

October 2012

COMMUNICATIONS
CONSUMER
PANEL



Panel newsletter

In short...

Illegal marketers set for six figure penalty from the ICO

The Information Commissioner's Office (ICO) this month confirmed that it is set to issue two monetary penalties totalling over £250,000 to two illegal marketers who have been responsible for sending millions of spam texts. The ICO has written to both individuals to confirm that it intends to issue both of them with a monetary penalty for breaching the Privacy and Electronic Communications Regulations (PECR), which regulate electronic marketing. The recipients have 28 days to respond and prove that they were complying with the law otherwise final penalty notices will be issued.

http://www.ico.gov.uk/news/latest_news/2012/illegal-marketers-set-for-six-figure-penalty-01102012.aspx

Regulator fines £450,000 for promotions that misled on Facebook

PhonepayPlus, the UK's premium rate telephone regulator, this month warned consumers to be on their guard against deliberately misleading promotions on social media sites such as Facebook. This follows the regulator issuing fines totalling £450,000 against two companies for misleading promotions on social media and networking sites. <http://www.phonepayplus.org.uk/News-And-Events/News/2012/10/Regulator-fines-450000-GBP-for-promotions-that-misled-on-Facebook.aspx>

Anti-Bullying Week

Anti-Bullying Week this year runs from the 19th to 23rd November with the theme 'We're better without bullying'. You can see more details about the week at the Anti-Bullying Alliance's website. www.anti-bullyingalliance.org.uk/antibullyingweek.

Spring Online 2013

Digital Unite has announced the dates for the 2013 Spring Online week-long event. The date for your diary is 22-26 April 2013.

<http://digitalunite.com/spring-online>

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Latest news...

Improved relay services will mean increased choice for users

Consumer Panel Chair Jo Connell described Ofcom's recent decision to require landline and mobile telephone providers to improve text relay services for people with hearing and speech impairments as a very welcome move. She said that it was good news for users that providers must make a new and improved text relay service available within the next 18 months.

"The move will substantially increase choice for people by giving them access to text relay via a wider range of equipment, in addition to services such as parallel two-way speech. Plans to work with industry and disability representatives on the impact of speech recognition technology on the accuracy

and speeds of existing and future relay services are also welcomed by the Panel."

<http://www.communicationsconsumerpanel.org.uk/Text%20relay.pdf>

Speeding up 4G

The Panel welcomed the announcement this month that EE, Telefónica O2, Three and Vodafone have made further progress in accelerating the deployment of 4G mobile phone services in the 800 MHz frequency band. However the Panel has cautioned that while speeding up access to 4G is good news, it is vital that the potential problems for existing Digital Terrestrial Television viewers are also comprehensively addressed - and that consumers and citizens are properly protected. The four mobile phone companies have now formally created one of the key institutions - a jointly controlled company called Digital Mobile Spectrum Limited - required to ensure the rapid roll-out of 4G services next year. It will be responsible for ensuring that consumers continue to receive clear Freeview TV signals following the roll out of 4G mobile services in the 800 MHz spectrum band.

Bringing forward the creation of the company was one of the areas highlighted by Ofcom and the Government in their recent discussions with the mobile phone companies about accelerating the roll-out of competitive 4G services. Those discussions culminated in a broad agreement on the steps needed to create a competitive 4G market at a meeting with Culture Secretary Maria Miller on October 2. <http://media.ofcom.org.uk/2012/10/18/further-progress-in-the-speed-up-of-delivering-4g-to-consumers/>

Subtitles can change people's lives

Panel Member for Scotland, Mairi Macleod, this month chaired a session at a significant meeting at Ofcom which explored the consumer experience of subtitling. Mairi noted that subtitles can change people's lives - and the lack of them can cause enormous frustration and a sense of isolation. Action on Hearing Loss gets more letters about subtitling issues than on any other subject. Preliminary findings from a survey of their members on the subject were presented to this meeting organised by Ofcom's Content Policy department. The top four most complained-about problems were:

- Delay between speech and subtitles, i.e. where they appear a number of seconds after the word is spoken (this is usually because programmes are being subtitled live)
- Poor accuracy
- Intermittent subtitles
- No subtitles despite being advertised as having them

The meeting brought together organisations which represent and campaign for users of subtitles, broadcasters, companies which provide subtitles, and researchers so that users' voices could be heard and key problems identified. The event is part of an ongoing project on subtitling quality and Ofcom hopes to produce a report during the course of next year.

Panel endorses new Ofcom guides to tackling nuisance calls and messages

Nuisance calls and messages come in a variety of different shapes and sizes and can be inconvenient and annoying at the best of times. For more vulnerable consumers they can also cause considerable distress and anxiety. The Panel has endorsed a series of new guides launched by Ofcom and written in collaboration with the ICO and other regulatory bodies that explain the different types of nuisance calls and messages. Each guide includes advice on what action you can take to protect yourself and who you can complain to. <http://consumers.ofcom.org.uk/2012/10/tackling-nuisance-calls-and-messages/>

Consultation into mid-contract price rises

Ofcom has announced plans to consult on how to protect consumers from unexpected price rises within fixed contracts for landline, broadband and mobile services following its review earlier this year into the fairness of certain contract terms. Ofcom states that the review has identified a number of issues with the effectiveness of the current rules with which communications providers have to comply, and the potential for consumer harm. The consultation, which Ofcom aims to publish by the end of the year, will consider whether price variation terms in fixed-term contracts are appropriate. It

will look at related issues including the transparency of price variation terms, and the information provided to consumers at the point of sale.

Scotland's digital future

Panel Member for Scotland, Mairi Macleod, reports that on 8 October the Scottish government published its first annual progress report and update on the actions set out in their strategy for Scotland's digital future: <http://www.scotland.gov.uk/Resource/0040/00404183.pdf>

A good deal of the report concentrates on what is being done to provide a digital infrastructure - the pledge is to significantly improve coverage and speed by 2015, and provide a world-class digital infrastructure by 2020, along with an aim of Scotland having the highest rate of broadband uptake amongst the UK nations by 2015. The latter is a particularly challenging ambition, since uptake in Scotland has traditionally been consistently lower than in the rest of the UK. However, Ofcom's 2012 Communications Market Report for Scotland shows that broadband uptake now stands at 68%, comparable to that in Wales and Northern Ireland. The rate in England is 78%, and 76% for the UK as a whole. The Scottish government intends to develop its own measure of digital participation, which will include international comparisons as well.

The report also focuses on the benefits that could be derived from a more digital Scotland for business, jobs and public services, and on what is being done to encourage digital participation.

Esther Rantzen commends local organisations for helping people to get online

Esther Rantzen CBE joined Digital Unite as they celebrated another successful Spring Online campaign at the Spring Online Best Event Awards 2012 in the BT Tower in September.

Digital Unite's Spring Online campaign takes place each year and supports hundreds of organisations across the UK to hold free digital taster events for local people. This year, between 23 - 27 April, around 2,000 events were held helping an estimated 30,000 older people and other less confident users to learn about using computers and the internet, many for the first time. Events were held in a selection of venues including libraries, village halls, the Victoria and Albert Museum and even a fish and chip shop.

At the Best Event Awards Ceremony, six local organisations from across the UK received awards from Esther Rantzen in recognition of their innovative and engaging Spring Online events. The overall winner was Halton Housing Trust who involved their local primary schools, enlisting Little Diamond Helpers to show the 'grown ups' how to send emails to the Queen and how to take a trip down memory lane on Google maps. Details of the other finalists and their events are available on the Digital Unite [website](#).

For more information about Spring Online and Digital Unite's other digital learning resources and services visit www.digitalunite.com

Significant rise in children's texting and time spent online

Children are texting and spending more time online than ever before, according to Ofcom's latest annual report on children's media habits.

Texting is most prolific among 12-15 year olds, who say they are sending an average of 193 texts every week. Older girls (12-15 year olds) are texting significantly more than boys, sending an average of 221 messages a week - 35% more than boys of the same age, who send 164 a week. The average 8-11 year old sends 41 texts each week.

Almost two thirds (62%) of 12-15 year olds own a smartphone device - this is significantly higher than the UK average for adults of 45%. Children are using their smartphones more than they did last year, and 15% of girls aged 12-15 say their phone is the device they most often use to go online at home. Mobile phones are more important to this age group than any other device, even TV. Two fifths (39%) of 12-15 year olds now say they would miss their mobile phone more than any other device.

The report also reveals the increasing role of the internet in children's lives. For the first time, 12-15 year olds are spending as much time on the internet as they do watching TV. This amounts to an estimated 17 hours a week on each activity.

Ofcom has also researched the media habits of 3-4 year olds. This indicates that many in this age group are using a range of different media devices, including over a third (37%) who are going online using a desktop PC, laptop or netbook. Find the report at:

<http://stakeholders.ofcom.org.uk/binaries/research/media-literacy/oct2012/main.pdf>

UK makes solid start on superfast journey

A new report by the Broadband Stakeholder Group (BSG) argues that initial demand for superfast broadband in the UK gives cause for optimism and confidence. The study brings together public data on superfast broadband demand across various markets and probes headline figures to more fully understand actual consumer willingness to pay for superfast services. Looking at the data from this new perspective, the report argues that, on the international stage:

- The UK is a solid mid table performer in Europe, gaining on leaders such as the Netherlands, Denmark and Sweden and outperforming major peers such as France, Germany and Spain.
- Comparatively the US is experiencing a relatively low percentage of consumers actually choosing a superfast broadband service.
- Looking to Asia, the initial growth curve for superfast broadband take-up in the UK compares favourably to that of Japan's when superfast services were first offered in that market.

Across all markets there is a challenge in encouraging consumers to pay more for a superfast service and the BSG cautions that policy makers have to be realistic in their expectations for initial demand for superfast broadband. The Group says that experience across all markets, including the 'broadband trailblazers' of the Far East, shows that demand will build gradually. The report also reveals that no market has yet established itself as a centre for the development of innovative services that require superfast broadband connectivity. The BSG states that if the UK could harness both its creative and technological potential as well as the progress it has made to date in driving take-up of superfast broadband, there could be a great opportunity to lead the way in service innovation that could both build demand for superfast broadband as well as contribute to economic growth in a broader sense.

Commenting on the report, Pamela Learmonth, CEO of the BSG said, "The BSG believes that the most important factor in evaluating broadband is usage: how are people using broadband and what benefits result from this. If we are working towards having the best broadband in Europe by 2015 it is these demand side issues that are as important as concerns over infrastructure. In publishing this report we hope that we can engender greater debate and interest in demand side issues so that the UK can reap the greatest benefits from investment in improving broadband networks."

The full report can be accessed at: www.broadbanduk.org/superfastbroadband

Ofcom publishes Digital Radio Report 2012

Former Panel member Roger Darlington highlights the key points from Ofcom's third annual report on the state of digital radio: "In the twelve months to the end of June 2012, almost three in ten (29.5%) of all radio listening hours were to services delivered over a digital platform. The proportion of digital listening varies by demographic group. Listeners under 65 and those from more affluent demographic groups are the most likely to listen to digital radio. Over four in ten people (41.7%) claimed ownership of a DAB digital radio. This ranges from 54.4% in Surrey to 25.8% in the Scottish Borders.

A quarter (25.9%) of new cars are now fitted with DAB as standard, more than double the proportion fitted with DAB as standard in Q2 2011. Among those who do not yet have access to a DAB digital radio set, 3% claim that they are 'certain to' buy a set in the next 12 months. Forty-nine percent of respondents without a DAB set at home said they were 'not likely' to buy one within the next year."

<http://www.rogerdarlington.me.uk/commswatch/?p=4539>

<http://stakeholders.ofcom.org.uk/market-data-research/other/radio-research/digital-radio->

Cause to complain

Consumer Focus has published a review into consumer experiences of complaining to companies in six key markets: legal services; gas and electricity; mail; telecoms; water; and financial services. The research shows that these different markets share similar issues regarding complaints handling.

Prashant Vaze, Chief Economist at Consumer Focus, said: ‘There are some very simple principles which underpin good complaint handling, but it seems as if many of our biggest companies just can’t get it right. The same issues appear time and time again...Dealing with complaints is the cornerstone of good customer service. Under-performance can be bad for businesses and undermines their relationship with customers, their competitiveness and reputation. Good complaints handling also enables a company to spot systemic issues which need attention.’

On average across the different indicators used in the research, legal services received the highest level of overall satisfaction (65 per cent of respondents were either very satisfied or quite satisfied), while telecoms was judged the worst performer (30 per cent). The other markets were broadly similar - Royal Mail (41 per cent), energy (41 per cent) and water (47 per cent). The report suggests that there is scope for learning across sectors with the best practice from better performing markets or ombudsmen being taken on board by others. The report states that companies should adhere to some simple principles to improve their complaint handling:

- Making it easy for consumers to complain
- Treating people fairly as valued individuals; listening and apologising if necessary
- Dealing with complaints in a timely way
- Providing good quality information
- Understand the issues with trained staff able to deal with a range of complaints
- The tone, language and clarity of the response

<http://www.consumerfocus.org.uk/news/cause-to-complain-new-report-from-consumer-focus-looks-at-complaint-handling-in-energy-water-telecoms-royal-mail-and-financial-and-legal-services>

Get Online Week 2012

Get online week 2012 took place from 15 - 21 October, helping thousands of people find a bigger life online. Events and activity are continuing throughout October so even more people can continue their journey to do more online. To find out more visit <https://www.ukonlinecentres.com/marketing/get-online-week-2012.html>

As part of the BBC's contribution to Get Online Week 2012, BBC Learning invested in six brand new films and guides, showing people how to get online using their smart phone or tablet and to make the most of being online. <http://www.bbc.co.uk/webwise/0/>

Community How To

UK online centres have launched a new site to help community organisations find digital tools that can help them and that other community orgs have recommended. Community How To is provided by UK online centres to give new internet users and tutors in computer centres a range of easy courses and useful resources. Find out more at <http://www.communityhowto.com/>

BBC launches new look online media literacy resources

The BBC has launched a new look for its online media literacy resources, bringing together films, guides, courses, games and articles under one virtual roof. This 'one stop shop' for media literacy features the best of BBC Connect, First Click, and Give an Hour, as well as some new content.

The 'Webwise' brand slogan is now 'making the most of being online' to reflect the BBC's commitment to learners of all abilities. www.bbc.co.uk/webwise

ParentPort supports Parents' Week and Get Safe Online Week 2012

ParentPort - the website that makes it easier for parents to complain about material they have seen or heard across the media - this month supported Parents' Week and Get Safe Online Week. Both initiatives took place from 22nd to 26th October 2012.

In support of Get Safe Online Week, ParentPort published a new guide on how to protect children in a digital world. The organisers of Get Safe Online Week encouraged people across the UK to pass on online safety tips to friends, family, colleagues and neighbours.

ParentPort: www.parentport.org.uk

Get Sage Online week: <http://clickandtell.getsafeonline.org/>

ParentPort guide: <http://www.parentport.org.uk/binaries/content/assets/files/managmedia-pp.pdf>

Parents' week: <http://www.parentsweek.org.uk/>

BT rewards Internet Rangers

If you know a young person or a school that has helped older people within their community to get online, then they could be in with a chance to win an award. People can nominate themselves, a young person or a school who they feel deserves recognition for their work in getting older people online. Laptops and iPads are available for young people up to the age of 16 and there are awards up to £4,000 available for schools. The closing date for entries is Friday 2 November 2012. To enter or nominate someone, visit: www.bt.com/internetrangers

eReading Rooms

An eReading Rooms pilot managed by Online Centres Foundation launched at the beginning of September. The pilot aims to dramatically increase the number of people engaging in adult learning by providing free and friendly eReading Rooms where people can learn anything that interests them, thanks to the power of the internet. The project will initially be run with 20 centres around the country, who will be given a range of support throughout the pilot period. To find out more about the work of the Online Centres Foundation visit www.ukonlinecentres.com

October's Panel meeting

This month's Panel meeting included:

- Discussion with the Broadband Stakeholders Group on broadband rollout
- An update on Ofcom's bill shock work
- Nuisance calls latest developments
- Discussion of Ofcom's forthcoming economic geography report

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