the Gas and Electricity Markets Authority sets out a specific aim to eliminate fuel poverty, as far as reasonably practicable, among households in England, Scotland and Northern Ireland by 2016, and in Wales by 2018. Ofgem is expected to make a significant contribution to the government's objectives and is said to have an "important and wide responsibility" in relation to social issues, including having particular regard to those on low income and vulnerable groups.

It is also required to meet the general and specific duties placed on public sector bodies in the Equality Act 2010.¹²

⁸ <https://www.ofgem.gov.uk/about-us/who-we-are>

⁹ <https://www.ofgem.gov.uk/ofgem-publications/75550/consumer-vulnerability-strategy.pdf>
<https://www.ofgem.gov.uk/ofgem-publications/75550/consumer-vulnerability-strategy.pdf>

¹⁰ Directive 2009/73/EC concerning common rules for the internal market in gas; and Directive 2009/72/EC concerning common rules for the internal market in electricity

¹¹ ¹¹ <https://www.ofgem.gov.uk/ofgempublications/74203/file37517.pdf>

¹² <https://www.gov.uk/equality-act-2010-guidance>

Energy Suppliers – licence obligations (Great Britain)

Ofgem determines the content of gas and electricity licences, and grants licences¹³ to successful applicants.

Gas and electricity companies have a range of obligations to both customers and industry which they must fulfil under the conditions of their licences. A key part of Ofgem's regulatory approach is the monitoring and enforcement of these conditions, a number of which provide for specific protection for vulnerable customers, including those with disabilities. The key licence conditions that provide additional protection for consumers with disabilities relate to:

- The maintenance of a Priority Services Register;
 - Energy suppliers and network operators are under an obligation to establish and maintain a Priority Services Register (PSR) which includes a list of all disabled customers who have requested registration.
 - All customers on the PSR must be provided with advice and information on the associated services available to them and suppliers' additional obligations to PSR customers.
 - Suppliers are obliged to notify all customers of the existence of, and process for becoming registered on the PSR.
 - If requested by a PSR eligible customer, suppliers are required to provide specific services such as moving the customer's meter or carrying out quarterly meter readings where the customer is unable to read or access the meter.
 - If requested, suppliers are also required to provide billing information in an accessible format for blind or partially sighted customers.
 - Suppliers must provide, free of charge, facilities which allow customers who are blind, partially sighted, deaf or hearing impaired to ask or complain about any bill or statement of account.
- A ban on winter disconnections of households where someone is chronically sick or disabled and
- There is also a broader safety net established by the Energy Retailers Association that all the major energy suppliers subscribe to which should prevent any disconnections of vulnerable households.
- Gas safety checks:
 - Under their standard licence conditions, gas suppliers are required to provide free gas safety checks annually, where requested by specific customer groups, including those with disabilities who are in receipt of means-tested benefits.

¹³ <https://www.ofgem.gov.uk/licences-codes-and-standards/licences/licence-conditions>

Ofgem: Key strategies and reviews

Consumer engagement

Ofgem engages with consumer organisations, consumers through forums such as the Consumer First Panel, the energy industry, environmental groups, government and the City. It has an ongoing and extensive programme of stakeholder engagement. It conducts Impact Assessments and uses a mixture of written consultations and workshops to seek input to policy development. More details on this can be found here: <https://www.ofgem.gov.uk/about-us/how-we-engage>

Consumer First

As part of the Consumer First programme Ofgem carries out independent consumer research to shape key policy decisions. They also draw on insight from a variety of places to make sure staff from across the organisation understand the priorities, views and experiences of consumers. A wide range of consumers are involved in the research - including more vulnerable people - to make sure their needs and priorities are accounted for.

“We involve thousands of consumers in our work through regular surveys and workshops and through innovative approaches such as video research and collaborative engagement, bringing consumers and energy suppliers together.

For example, the Consumer First Panel consists of 80 everyday domestic customers recruited from four locations across Britain. The panel meets regularly to discuss key issues impacting on their participation in the energy market, as well as other topics related to energy”.

Retail Market Review

Ofgem conducted a Retail Market Review (RMR) in 2010 due to concerns that the energy market was not working effectively for consumers. This led to a reform programme to make the retail energy market simpler, clearer and fairer for consumers.

Ofgem took steps to formalise and incorporate standards of conduct for the supply companies in their licence conditions and these came into force in August 2013. The standards require suppliers and any organisations that represent them, such as brokers or third party intermediaries, to ensure that each domestic customer is treated fairly. The Energy Act 2013 gave Ofgem new powers to impose consumer redress orders for the breach of licence obligations.¹⁴

In April 2014, new rules to improve supplier communications, such as bills and annual summaries, also came into effect to ensure consumers have the information they need to make informed and accurate comparisons.

¹⁴ Note: Ofgem has intervened to place formal enforceable obligations on energy suppliers to treat customers fairly through new Standards of Conduct that took effect in August 2013. These require suppliers and any organisations that represent them (such as brokers or third party intermediaries) to ensure that each domestic customer is treated fairly. The decision was taken to introduce the Standards as binding licence conditions because voluntary interventions had not, in Ofgem’s view, resulted in improved interactions between consumers and suppliers (Ofgem letter from Maxine Frerk, Partner, Retail Markets and Research to energy companies, government, and consumer bodies, 28 June 2013)

Consumer Vulnerability Strategy

Ofgem was the first regulator to adopt an explicit consumer vulnerability strategy. It was published in 2013 detailing work in the area of protecting energy consumers, who might be in vulnerable situations.¹⁵ This work is ongoing and progress will be regularly monitored and reviewed. There are two stated objectives:

- *To guide Ofgem's approach to understanding vulnerability - through evidence, research and market analysis - to help us set our priorities, develop and implement interventions and assess their effectiveness, and*
- *To guide our expectations of supply and distribution companies to embed consideration of consumer vulnerability when they design and deliver products and services.*¹⁶

- **Definition of vulnerability**

“Our definition of vulnerability is when a consumer’s personal circumstances and characteristics combine with aspects of the market to create situations where he or she is:

Significantly less able than a typical consumer to protect or represent his or her interests in the energy market;

and/or

Significantly more likely than a typical consumer to suffer detriment, or that detriment is likely to be more substantial.”

- **A consultation on the future of the Priority Services Register**

A consultation on the future of the Priority Services Register (PSR) has been published by Ofgem as part of its consumer vulnerability strategy work programme. This includes improving data sharing and taking reasonable steps to identify customers in vulnerable situations; raising awareness of services and annual independent audits.¹⁷

- **Consumer Vulnerability Network**

Ofgem plans to establish a Consumer Vulnerability Network with stakeholders who are involved in a range of areas of vulnerability such as disability, mental health and debt. They plan to have a group of Network members in England, Scotland and Wales and for each group to meet twice a year in London, Glasgow and Cardiff.¹⁸

- **BSI Standard 18477**

Ofgem believes that the standard on inclusive services is a useful tool to help companies – both suppliers and distributors - review and develop their services for consumers in vulnerable situations. *“We are not planning to require companies to sign up to it. We do*

¹⁵ <https://www.ofgem.gov.uk/ofgem-publications/75550/consumer-vulnerability-strategy.pdf>

¹⁶ <https://www.ofgem.gov.uk/about-us/how-we-work/working-consumers/protecting-vulnerable-consumers>

¹⁷ <https://www.ofgem.gov.uk/publications-and-updates/review-priority-services-consultation>

¹⁸ <https://www.ofgem.gov.uk/ofgem-publications/75550/consumer-vulnerability-strategy.pdf>

encourage suppliers to consider whether and how it applies to their business or to consider what other routes they can use to provide assurances about their processes for identifying and responding to vulnerability.”¹⁹

Consumer Challenge Group²⁰

Ofgem set up a Consumer Challenge Group to make sure that the consumer view is being taken into account for network price controls.

According to the website: *“The Consumer Challenge Group (CCG) acts as a ‘critical friend’ to Ofgem to help ensure that the price control settlement is in the best interests of existing and future consumers. Its members provide inputs and challenge which might not come through other means such as primary consumer research”.*

The CCG is not a decision making body but acts in an advisory capacity to help inform the Authority’s decision making processes.

“We have set up a Consumer Challenge Group for the latest electricity distribution price control, RIIO-ED1. The CCG builds on the successful approach used in previous price controls as a more intensive form of engagement with experts in energy consumer interests”.

Energy Regulator (Northern Ireland): The Utility Regulator

Historically in NI, there have been one or two dominant electricity or gas suppliers. In addition, NI is a small market compared to others, such as the GB energy market, and competition between energy suppliers is relatively new.

The Utility Regulator (UR) is the independent non-ministerial government department responsible for regulating Northern Ireland’s electricity, gas, water and sewerage industries, to promote the short and long-term interests of consumers.

As is the case with Ofgem, the Utility Regulator must have due regard for specific groups of electricity and water customers, in particular those who are: disabled or chronically sick; of pensionable age; on low income; or living in rural areas.

The Utility Regulator has just launched a consultation into its Consumer Protection Strategy.²¹ It focuses on domestic electricity, gas and water customers and in particular seeks to improve customer protection in circumstances where customers may be considered to be vulnerable.

The legislative requirements under IME3, a package of Directives and Regulations on market liberalisation in the energy sector, placed a new and enhanced focus on a “high level

¹⁹ <https://www.ofgem.gov.uk/ofgem-publications/75551/consumer-vulnerability-strategy-supplementary-appendices.pdf>

²⁰ <https://www.ofgem.gov.uk/network-regulation-%E2%80%93-riio-model/riio-forums-seminars-and-working-groups> ²⁰ <https://www.ofgem.gov.uk/network-regulation-%E2%80%93-riio-model/riio-forums-seminars-and-working-groups/consumer-challenge-group>

²¹ http://www.uregni.gov.uk/uploads/publications/Consumer_Protection_Strategy_Consultation_-_March_2015.pdf

of consumer protection” by regulators, together with effective market monitoring regimes. This has been implemented in NI via energy supply licences and Codes of Practice. UR has updated all electricity and gas supplier licence conditions relating to Codes of Practice to ensure that they meet the requirements of IME3.

United Kingdom: Energy Companies’ Policies and the Consumer’s Experience

As identified above there are obligations on companies to provide services to people whose names are on a Priority Services Register and to make information available in different formats. How the information is made available and how accessible it is in reality will differ by organisation. In addition, different consumers access companies in different ways and a website gives little indication of the quality of the telephone or face-to-face customer service for instance.

While it is possible to look at websites to see how easy it is to find information in accessible formats and information on the PSR for instance, without doing ad hoc research amongst consumers and mystery shopping it is difficult to ascertain how well companies deal with people who may be elderly, disabled or vulnerable.

Which? Satisfaction survey

Which? has published the results of a survey of what customers think of their energy suppliers in Great Britain and Northern Ireland. In addition to the satisfaction survey results, Which? carried out a comprehensive analysis of energy companies' practices, policies and prices and conducted a mystery shopping exercise. This does not however specifically cover the requirements of elderly or disabled consumers:

<http://www.which.co.uk/energy/saving-money/reviews-ns/energy-companies-reviewed/best-and-worst-energy-companies/>

The full table here contains links to all the websites as well as full results for each company:

<http://www.which.co.uk/media/popup/table-popup-energy-companies-jan-2015-391219.html>

There is a large difference in customer satisfaction scores between the different suppliers. While the Big 6 all had Policy ratings²² of 70% or over (EDF had 69%) the customer satisfaction scores ranged from 35% (Npower) to 75% (SSE).

²² Which? assess and score each company's processes for more than 30 different criteria in five areas: complaints, billing and customer communication, customer service and sales, product and account management and company governance. This gives the company's policy score.

Section 4

Utility Sector - Water

England and Wales

Ofwat (The Water Services Regulation Authority) is the economic regulator of the water sector in England and Wales. As regards imposing obligations on the companies, the licences contain relatively little in the way of detailed obligations. <http://www.ofwat.gov.uk/>

Priority Services Registers: Through its work to improve the PSRs operated by the licensed companies, Ofwat has been developing a broader interpretation of when consumers could be considered vulnerable with regard to water and sewerage services. For example, Ofwat's updated guidance states that the PSR should be open to anybody who needs one of the services that a company offers, regardless of their age, health, disability, or indeed their lack of disability. Moreover anyone who is concerned about personal security in the home should be able to register for a password.

Citizens Advice found: "*Ofwat is considering adopting a consumer vulnerability strategy and is prioritising considerations around affordability, particularly through the current price review process*". (CCES, 2014, p12).

Scotland

In Scotland, public drinking water and sewerage services are provided by a public sector corporation, **Scottish Water**, which is accountable to Scottish Ministers and through Ministers to the **Scottish Parliament**. Scottish Water operates within a regulatory framework established by the Scottish Parliament - Key players in this regulatory framework are Scottish Water's economic regulator, the **Water Industry Commission for Scotland**; the **Drinking Water Quality Regulator**; the **Scottish Environment Protection Agency**; the customer representative body, **Citizens Advice Scotland**; and for investigation of complaints, the **Scottish Public Services Ombudsman** (<http://www.dwqr.org.uk>).

Northern Ireland

The Utility Regulator regulates Northern Ireland Water (NI Water), which provides water and sewerage services to the 655,000 households and 85,000 non-households across Northern Ireland.

NI Water has dual status as a government-owned company and a non-departmental public body. It operates according to conditions outlined in its licence²³.

²³ http://www.uregni.gov.uk/uploads/publications/Licence_effective_12_Nov_2013.pdf

Section 5

NHS

Introduction

The four publicly funded health care systems in the nations of the United Kingdom are referred to as the National Health Service (NHS).

The individual systems are:

- National Health Service (England) <http://www.england.nhs.uk>
- Health and Social Care in Northern Ireland <http://www.hscni.net/>
- NHS Scotland <http://www.show.scot.nhs.uk/about-nhs-scotland/>
- NHS Wales <http://www.wales.nhs.uk>

Note: The Isle of Man and the Channel Islands have their own independent health service structures. For more information see: ***The Isle of Man Government, States of Guernsey Government, States of Jersey Government***

All services are often referred to as "the NHS".²⁴

Each system operates independently, and is politically accountable to the relevant government: the Scottish Government, Welsh Government, the Northern Ireland Executive, and the UK Government which is responsible for England's NHS.

NHS England

Organisation and overview

In 2013 the National Health Service in England underwent a major transformation.

An overview of the new structure for England can be found here:

<http://www.nhs.uk/NHSEngland/thenhs/about/Pages/nhsstructure.aspx>

Department of Health

<https://www.gov.uk/government/organisations/department-of-health>

The Secretary of State for Health has overall responsibility for the work of the Department of Health (DH). DH provides strategic leadership for public health, the NHS and social care in England. The Department of Health (DH) is responsible for strategic leadership and funding

²⁴ All of the services were founded in 1948, based on legislation passed in 1946, 1947 and 1948. Following devolution in the United Kingdom from 1998 onward, control over the non-English services (other than those reserved to the UK Parliament) passed to the devolved national governments, with the UK Government retaining control over the English NHS.

for both health and social care in England. The DH is a ministerial department, supported by 23 agencies and public bodies.

NHS England

<http://www.england.nhs.uk>

NHS England is an independent body, at arm's length to the government. Its main role is to improve health outcomes for people in England. It provides national leadership for improving outcomes and driving up the quality of care, oversees the operation of clinical commissioning groups (CCGs), allocates resources to CCGs and commissions primary care and specialist services Regulators and monitoring

Since April 2013, some elements of the regulation system have changed. Responsibilities for regulating particular aspects of care are shared across a number of different bodies, such as: the Care Quality Commission, Monitor, individual professional regulatory bodies, such as the **General Medical Council, Nursing and Midwifery Council, General Dental Council** and the **Health and Care Professions Council** and other regulatory, audit and inspection bodies – some of which are related to healthcare and some are specific to the NHS.

<http://www.nhs.uk/NHSEngland/thenhs/healthregulators/Pages/health-watchdogs-explained.aspx>

The Care Quality Commission

The Care Quality Commission regulates all health and adult social care services in England, including those provided by the NHS, local authorities, private companies and voluntary organisations. **<http://www.cqc.org.uk/content/about-us>**

It monitors, inspects and regulates services to make sure they meet fundamental standards of quality and safety and it publishes findings, including performance ratings to help people choose care. It provides guidance for providers.

It highlights: *Protecting the rights of vulnerable people, including those whose rights are restricted under the **Mental Health Act**.*

Monitor

<https://www.gov.uk/government/organisations/monitor>

Monitor has expanded its role to regulate all providers of health and adult social care services. Monitor aims to promote competition, regulate prices and ensure the continuity of services for NHS foundation trusts.

Under the new system, most NHS providers will need to be registered with both the CQC and Monitor to be able to legally provide services.

Healthwatch

<http://www.healthwatch.co.uk/about-us>

Healthwatch is a new organisation and functions as an independent consumer champion, gathering and representing the views of the public about health and social care services in England. It has significant statutory powers to ensure the voice of the consumer is

strengthened and heard by those who commission, deliver and regulate health and care services.

It operates both at a national and local level and ensures the views of the public and people who use services are taken into account.

Locally, Healthwatch will give patients and communities a voice in decisions that affect them, reporting their views, experiences and concerns to Healthwatch England. Healthwatch England will work as part of the CQC.

Inclusive Communications - Standard in development and recent research

Information Standard for accessible information

<https://www.england.nhs.uk/ourwork/patients/accessibleinfo-2/>

- NHS England has launched an Information Standard for accessible information.
- An Information Standard is a framework of requirements and recommendations which health and social care organisations must follow, like a formal guidance document.
- By 31 July 2016 all organisations that provide NHS or publicly funded adult social care must have fully implemented and conform to the Accessible information Standard.

Recent research by the consumer champion Healthwatch

<http://www.healthwatch.co.uk/news/disabled-people-struggling-access-gp-appointments>

- A recent survey of all 152 local Healthwatch conducted in November and December 2014 showed that primary health care²⁵ is the public's number one health concern in 2015, based on the evidence they have collected from their local communities over the last year.
- In total, 63 local Healthwatch flagged primary care services as their focus, citing reports from the public about poor appointment booking systems, short appointment slots and poor staff attitude, particularly from receptionists.
- According to the *latest GP Satisfaction Survey*, 85 per cent of people say they are satisfied with their family doctor and 84 per cent say the same about their local dentist services.
- Yet studies conducted by 55 local Healthwatch from all around the country suggest that there are significant issues of concern for some groups of people, particularly for those with hearing, visual and mobility impairments.
- Problems for people with disabilities included, problems physically accessing GP and dentist surgeries, problems for making an appointment and problems with communication
- As with other service suppliers the Equality Act 2010 applies so all health and social care providers are required to make 'reasonable adjustments' to make sure

²⁵ Primary health care provides the first point of contact in the health care system. In the NHS, the main source of primary health care is general practice.
(<http://www.bristol.ac.uk/primaryhealthcare/whatisphc.html>)

that a disabled person can access and use the service as close as possible to the way a non-disabled person would.

- This means that all GP and dental surgeries should aim to provide suitable access for patients with hearing, visual and mobility impairments, including those using wheelchairs, as well as older people and those with learning disabilities. In addition, they should provide suitable means of communication, so that it is easy for people to book appointments in the first place.
- Local Healthwatch are now using this evidence and working with local commissioners to address these issues on the ground and improve the experience of patients whose views are not always heard.
- At a national level, they will be raising these concerns with the Department of Health and NHS policy makers and calling on them to review how improvements can be made across the country to ensure everyone has equal access to vital frontline NHS services.

NHS Choices

The NHS Choices website has an Accessibility page and has developed a 'Help with accessibility' guide which provides comprehensive, step-by-step instructions on how to adjust the computer and browser according to one's needs, such as for sight or hearing. NHS Choices has a close partnership with AbilityNet, a national charity that helps disabled adults and children to use computers and the internet.

<http://www.nhs.uk/aboutNHSChoices/aboutnhschoices/accessibility/Pages/Accessibilitystatement.aspx>

Health and Social Care in Northern Ireland

Organisation and Overview

<http://online.hscni.net/>

The Department of Health, Social Services and Public Safety is one of 12 Northern Ireland Departments and has three main business responsibilities:

- Health and Social Care (HSC), which includes policy and legislation for hospitals, family practitioner services and community health and personal social services;
- Public Health, which covers policy, legislation and administrative action to promote and protect the health and well-being of the population; and
- Public Safety, which covers policy and legislation for fire and rescue services.

Health and Social Care organisations:

<http://online.hscni.net/other-hsc-organisations/>

There are a number of organisations which work together to plan, deliver and monitor Health and Social Care across Northern Ireland. These include: Health and Social Care Board (HSCB), Health and Social Care Trusts and Public Health Agency (PHA).

The Patient and Client Council (PCC) was established on the 1st April 2009. It has a Board made up of a Chair and sixteen non-executive directors, recruited from across Northern

Ireland under the Public Appointments Process. The Board is responsible for setting the policy and direction for the Patient and Client Council and for monitoring progress and performance. The overarching objective of the PCC is to provide a powerful, independent voice for patients, clients, carers, and communities on health and social care issues.
<http://www.patientclientcouncil.hscni.net>

The Regulation and Quality Improvement Authority (RQIA) is the independent health and social care regulatory body for Northern Ireland. In its work, RQIA encourages continuous improvement in the quality of these services through a programme of inspections and reviews. **www.rqia.org.uk**

NI Social Care Council (NISCC)

Northern Ireland Social Care Council (NISCC) is the regulatory body for the social care workforce in Northern Ireland. Its aim is to increase the protection of those using social care services, their carers and the public.

www.niscc.info

Accessibility

RQIA's website has an accessibility button:
<http://www.rqia.org.uk/accessibility/index.cfm>

RQIA's website is BrowseAloud speech enabled so people who have difficulty reading can listen to the information. Its accessibility standards adhere to the World Wide Consortium (W3C) Web Content Accessibility Guidelines (WCAG 1.0) and to recommendations set out by the e-Government Unit.

NHS Scotland

<http://www.scotland.gov.uk/Topics/Health/About/Structure>

Organisation and overview

NHS Scotland comprises 14 regional NHS Boards, seven Special NHS Boards and one public health body. Each NHS Board is accountable to Scottish Ministers, supported by the Scottish Government Health and Social Care Directorates.

Regional NHS Boards are responsible for the protection and the improvement of their population's health and for the delivery of frontline healthcare services. Special NHS Boards support the regional NHS Boards by providing a range of important specialist and national services.

All NHS Boards work together for the benefit of the people of Scotland. They also work closely with partners in other parts of the public sector to fulfil the Scottish Government's Purpose and National Outcomes.

Regulators in Scotland

Healthcare Improvement Scotland (HIS)
<http://www.healthcareimprovementscotland.org/>

HIS was formed on 1 April 2011. HIS' focus is to reduce healthcare-associated risk of infection to hospital patients, to improve the care of elderly patients, and to regulate independent healthcare services through an inspection framework. HIS inspectors do this by carrying out announced and unannounced inspections in acute care NHS hospitals in Scotland to check that the NHS QIS standards for older people in acute care and standards for prevention and control of healthcare associated infection are being met.

Care Inspectorate (CI) <http://www.careinspectorate.com/>

The CI was formed under the Public Services Reform (Scotland) Act 2010 and its regulatory functions are to make sure that:

- Vulnerable people are safe
- The quality of these services improves
- People know the standards they have a right to expect
- They report publicly on the quality of these services across Scotland
- They support and encourage the development of better ways of delivering these services

In April 2011 the Social Care and Social Work Improvement Scotland (SCSWIS) was created to scrutinise social care, social work and child protection services.

Inclusive Communications: In development

Scotland-wide Video Relay Interpreting Service pilot

<http://scottishgovernment.presscentre.com/News/National-roll-out-for-sign-language-interpreting-service-168a.aspx>

<http://contactscotland-bsl.org/>

The Scottish Government has funded an online British Sign Language (BSL) interpreting service for public authorities which aims to improve access to health services for people in Scotland who are deaf, deafened or hard of hearing. This project is the first nationally funded public sector Video Relay Service.

Public services have to meet legal obligations in relation to the Human Rights Act 1998, Equality Act 2010 and Patient Rights (Scotland) Act 2011.

The new extended service allows deaf people throughout Scotland to use BSL to make contact (webcam/signing) with public services, such as, their doctor, Police Scotland (not Emergency 999 calls), council services, housing, social work and NHS 24. This new service is part of a range of communication measures and does not replace, for example, the traditional face to face interpreting services which already existed.

NHS Wales

Overview and Organisation

<http://www.wales.nhs.uk/nhswalesaboutus/structure>

NHS Wales delivers services through seven Health Boards and three NHS Trusts in Wales. Public Health Wales is the unified Public Health organisation in Wales.

The Chief Executive, NHS Wales, is responsible for providing the Minister with policy advice and for exercising strategic leadership and management of the NHS. To support this role, the Chief Executive will chair a National Delivery Group, forming part of the Department for Health and Social Services (DHSS). This group is responsible for overseeing the development and delivery of NHS services across Wales.

Community Health Councils in Wales are statutory lay bodies that represent the interests of the public in the health service in their district. They give people an independent voice in their local NHS and the services it provides. The 7 new CHCs will be underpinned by 23 area associations with strong local links.

The NHS Wales Shared Services Partnership (NWSSP) is an independent organisation, owned and directed by NHS Wales. NWSSP supports NHS Wales through the provision of a comprehensive range of high quality, customer focused support functions and services.

Healthcare Inspectorate Wales (HIW) <http://www.hiw.org.uk/home>. The purpose of HIW is to promote continuous improvement in the quality and safety of patient care within NHS Wales. HIW undertakes inspections of and investigations into the provision of health care by and for Welsh NHS bodies. It is the independent inspectorate and regulator of all healthcare in Wales and monitors Welsh NHS bodies in their performance against the Healthcare Standards for Wales.

Inclusive Communications: Standards

On 1 April 2010 the Welsh Assembly Government launched a revised set of standards for health services in Wales.

<http://www.wales.nhs.uk/sites3/home.cfm?orgid=919>

In 2009 a National framework for older people in Wales was published which included references to more accessibility.

<http://www.wales.nhs.uk/documents/NSF%20for%20Older%20People.pdf>

Section 6

Government Policy regarding Disabled People

Office for Disability Issues

<https://www.gov.uk/government/organisations/office-for-disability-issues>

The Office for Disability Issues (ODI) is part of the Department for Work and Pensions.

ODI's purpose²⁶ is to support the development of policies to remove inequality between disabled and non-disabled people. It works with disabled people and organisations as well as other government departments.

Responsibilities include:

- supporting the cross-government role of the Minister of State for Disabled People
- developing and monitoring Fulfilling Potential, the cross-government disability strategy (see below)
- coordinating the implementation of the UN Convention on the Rights of Persons with Disabilities across government
- supporting the Disability Action Alliance
- strengthening disabled people's user-led organisations
- Paralympic legacy
- overseeing the Community Support Fund
- encouraging the use of the social model of disability which says that disability is created by barriers in society

Stated priorities are:

- working with other government departments to remove barriers so that all disabled people are able to fulfil their potential and participate fully in society
- helping local organisations build inclusive and accessible communities
- further developing partnership working with disabled people and their organisations

Key Policy: Creating a Fairer and More Equal Society

Improving equality and reducing discrimination and disadvantage for all at work, in public and political life, and in people's life chances.

As part of a policy of a fairer and more equal society ODI claims to protect the rights of disabled people by: making sure UK government policies take account of the United Nations Convention on the Rights of Disabled People and encouraging the use of the social model of disability which says that disability is created by barriers in society.

²⁶ <https://www.gov.uk/government/organisations/office-for-disability-issues/about>

In January 2014 ODI published “*Fulfilling Potential: Better Ways of Working with Disabled People.*” and in September 2014 it published updates: “*Fulfilling Potential: making it happen: updates in September 2014*”. See site below and strategy update.

<https://www.gov.uk/government/publications/fulfilling-potential-making-it-happen-updates-september-2014>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/349156/Fulfilling_Potential_update_Sept_2014.pdf

As part of the initiative they set up the Fulfilling Potential Forum, which brings together representatives from forty different disabled people’s organisations to discuss current issues affecting disabled people. The discussions from the Forum feed directly into a new Inter-Departmental Ministerial Group on Disability established by the Minister of State for Disabled People. The Inter-Ministerial group and the Forum have considered progress on delivering the vision of Fulfilling Potential and have agreed the need to:

- improve understanding and communications;
- improve accessibility;
- improve opportunities; and
- identify and share good practice with Government leading by example.

Inclusive Communications developments

The published ‘*Fulfilling Potential: making it happen: updates September 2014*’ highlights the public sector’s commitment to the importance of improving communication channels for disabled people to give them equal access to services and highlights the following developments:

- DWP reviewing its accessible formats
- NHS England developing a new information standard (See Section 6)
- “*The Government is also committed to working with others to promote deaf communications and video relay services. In Government, Departments are looking to introduce VRS.*”
- Development of Next Generation Text Relay Service

“These are steps in the right direction but we recognise that there is still much more to do to ensure that communications are offered in a format which is accessible to all citizens.”(DWP, Fulfilling Potential - updates September 2014, p7).

Increased co-operation and co-ordination

Other points that were emphasised in the September update included:

Identifying and sharing good practice

Government, the private sector, disabled people’s organisations, others in the voluntary and public sectors should work together and share best practice. Government should set an example to other sectors by leading the way. Examples given were: DWP and HMRC, along with other departments, looking at adopting video relay technology

Inter-Departmental Ministerial Group on Disability

Chaired by the Minister of State for Disabled People, the Group meets quarterly and consists of 14 government departments. The Group is working together to help coordinate support for disabled people and to identify what further actions can be taken. It looks to identify how Government can lead by example, identifying improvements in how it delivers services for disabled people, employs disabled people, and procures goods and services.

Disability Action Alliance

The Disability Action Alliance was set up by the Office for Disability Issues in DWP and brings together disabled people's organisations with other organisations from the public, private and third sector to work in partnership and deliver actions at a national and local level that will make a real difference to the lives of disabled people. Its members decide on priorities and which actions to take forward. There are around 300 member organisations, from all sectors, regions and of all sizes.

Strengthening Disabled People's User Led Organisations

Disabled People's User-Led Organisations (DPULOs) are organisations run by, and for, disabled people, making sure disabled people have their voices heard at every level. Over £2.9 million has been provided to over 174 organisations across the UK to take forward a variety of projects.

Inclusive Communications: Guidance

The following Guidance regarding Inclusive Communication was published in August 2014 as part of the '**Disability Confident**' campaign and the '**Creating a fairer and more equal society**' policy. It is designed to help organisations produce communications that include, accurately portray and are accessible to disabled people.

<https://www.gov.uk/government/publications/inclusive-communication>

It contains different guidance papers, and while written primarily for government communicators may be considered useful for other communication professionals in the private and voluntary sectors.

- Inclusive language: words to use and avoid when writing about disability
- Portraying disability
- Using a range of communication channels to reach disabled people

This guidance stresses that disabled people are likely to have a below average level of access to information whether due to financial reasons, limited mobility or because absorbing information can require extra effort. It points out that the right range of communication channels will reach more disabled people. It also emphasises that making communications available in accessible formats will also help messages reach disabled people. It provides two examples from Government:

Multiple channels example: Department of Health: anti-smoking campaign

Department of Health recognised that it needed to make its anti-smoking campaign as accessible to disabled people as to the rest of the population. The campaign used a variety

of media channels in order to get the message across to the widest possible audience. This was backed up by extensive research. Details of the channels used are in the guidance.

Accessible formats example: Inland Revenue: tax credits

HMRC was keen to ensure that its campaigns for self-assessment, the Working Families Tax Credit and Disabled Person's Tax Credit (DPTC) were accessible to disabled people and to minority language users. Details of the accessible formats used are in the guidance.

Accessible communication formats

- This guidance provides information on how to provide accessible formats and guidance on different format types.
- The guidance includes points to consider when developing a strategy for developing accessible formats and best practice in supplying accessible formats. It provides guidance when deciding which accessible format to use including a summary of which communications formats are suitable for which disability
 - visual impairments – audio, audio description, braille, Moon, telephone
 - learning disabilities and literacy difficulties – audio, audio description, easy read, easy access, Makaton, subtitles
 - hearing – British Sign Language, Makaton, subtitling, textphone, SMS
 - co-ordination difficulties – large print, audio, audio description, telephone
- It also points out that consideration should be given to any preferences the target audience may have for receiving information, for example younger deaf people may respond better to an SMS message than subtitled advert – and recommends researching the target audience.
- It provides guidance about how to reduce the need for accessible format versions by sticking to the following:
 - Keep it simple, writing in plain language
 - Make it as concise as possible
 - Design to be as legible as possible, for example using a minimum 14 point text size
- It recognises however that people with some types of visual impairments, learning disabilities, dexterity or literacy difficulties (such as dyslexia) are likely to have difficulty accessing information in written text – even in the largest font size and consideration still needs to be given to accessible formats that meet their needs in addition to making the initial document more accessible.
- It suggests considering alternatives which can be just as important and effective as the accessible formats and summary versions in accessible formats can be easier to digest and a contact telephone number can be given for more information.
- The guidance addresses the issue of cost and suggests that organisations research the target audience at the commissioning stage, segment (categorise) the audience into groups and consider how to reach audience members using a mix channels and formats, factoring in their costs when deciding how to reach people with disabilities.

The guidance highlights the importance of making information available by telephone and that information provided only in a digital format does not fulfil **Public Sector Equality Duty**²⁷ requirements.

References cited in the document:

- Ofcom: Disabled consumers' ownership of communications services: A Consumer Experience report: http://stakeholders.ofcom.org.uk/binaries/research/telecoms-research/disabled/Disabled_consumers_report.pdf
- Ofcom: ITC guidelines on producing audio description, including technical specifications: http://www.ofcom.org.uk/static/archive/itc/itc_publications/codes_guidance/audio_description/index.asp.html
- RNIB: guidance on writing and producing tactile code: <http://www.rnib.org.uk/braille-and-moon-tactile-codes>
- Sensory Trust – Braille: http://www.sensorytrust.org.uk/resources/connect/InfoSheet_Braille.pdf
- Sensory Trust - Clear and large print http://www.sensorytrust.org.uk/resources/connect/infosheet_clearlargeprint.pdf
- UK Association for Accessible Formats - an industry association that sets standards and promotes best practice for quality accessible information based on user needs: <http://www.ukaaf.org/>

²⁷ <http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty/what-equality-duty>

Section 7

Government departments and local authorities

Government information Online

Government information online is accessed online via a single website: <https://www.gov.uk/>

A help button on the home page links to a help page which links to a page with information on accessibility. <https://www.gov.uk/help/accessibility>.

This makes clear that the approach to accessibility is based on a website design that can be used easily by as many people as possible. This states: *The website doesn't have a separate accessibility statement. This is because we've tried to design GOV.UK to be as accessible and usable as possible for every user.*

It states that GOV.UK should be compatible with recent versions of named screen readers: and the site should also be compatible with:

- basic operating system screen magnifiers
- speech recognition software, e.g. Dragon Naturally Speaking
- operating system speech packages

It directs people to guidance from the BBC about how to optimize the computer experience.

There is a 'disabilities' link on the main Government site which links to relevant information within individual departments.

<https://www.gov.uk/browse/disabilities>

Department for Work and Pensions

<https://www.gov.uk/government/organisations/department-for-work-pensions>

The Department for Work and Pensions (DWP) is responsible for welfare, pensions and child maintenance policy. As the UK's biggest public service department it administers the State Pension and a range of working age, disability and ill health benefits to over 22 million claimants and customers.

DWP is a ministerial department, supported by 14 agencies and public bodies. If there are documents on the site in PDF format they can generally be ordered in alternative formats by contacting the DWP.

HMRC

HMRC is a non-ministerial department. There is information on the site to help people with disabilities who might need assistance. This can be accessed from the www.gov.uk home page.

<https://www.gov.uk/dealing-hmrc-additional-needs>

Services include:

- Text relay for people who are deaf, hearing-impaired or have speech impairment: Dial 18001 in front of an HMRC contact number to use text relay.
- Textphone service for many of its helplines.
- British Sign Language (BSL) video guides to working for yourself and how HMRC works.
- Visits to an HMRC adviser to get face-to-face help, e.g. through a BSL interpreter or an audio induction loop.
- Appointing a third party to deal with HMRC.
- Contacting HMRC for a form, leaflet or other information in any of the following formats: braille, large print, audio on CD, text on CD (standard or large print), other formats on request, e.g. coloured paper

HMRC is looking to adopt VRS according to the '*Fulfilling Potential: making it happen: updates*' in September 2014.

Passport Office

HM Passport Office is the sole issuer of UK passports and responsible for civil registration services through the General Register

There are free services and facilities to help disabled people with their passport applications. Details are provided on a page which can be linked to from the Gov.UK Disability page

<https://www.gov.uk/passport-services-disabled>

- Textphone and text relay numbers are provided for the Passport Adviceline.
- For people who are deaf or hard of hearing Passport Customer Service Centres have staff trained in sign language and induction loops and quiet rooms with no background noise. Appointments for face-to-face assistance can be booked by calling the Passport Adviceline.
- For blind or partially sighted people the guidance booklet to help with a passport application is available in different formats such as braille, audio tape, large-print format and can be ordered from the Passport Office. Applications can also be made on the phone.

The Passport Office is looking to adopt VRS according to the '*Fulfilling Potential: making it happen: updates*' in September 2014'.

Local Authorities

There is a link to local councils on the gov.uk site.

<https://www.gov.uk/find-your-local-council>

Local authorities are required to abide by The Equality Act (2010) (See Section 2) which makes it clear that every organisation that provides services to the public must provide that information in a variety of formats so that it is accessible to disabled people.

Over and above that, the government issued guidance for local authorities regarding care and support for deafblind adults and children in December 2014:

<https://www.gov.uk/government/publications/deafblind-people-guidance-for-local-authorities>

Section 7

Police and emergency services

Police

<http://www.police.uk>

On the site for the Police in England, Wales and Northern Ireland the page *Contact the Police* provides a separate number for emergency and non-emergency calls for people who are deaf, deafened, hard of hearing or have a speech impairment

<http://www.scotland.police.uk/contact-us/>

Similarly, the site for Police Scotland has a *Contact Us* page with information that deaf, deafened, hard of hearing or speech-impaired callers using a Textphone (Minicom) should dial 18000 in an emergency.

Alternatively, they can register with emergency SMS text service (see below).

For non-urgent calls deaf, deafened, hard of hearing or speech-impaired callers can contact via text relay on 1 800 1 101.

Emergency SMS

<http://www.emergencysms.org.uk>

The emergencySMS service was developed by RNID (now Action on Hearing), BT, Cable & Wireless, the Department of Communities and Local Government, Ofcom, the UK emergency services and all mobile network operators.

The emergencySMS service lets deaf, hard of hearing and speech-impaired people in the UK send an SMS text message to the UK 999 service where it will be passed to the police, ambulance, fire rescue, or coastguard.

The emergencySMS service is an add-on to the existing 999 and 18000 services that are available in the UK. An SMS text message will be connected to 999 through the Text Relay 18000 service. A relay assistant will speak the SMS message to the 999 advisor, their reply will be sent back to the sender as an SMS message.

People need to register to be able to use this service.

Next Generation Text (NGT) Service has replaced text relay (also known as TextDirect and Typetalk).

http://ngts.org.uk/textrelay_index.php

Section 8

Financial Providers

Regulator – Financial Conduct Authority (FCA)

<http://www.fca.org.uk/about>

The FCA was set up by the Financial Services Act 2012 which created both it and the Prudential Regulation Authority, essentially dividing up work which had previously been done by the FSA and bringing further powers and duties within the remit of the two new regulators. It regulates the conduct of over 50,000 businesses – and for many of these it also considers whether they meet prudential standards that reduce the potential harm to the industry and consumers if they fail.

In terms of accessibility it has an accessibility button at the top of the site which provides information on web accessibility and details of how to get hold of information in other accessible formats.

<http://www.fca.org.uk/site-info/accessibility>

Consumer Vulnerability

<http://www.fca.org.uk/news/fca-challenges-firms-to-review-approach-to-consumer-vulnerability>

The **FCA's Occasional Paper on Consumer Vulnerability** was launched in February 2015 by chief executive, Martin Wheatley at the British Bankers' Association conference on protecting consumers in vulnerable circumstances. This is described as:

"the first step in a conversation with firms to determine how the regulator and industry can work together to address issues around vulnerability. The UK's aging population, as well as changing trends in public health and society, means that developing more inclusive policies will become increasingly important. This is the first step in a conversation with firms to determine how the regulator and industry can work together to address issues around vulnerability. The UK's aging population, as well as changing trends in public health and society, means that developing more inclusive policies will become increasingly important".

In addition to the paper the FCA provides a **Practitioners' Pack** for firms and a video by industry leaders giving their perspective.

All information at: [fca.org.uk/consumer-vulnerability](http://www.fca.org.uk/consumer-vulnerability)

<http://www.fca.org.uk/static/documents/occasional-papers/occasional-paper-8.pdf>

"During the course of this project the authors were constantly on the lookout for examples of good practice in identifying and interacting with vulnerable customers. These have been collated and presented in a Practitioners' Pack, which may support firms to understand what they could be doing to generate better outcomes for consumers in vulnerable circumstances This resource consolidates a range of

good practice guides, tips from industry and consumer organisations, together with case studies”.

Definition of vulnerability

“A vulnerable consumer is someone who, due to their personal circumstances, is especially susceptible to detriment, particularly when a firm is not acting with appropriate levels of care.”

Consumer vulnerability research

The FCA commissioned research amongst a range of consumers in potentially vulnerable circumstances (Rowe, Holland, Hann, & Brown, 2015). This was combined with a review of available evidence and literature, engagement with consumer and advice groups, collection of examples of good practice and analysis of information provided by firms, to build up a picture of the market.

The FCA’s research found:

- Financial services, products and systems often ‘streamline’ consumers and are not designed to meet nonstandard needs of those who don’t fit into a set mould.
- The response of frontline staff – whether it’s in a branch or on the phone – is crucial to the customer’s experience. The firm may have great specialist teams or policies, but if frontline staff don’t deal with the situation appropriately, access to a good outcome may be missed.
- Staff on the frontline do not need to be experts, but they need sufficient training to facilitate a proper conversation, to know where internal expertise lies, and know how and when to refer on.
- Most problems relate to poor interactions, or systems that don’t flex to meet needs, therefore making people’s situations more difficult.
- Some consumers are overwhelmed by complex information and can find it hard to distinguish between promotional material and important messages about their products.
- In some areas, an inaccurate interpretation or overzealous implementation of rules (such as those around data protection or affordability) is preventing firms from meeting the needs of vulnerable customers.
- Many vulnerable consumers may be valuable customers if firms respond to their needs and treat them flexibly. However, these consumers may withdraw from the mainstream market and their problems may spiral if their needs are not met.

The review of all the evidence collected for this project showed that there are problems at every stage, from high-level policy, through system design, to the products that are available and ways that staff implement policies and sell products.

The paper states the conviction that firms can take action. *“Products and services that are designed in an inclusive way will also work better for the majority of customers, increasing levels of customer satisfaction.”* (FCA, 2015, p12).

Good practice

In the Practitioners Pack the FCA sets out some areas which firms can explore to improve their service based on the findings of the research.

Key areas to explore – (FCA, 2015, p12).

- To ensure a consistent approach that is embedded across all operations, it is important to have a high-level policy on consumer vulnerability in place. This may be owned and championed at a senior level, and it is helpful if relevant staff are aware of its existence.
- Firms could begin by auditing current practice, conducting a gap analysis, and developing overarching strategies that ensure consistency across all parts of the business.
- In any vulnerability strategy evaluation of performance plays a significant role.
- Research demonstrates that it is important for staff on the front line to have sufficient training to facilitate a proper conversation and that they know where internal expertise lies, and know how and when to refer on.
- Flexibility in the application of terms and conditions of products and services plays a significant role in ensuring the needs of consumers in vulnerable circumstances are met. So does an efficient process for referring consumers on to specialist teams who have authority to make flexible decisions.
- Disclosure of needs plays an essential role for consumers. Actively encouraging disclosure, by staff able to have proper conversations, has been shown to be helpful here. Having policies in place for handling disclosure and recording information properly are also important. This should reduce nervousness on the part of staff which can create a barrier to good consumer outcomes.
- Clear, simple information and explanation throughout the product life cycle is important.
- Policies around data protection in particular, but also safeguarding and affordability, need to be implemented based on a correct understanding. If staff are well trained they are less likely to apply such policies in an over-zealous manner which can create problems for customers.

Consumer needs: What can 'good' look like?

Based on the FCA's research, the paper outlines a number of outcomes that consumers in vulnerable circumstances need to trust that they will experience when they approach financial services providers. (FCA, 2015, p13). These include:

- Having clear and easy to understand financial products that do not contain surprises that may only become apparent when crisis strikes.
- A choice of ways of communicating to be available whenever you need to make contact and for these to be designed in an inclusive way so that they are clear, easy to understand and meet your needs. This could relate to the method of communication (e.g. face-to-face, phone, post, email, text, web chat, audio, braille, video relay, text relay, interpreting services) or the service delivery (e.g. agreement to talk at a particular time of day).

- Feeling that firms will treat you as an individual and you won't face the 'computer says no' response just because your circumstances do not fit the standard mould, and will not rely on outdated assumptions or automated processes.
- Knowing, should you experience a sudden change in circumstances requiring a flexible approach, that you will be offered a tailored response from your financial services provider.
- Being able to talk to someone who will take the time to listen, who is flexible enough to let the conversation take a natural course, and who is sufficiently trained to spot signs of vulnerability and refer on to specialists where necessary.
- Being referred on to someone who has the authority and discretion to take a tailored approach to your situation and offer flexible solutions. This may be someone who can bring their expertise to bear to help you plan your finances with a good awareness of specialist sources of help and advice if necessary, and who will refer you if appropriate in a way that makes that referral easy.
- Being offered flexible outcomes. Temporary forbearance may be appropriate but this is just one example of a potential need. Others include alternative ways to pay a bill or make a transaction, help registering a power of attorney, stopping constant letters being sent addressed to a deceased person, alternative formats for information to be created/used, not relying solely on an automated process for determining credit worthiness.
- Feeling confident that your firm encourages disclosure, that they will work with you in your best interests, will work collaboratively to find solutions, and will use any information you disclose for positive outcomes to meet your needs.
- Knowing that if you do disclose information about your needs, that information will be recorded properly so that you do not have to repeat it every time you make contact across all departments of a particular firm.
- Knowing firms will proactively contact you if they suspect you may be having financial difficulties.
- Having firms who spot suspicious activity which may signal abuse or fraud and take appropriate action.
- If you are trying to speak to a firm in a caring capacity, finding that the firm listens and makes a note of your concerns even though they may not be able to divulge any information to you.
- If you are recently bereaved, or have power of attorney or a third party mandate, receiving consistent advice and treatment.
- The research identified some firms currently already implementing positive policies regarding vulnerable customers. These examples are included in the Practitioners Pack. Consumer Vulnerability Occasional Paper. (Practitioners Pack Appendix 4, February 2015 - <http://www.fca.org.uk/static/documents/occasional-papers/occasional-paper-8-practitioners-pack.pdf>)

Financial Services Consumer Panel

http://www.fs-cp.org.uk/about_us/index.shtml

The Financial Services Consumer Panel is an independent statutory body; set up to represent the interests of consumers in the development of policy for the regulation of financial services. It meets and discusses issues with other organisations which have opinions on consumer interests in financial services. In particular, it has exchanged a Memorandum of Understanding with Consumer Focus and the Money Advice Service

(MAS). This allows consumer issues in financial services regulation to be more joined up with regulation and consumer representation in other sectors.

Retail Banks and large building societies

As identified above, the FCA regulates the conduct of over 50,000 businesses. It is beyond the scope of this report to examine all the areas from stockbrokers through mortgage providers to mutual societies. Therefore, we have focused on the largest providers in the retail banking sector and the largest building societies, as we have assumed that these organisations will interact with the greatest number of people with disabilities.

Accessible websites

The retail banks generally have an accessibility button at the bottom of the page which highlights how users can improve their screen experience. Many adhere to the Web Content Accessibility Guidelines 2.0, a set of guidelines stipulated by the World Wide Web Consortium (W3C) used to ensure web sites are designed and written in a way that makes them accessible to everyone.

Promoting accessibility in banking

Large retail banks are driving forwards some innovations in meeting the needs of disabled customers.

The FCA report on Consumer Vulnerability highlighted some examples of creative approaches in the banking sector.”

“For example, one bank has been touring the UK with Accessibility Roadshows throughout 2014 visiting branches, head office locations and operation areas within the bank, as well as presenting at external events. The aim is to bring to life some of the accessible services the bank can provide to make customers’ lives easier. The roadshows include demonstrations of the bank’s accessible services, such as its Talking Cash Machines and high visibility debit cards for people with visual impairments, or the Sign Video services for British Sign Language users. The roadshows also highlight how its partnerships with charities such as RNIB and the Alzheimer’s Society are helping the bank understand the needs of its customers. The bank provides detailed training to its staff in advance of the roadshow arriving in a branch, meaning they are confident in answering customer queries about accessibility services and can proactively provide the right support on an ongoing basis. Since the start of the roadshows, the bank has seen the use of high visibility debit cards and Talking ATMs increase significantly.” FCA (2015) p108.

Annex

References and Links

References

Centre for Consumers and Essential Services, University of Leicester (2014). *Research report for Citizens Advice: Tackling consumer vulnerability: regulators' powers, actions and strategies*

Citizens Advice (January 2015). *Treating Consumers Fairly. Flexible and Inclusive services for all.*

Office for Disabilities and Department for Work and Pensions (2014): "Fulfilling Potential: making it happen: updates in September 2014":

Office for Disabilities and Department for Work and Pensions: Inclusive Communications Guidance (2014)

Financial Conduct Authority (2015) Occasional Paper No. 8: Consumer Vulnerability

Links

Charities and consumer organisations

AbilityNet	https://www.abilitynet.org.uk
Action on Hearing Loss	http://www.actiononhearingloss.org.uk/
Action for Blind people	https://www.actionforblindpeople.org.uk
Age UK	http://www.ageuk.org.uk/
British Deaf Association	http://www.bda.org.uk
Citizens Advice	http://www.citizensadvice.org.uk/
Disability World	http://www.disabilityworld.com
Disabled Living Foundation	http://www.dlf.org.uk
Mencap	https://www.mencap.org.uk
Plain English	http://www.plainenglish.co.uk/
Sense	http://www.sense.org.uk/

Accessibility Associations and initiatives

UK Association for Accessible formats

<http://www.ukaaf.org>

W3C Web Accessibility Initiative

<http://www.w3.org>

Legislation, regulations, standards and guidance

BSI Standard 18477 Inclusive service provision

<http://www.bsigroup.com/LocalFiles/en-GB/consumer-guides/resources/BSI-Consumer-Brochure-Inclusive-Services-UK-EN.pdf>

Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

United Nations convention on the rights of disabled people

<https://www.gov.uk/government/policies/creating-a-fairer-and-more-equal-society/supporting-pages/united-nations-convention-on-the-rights-of-disabled-people>

Web accessibility guidelines

<http://www.w3.org/WAI/guid-tech.html>