Communications Consumer Panel and ACOD response to the Consumer Futures Unit Draft Work Plan 2017-18

The Communications Consumer Panel (the Panel) and the Advisory Committee for Older and Disabled People (ACOD) welcome the opportunity to respond to the Consumer Futures Unit Draft Work Plan 2017-18.

The Panel works to protect and promote people's interests in the communications sector, including the postal sector. We are an independent statutory body set up under the Communications Act 2003. The Panel carries out research, provides advice and encourages Ofcom, governments, the EU, industry and others to look at issues through the eyes of consumers, citizens and micro businesses.

The Panel pays particular attention to the needs of older people and people with disabilities, the needs of people in rural areas and people on low incomes, and the needs of micro businesses, which have many of the same problems as individual consumers.

Four members of the Panel also represent the interests of consumers in England, Northern Ireland, Scotland and Wales respectively. They liaise with the key stakeholders in the Nations to understand the perspectives of consumers in all parts of the UK and input these perspectives to the Panel's consideration of issues. Following the alignment of ACOD with the Panel, the Panel is more alert than ever to the interests of older and disabled consumers and citizens.

Response

Our response relates mainly to the Unit's work on postal services, which also falls within our remit. We look forward to continuing to work with Consumer Futures in promoting the rights of users of postal services in Scotland. We have also commented on the Unit's cross-sector work regarding consumers in vulnerable situations and consumer tracking.

Letters

We welcome the Unit's workplan – particularly the proposed research into the postal services needs of SMEs in Scotland. The Panel conducted research in 2014[1] into micro businesses' experiences of digital communications services in the UK and we would be interested to see the outcomes of the Unit's postal services research which will give greater understanding of the extent to which the communications needs of smaller businesses in Scotland are being met.

Parcels

We have highlighted, in response to consultations by Ofcom, the plight of consumers – including micro businesses – facing parcel surcharges and have emphasised the fact that

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[1]http://www.communicationsconsumerpanel.org.uk/research-and-reports/realising-the-potential-micro-businesses--experiences-of-communications-services revealed that micro businesses

people living – and/or working – in rural locations are outside of the competitive market. This makes them unable to benefit from a choice of affordable providers to switch to if costs or service quality does not match up to their expectations. The Unit's research on rural postal surcharging will be beneficial in providing a further body of evidence on this.

We would also highlight Ofcom's statement on the future regulatory framework for post, published on 1 March, which is currently open for consultation[2].

Cross-sector registration of vulnerable consumers

Any consumer can become vulnerable at any time, and the nature of that vulnerability can be temporary, permanent or fluctuating. It is vital that consumers in vulnerable situations (and where appropriate, trusted friends, family members or carers) are able to remain in control of their personal data during this time.

Our research 'Inclusive Communications – We're not all the same'[3] (December 2015) showed that people in vulnerable situations have a variety of needs, differing in type and complexity. These included access to information about their rights – and billing of services - in plain language and accessible formats, as well as access to customer service agents who are trained and empowered to help with queries from people in vulnerable situations.

Being disabled does not automatically mean that a consumer is "vulnerable", but it is vital that providers are able to match consumers with specific needs promptly and sensitively with the services that are designed to benefit them. As one of our participants told us: *"I think when everything's running fine in terms of communications networks, I'm not as disabled as I might be."* For some, informing their provider of their disability had been useful, but other participants showed a reluctance to disclose their disability to their providers, as they feared poor treatment by staff through a lack of empathy or training. We recommended both that communications providers actively promoted services and rights of equivalent access and that consumers are aware of the impact of disclosing – or not disclosing - disabilities/situations and needs and fed back our recommendations to Ofcom and communications providers.

In November 2016, we published 'Digital Footprints: a question of trust'[4], which looked at UK consumers' concerns and attitudes about digital privacy. Our sample included participants who self-identified as high or low confidence internet users; lower confidence users tended to be older and were more likely to be disabled. We found that users with lower confidence in their ability to use the internet were still aware of the fact that

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[2] https://www.ofcom.org.uk/consultations-and-statements/category-1/royal-mail-review2016
[3] http://www.communicationsconsumerpanel.org.uk/research-and-reports/we-re-not-all-the-same-inclusive-communications
[4] http://www.communicationsconsumerpanel.org.uk/research-and-reports/digital-footprints

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organisations would use their data, but were less aware how it would be used and were less able to protect themselves. Participants in the research felt a lack of control of their data and relatively low levels of trust in communications providers (though it should be noted that the research took place following a number of high profile data breaches). One of the impacts of this lack of control and low trust was that consumers in our sample were not using services that may have benefitted them, such as using Skype to stay in touch with grandchildren in Australia. One participant told us *"I'm afraid to use the internet. Someone more cleverer than me could take advantage…."*

Some participants refused to give out their personal data, as they felt this was their only method of controlling its use online: *"No I don't have control; nobody has total control. If you put your data into a website, you have no more control over it. I don't ever enter my information to try and have some control."*

We believe that providers should promote the benefits of their Priority Service Registers – and promote them widely, to all consumers - so that friends and relatives of people who are eligible, as well as the people themselves, are aware of the benefits and the way they can sign up (if they choose to). However, we also believe it is vital that consumers are able to retain control and choice over the way their personal data is used. Priority Service Registers are useful and necessary, because the consumers of a particular service can have their needs recorded and receive the specific support they need to access a particular service or set of services. But the needs of a consumer of services in one sector may not be the same as those used in another sector, so it is paramount that providers do not collect or share more than is necessary and that they are able to safeguard sensitive personal data that would make consumers more vulnerable if it fell into the wrong hands. The risk of scams and nuisance calls is a live and real one, particularly in Scotland, so it will be essential that good practice is sought out. A good example of the handling of data protection issues in respect of consumers in vulnerable situations is the Digital Switchover Help Scheme[5], which, while not directly comparable to a Priority Services Register, was a scheme that required sensitive handling of data and proactive pre-emption of scams and nuisance behaviour.

We will be keen to see the outcomes of the Unit's feasibility study and would welcome the opportunity to work with the Scottish Government's Consumer Taskforce. We would also draw attention to the report by Ofgem in 2013[6] that sought the views of energy consumers on the use of Priority Services Registers.

Consumer tracking survey

We look forward to the outputs of the CS4 Annual survey of consumer experience in energy, post and water, with our particular focus on postal services users and in gaining insight from consumers' experiences across other sectors where relevant.

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[5]http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/partnerships/helpscheme/SHS_paper_6_data_management_and_information_security.pdf
[6] https://www.ofgem.gov.uk/ofgem-publications/75553/quant-psr-research-mori-consumer-vulnerability-strategy-june-2013-pdf

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