

Responding to the Simplifying Non-geographic Numbers consultation

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ADDITIONAL COMMENTS

The Helplines Association (THA) is the membership and good practice organisation for all helplines. Our membership comprises over 400 non-profit helplines although we work with other helplines, funders and commissioners to promote good practice in the sector. We do this by publishing guidelines, running a membership scheme, accreditation to The Helplines Standard, training and consultancy. We also support helplines to network and share good practice via our online forum and regular meetings across the UK and Ireland.

We provide information to helpline users about what to expect from helplines and what to do if something goes wrong. We help people find details of reputable helplines through our online Helplines Directory. We campaign on issues affecting helplines and helpline users.

We consulted our members and publicised Ofcom's consultation via our website and e-newsletters and received 16 written contributions and 1 email contribution towards our response.

THA have presented the views of our members and our charity in our response to this consultation, however we believe that there are some key issues that are not covered sufficiently by the current consultation.

Firstly, Ofcom have inadequately assessed the impact of their proposals on non-profit and charitable helplines many of whom provide socially important services for consumers.

Non-profit helplines are often one of the only sources of support and advice for callers across the fields of welfare, health and education. They do not seek to profit from callers, and may be solely reliant on fundraised or donated income. An increase in call costs or costs due to migration/advertising could result in a substantial increase in operating costs, especially for small charities this is in the face of increased demand for services. There are concerns that these costs could jeopardise service provision for callers as some helplines may be forced to close their lines, or move to less accessible numbers.

Ofcom have made five to six policy changes over the last 20 years that have negatively impacted on the helplines sector without achieving a suitable outcome for the consumer to date. This has forced helplines to divert already limited funds to cover increased telephony, advertising and migration costs. The introduction of yet another change will force helplines to divert essential resources from other functions or forcing them to switch to numbers which will

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cost more to call. This will reduce the quality and accessibility of services and will have consumer detriment. Our view is that Ofcom should seek to cover these costs and at a minimum to minimise the impact on the helplines sector.

Secondly, the consultation does not address the need for confidentiality in addition to free calls on 080 numbers. THA believe that it should be mandated that the 116 and 080880 sub-range (reserved for confidential helplines) should not appear on itemised bills. Accessibility and confidentiality is an important factor for many callers to helplines where the nature of the call is sensitive and especially where callers may be at risk were the call to be discovered, for instance in cases of child abuse or domestic violence. The existing 080880 sub-range is non-itemised only on participating landline and mobile providers. With the recent proliferation of MVNOs and landline providers it has proved difficult to engage with the new providers to ensure these numbers can be non-itemised. THA believe Ofcom should make this a requirement on the 080880 and 116 number ranges so that a consistent approach is applied across the telephony providers, ultimately leading to clarity and consistency for the consumer.

Respondents to our survey highlighted these issues recognising that Ofcom's analysis had not considered issues important non-profit helplines that may not be relevant to the wider commercial and public sectors.

Respondents emphasised the importance of keeping calls from appearing on phone bills which has been a significant factor for helplines adopting a Special Freephone Tariff 080880 number.

THA asks that Ofcom consider the needs of the sector in more detail. If the aim of the consultation is to reduce consumer detriment and in particular the needs of callers who may be socially disadvantaged and more likely to be in mobile-only households then this is of even more importance. Callers should be able to access socially-important services at low cost and to gain access to free advice and support services. Forcing helplines to migrate to costly numbers would have a negative impact on the consumer.

THA encourages Ofcom to engage with the helplines sector and hopes that Ofcom will leverage existing provision to ensure that consumers can continue to have free and confidential access to helpline services.

Respondents:

Alison Huneke, Afasic

Martin Ledwick, Cancer Research UK

Mark Pilling, British Lung Foundation

Rose Stone, Breast Cancer Care

Janet Roberts, CALL Helpline

Stella Ansell, WAND

Richard Talbot, Bristol City Council Family Information Service

Ellen, Myeloma UK

John Pither, Crossline Coventry

Janice Beaton, Stirling Family Support Service

An additional 7 respondents asked for their details not to be published.

QUESTIONS

OFCOM'S ANALYSIS AND NEED

Question 4.1: Do you agree that the analysis set out in Section 4 and the supporting annexes which draws on our initial assessment in the December 2010 review, stakeholder comments and the further research undertaken in 2011, appropriately characterises the market, the market failures and the effects on consumers? If not please set out your alternative views

In our briefing to members we focused on just those issues which we felt most affect helplines and helpline users. Where we have not responded to a question, it is not to be taken as endorsement of Ofcom's views or proposals, it is because we have only responded to questions where we have evidence, experience or expertise.

Question 5.1: Do you have any comments on our Equality Impact Assessment? In particular do you agree with our view that our proposals for changes to non-geographic numbers are likely to have an overall positive impact on the equality groups identified in Annex 15?

THA believes that the equality groups identified in the Equality Impact Assessment are likely to benefit from Ofcom's proposals. However, THA remains concerned that access to socially important services could be negatively impacted by the increased costs of running 08 numbers.

Helplines are predominantly funded by charitable donations and grants, and provide services that are free at the point of contact. The helplines sector is estimated to comprise over 1000 helplines that handle 350 million contact minutes a year¹. Demand for helpline services is increasing year on year against a background of austerity with many helplines replacing or taking over support roles that were previously government run or government funded. In this consultation Ofcom estimated an increase of costs for service providers in the

¹ State of the helpline sector, 2009-11. The Helplines Association 2011.

region of 73-115% to run 080 numbers. We have estimated that the helpline sector would need an additional £6m per year to cover increased call costs. Where helplines are unable to cover these costs they would be forced to switch from low-cost or free calls to number ranges that are more costly for the consumer. This would reduce access to socially important services.

The majority of respondents agreed with this view and were concerned that Ofcom's proposals could force them to switch numbers or migrate from provision of 080 numbers to more costly number ranges. However, one respondent felt it was necessary for charities to consider the need for their calls to be free.

Several respondents highlighted the efforts that they have already taken to allow vulnerable and impoverished callers to contact their services by adopting a free-from-mobile number under THA's Special Freephone Tariff (SFT) scheme. These helplines felt that they may no longer be able to sustain their service if calls increased and felt that the confidentiality that these number afford for callers was of paramount importance. Another respondent stated that while calls may be free the quality of the service may worsen as budgets would need to be redistributed.

Question 9.1: Do you have any comments on our assessment, and in particular the additional evidence (gathered since the December 2010 Consultation) which we have used to support our assessment, on our provisional conclusion that the unbundled tariff should be applied to the revenue-sharing NGC number ranges?

In our briefing to members we focused on just those issues which we felt most affect helplines and helpline users. Where we have not responded to a question, it is not to be taken as endorsement of Ofcom's views or proposals, it is because we have only responded to questions where we have evidence, experience or expertise.

ACCESS CHARGE

Question 10.1: Do you agree with our proposal that the AC should be allowed to vary between tariff packages but that OCPs should be subject to a tariff principle permitting only one AC for non-geographic calls? If not please explain why.

Respondents to our survey were not convinced that the unbundled tariff would necessarily lead to improved transparency for callers as not everyone would be

aware of their AC. Those respondents who commented suggested that the AC needs to be kept as consistent as possible.

Question 10.2: Do you agree with our proposed structure for the AC, in particular that: (i) that the AC should be a pence per minute charge only, but can be subject to a minimum one minute call charge (ii) that the AC should not vary by time of day and (iii) that the AC can be included as part of call bundles/inclusive call minutes provided that inclusion does not differentiate by number range? If not please explain why.

i) Respondents to our survey were not convinced that the unbundled tariff would necessarily lead to improved transparency for callers as not everyone would be aware of their AC. Those respondents who commented suggested that the AC needs to be kept as consistent as possible.

ii) Respondents felt that the AC should not be allowed to vary by time of day. One respondent referred to the confusion that arose when BT moved from 6pm to 7pm for cheap evening calls. If time of day structures were allowed to vary this could lead to consumer confusion.

iii) Respondents felt there was a real need for the AC to be included consistently in bundles for both landlines and mobile calls. They felt that this was important for transparency and to avoid consumer confusion.

Question 10.3: Do you agree with our proposal not to impose a cap on the AC in the first instance? If not please explain why

A number of respondents raised concerns that the Access Charge will not result in more affordable prices for consumers. Mobile operators in particular may exploit the AC charge where caps are not enforced.

THA agrees that helplines will have limited control over the access charge that consumers pay to access their services and for calls from mobiles the AC will be the most significant cost of the call to 084 and 087 numbers.

Where they can afford to helplines can choose to use a number range that allows them to set a minimal service charge, however if access charges are not sufficiently low many helplines may find that their callers have to pay more to access their services than the current situation.

Based on the estimates provided by Ofcom in Part B - Table 10.2 consumers are likely to pay up to 9.9ppm to call 084 numbers from landlines and up to 23.1ppm for calls from mobiles assuming a single AC. This rises to 14.9ppm

from landlines for calls to 087 numbers and 27.1ppm for calls from mobiles (See tables 1 and 2) which is a significant cost for consumers.

If the AC is not lower than Ofcom's estimates for mobile calls then Ofcom's proposed advertising which focuses on the cost of the SC could detract from the real cost of the call as the AC is the greater component of calls to 084 and 087 numbers. For example a caller who rings an 084 number for 15 mins from a mobile could end up paying between £2.42 and £3.47 assuming an AC of 16.1ppm. For a call to an 087 number this would be £2.42 to £4.37. Ofcom's proposed approach to advertise calls as 'your networks AC plus a SC of Xppm' may detract from consumer awareness of the significant cost of the AC from mobile phones and the true cost that consumers will pay to access the service. Further consideration should be given to the level of AC costs and the way that these will be advertised to consumers.

Table 1 - Apparent costs of calling 084 and 087 numbers from landlines (price per minute).

	0845	0844	0870	0871
BT	2.042	4.084	7.95	10.211
Virgin Media	10.22	-	11.24	-
Talk Talk	7.95	-	7.95	-
Estimated AC	2.9	2.9	2.9	2.9
Max SC	7	7	13	13
Potential cost of call	9.9	9.9	14.9	14.9

Please note we have included the per minute rate only, and note that these are the costs consumers pay after they have used up any free allocations. We acknowledge some callers may not pay anything for 0845 and 0870 calls as they will be included in their bundles, however this will continue to be an issue where call minutes are limited in bundles or not all ACs are included in bundles. Further 0844 and 0871 prices from Virgin Media and Talk Talk were not included as these can vary widely.

Table 2 - costs of calling 084 and 087 numbers from mobile phones

	Pay monthly (ppm)				PAYG (ppm)			
	0845	0844	0870	0871	0845	0844	0870	0871
Vodafone	14	35	14	35	14	25	14	25
Orange	40	10.2	40	10.2	12	40	12	40
T-mobile	40	40	40	40	40	40	40	40
Three	35	35	35	35	35	35	35	35
Virgin	41	41	41	41	41	41	41	41
O2	20.4	20.4	20.4	35.8	25	25	25	35
Estimated AC	16.1	16.1	16.1	16.1	16.1	16.1	16.1	16.1
SC max	7	7	13	13	7	7	13	13
Potential cost of	23.1	23.1	29.1	29.1	29.1	29.1	29.1	29.1

SERVICE CHARGE

Question 10.4: Do you agree with our proposed approach for the structure of the SC? In particular that: (i) bespoke SCs should be prohibited (ii) that no further restrictions on the SC structure should be required (e.g. allowing ppm and ppc SCs, no restriction of ToD charging subject to ability of billing systems to pass through the charges) If not, please explain why and provide evidence if possible.

Respondents felt that the service charge should be kept simple to improve consumer awareness. Price per call structures were viewed by respondents as likely to add to consumer confusion as was allowing time of day charging.

THA's view is that bespoke packages should be prohibited and agree with Ofcom's view that bespoke SCs would add complexity to pricing messages.

Question 10.5: Do you agree with our proposals to impose maximum SC caps for the purposes of protecting the identity of the number ranges? Do you agree that the caps should apply to the 084, 087 and 09 ranges and that they should be set exclusive of VAT in the Numbering Plan? If not please explain why and provide evidence to support your position if possible.

Respondents felt that SC caps were appropriate for 084 and 087 numbers and necessary to protect consumers. Our member helplines do not operate on 09 ranges so we did not ask about this number range.

Prices should be presented as whole numbers to callers as these would be easier to remember. However we have concerns that future changes to VAT could be used as an excuse to increase call costs above and beyond the amount of the VAT increase to peg costs at whole numbers.

Question 10.6: Do you agree with our proposed cap of 5.833p for the 084 range and 10.83p for the 087 range? If not please explain why.

The majority of respondents agreed with the proposed caps for the 084 number range. However, two respondents questioned the 10.83p cap for the 087 range. They felt that this was an inappropriately high cap. Further one respondent questioned whether there was a market for the 087 number. The same

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respondent also felt that the 084 number should be the same as a geographic call.

However, THA feel that there are two issues with the proposed caps and pricing structures for the 084 and 087. The first relates to the level of the proposed caps, the second to the identity of the ranges.

Level of caps

Based on the estimates provided by Ofcom in Part B - Table 10.2 consumers are likely to pay up to 9.9ppm to call 084 numbers from landlines and up to 23.1ppm for calls from mobiles assuming a single AC. This rises to 14.9ppm from landlines for calls to 087 numbers and 27.1ppm for calls from mobiles.

THA believe that consumers should not have to pay this much for calls to access services. Ofcom's proposals appear to cap the cost of calling 084 and 087 numbers at a level that is significantly higher than what many currently pay from landlines (See table 3). While we appreciate that some SPs will choose to minimise the Service Charge overall we are not convinced that callers will end up paying less after these changes take effect.

Table 3 - Apparent costs of calling 084 and 087 numbers from landlines (price per minute).

	0845	0844	0870	0871
BT	2.042	4.084	7.95	10.211
Virgin Media	10.22	-	11.24	-
Talk Talk	7.95	-	7.95	-
Estimated AC	2.9	2.9	2.9	2.9
Max SC	7	7	13	13
Potential cost of call	9.9	9.9	14.9	14.9

Please note we have included the per minute rate only, and note that these are the costs consumers pay after they have used up any free allocations. We acknowledge some callers may not pay anything for 0845 and 0870 calls as they will be included in their bundles, however this will continue to be an issue where call minutes are limited in bundles or not all ACs are included in bundles. Further 0844 and 0871 prices from Virgin Media and Talk Talk were not included as these can vary widely.

Mobile phone charges are significantly higher than those from landlines and Ofcom's proposals are likely to have a greater impact on charges from mobiles. However, THA is of the opinion that in the absence of any new changes these costs would be likely to fall below the estimated costs that consumers would pay on the unbundled tariff.

Some mobile operators have already taken steps to reduce the costs of calling 08 numbers, for instance Vodafone. As telephony costs are continuing to fall it is

likely that were the status quo maintained call costs would continue to reduce. This includes the impact of reducing mobile termination rates as outlined in Ofcom's Mobile Termination Review Statement where they outline that their 'approach will lead to MTRs falling from around 4.18ppm in 2010/11 to 0.69ppm by 1 April 2014 (in 2008/9 prices)'².

If Ofcom have estimated the AC charge for mobile phone calls correctly then even if SPs choose a zero pence per minute (ppm) price point callers will still be paying 16ppm or more.

THA believe further consideration should be given to the SC cap and AC and whether this move will ultimately benefit consumers. Ofcom have acknowledged in their consultation that existing costs are too high, and we fear that under these proposals callers would continue to pay more than they should. Further consideration needs to be given to the combined cost of the AC and SC to ensure this cost is competitive, appropriate and that they are not generating precedents for maintaining high costs. One option would be for Ofcom to specify an initial AC and commit to reducing this AC over a period of 2 to 3 years to a more acceptable rate in line with their previous discussions on MTRs.

Table 4 - costs of calling 084 and 087 numbers from mobile phones

	Pay monthly (ppm)				PAYG (ppm)			
	0845	0844	0870	0871	0845	0844	0870	0871
Vodafone	14	35	14	35	14	25	14	25
Orange	40	10.2	40	10.2	12	40	12	40
T-mobile	40	40	40	40	40	40	40	40
Three	35	35	35	35	35	35	35	35
Virgin	41	41	41	41	41	41	41	41
O2	20.4	20.4	20.4	35.8	25	25	25	35
Estimated AC	16.1	16.1	16.1	16.1	16.1	16.1	16.1	16.1
SC max	7	7	13	13	7	7	13	13
Potential cost of call	23.1	23.1	29.1	29.1	29.1	29.1	29.1	29.1

Branding and identity of the 084 and 087 ranges.

THA's view presented in the earlier Ofcom consultation is that the 0870 is a confusing range and should be closed altogether. This particular range has been through so many changes in tariff – first it was 'national rate' then it became comparatively more expensive, then in 2007 the range was reviewed and BT began charging the same as geographic rates, but other providers charged

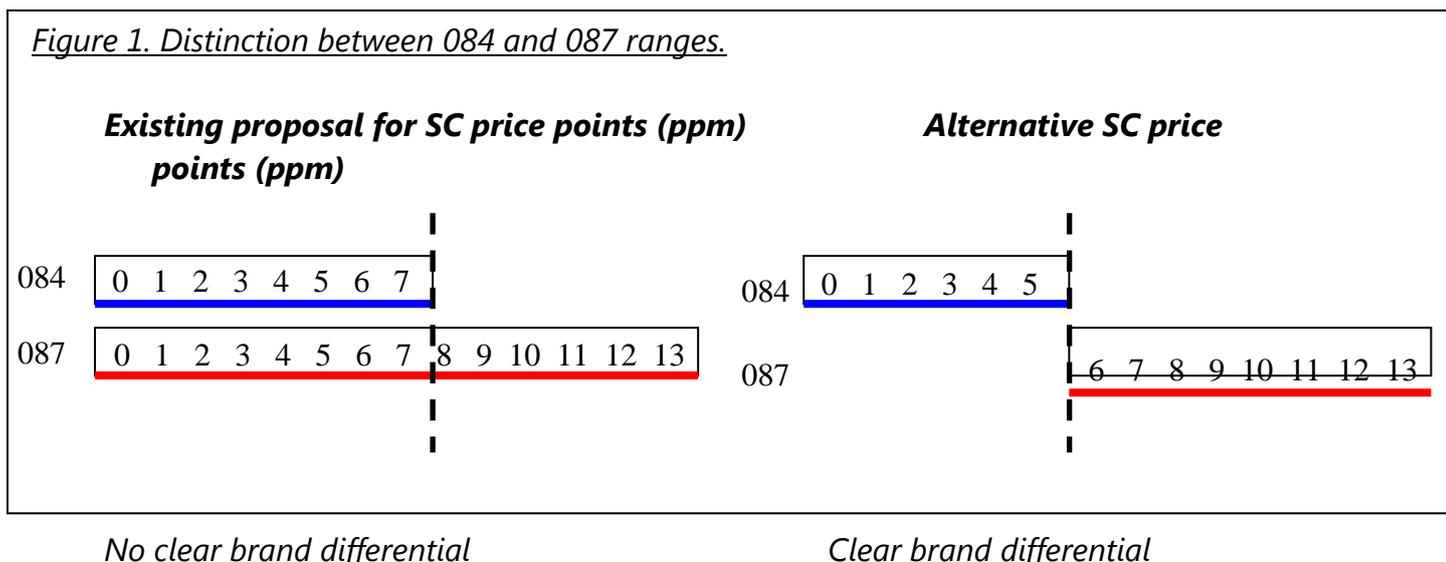
² <http://stakeholders.ofcom.org.uk/consultations/mtr/statement>

higher prices. Unbundling 0870 and removing any price restrictions would confuse consumers. Further the branding of this range has been inextricably linked with the 'say no to 0870' campaign in consumer's minds. Further confusion of the 084 and 087 ranges occurs due to poor consumer understanding over which ranges allow revenue sharing.

THA believes that this confusion is unlikely to be mitigated by Ofcom's proposals. For instance, a caller who rings an 084 number for 15 mins from a mobile could end up paying between £2.42 and £3.47 assuming an AC of 16.1ppm. For a call to the 087 number this would be £2.42 to £4.37. If the AC is not lower than Ofcom's estimates for mobile calls then Ofcom's proposed advertising which focuses on the cost of the SC could detract from the real cost of the call as the AC is the greater component of calls to 084 and 087 numbers. For example a caller who rings an 084 number for 15 mins from a mobile could end up paying between £2.42 and £3.47 assuming an AC of 16.1ppm. For a call to an 087 number this would be £2.42 to £4.37. Ofcom's proposed approach to advertise calls as 'your networks AC plus a SC of Xppm' may detract from the significant cost of the AC from mobile phones and the true cost that consumers will pay to access the service.

THA is not convinced that consumers will recognise any difference between the 084 and 087 ranges if they do not have a clear branding. We consider it would be more appropriate to consider options for capping the 084 costs at a lower level or to consider the 084 SC as costing 0-5 ppm and 087 SC 6ppm – 13ppm. This would provide more distinction to the branding and allow consumers to associate 084s as costing less than 087 numbers see Figure 1.

Figure 1. Distinction between 084 and 087 ranges.



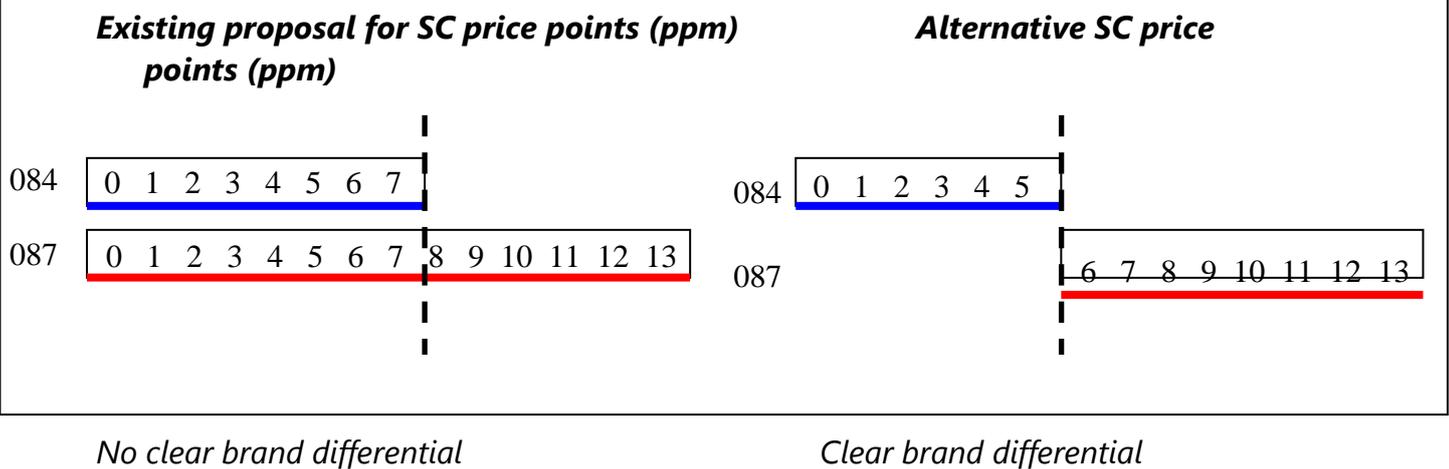
Ofcom should consider further what they believe the 'branding' and 'identity' of the individual number ranges is and especially how they can ensure that consumers are not adversely affected by the unbundled tariff in the long-term.

Question 10.7: Do you agree that the number of SC price points should be restricted? Do you agree that that restriction should be somewhere between 60 and 100, and where within that range do you consider would be optimal? Do you have any comments in relation to how Ofcom should decide where in that 60 to 100 range the maximum number of SC price points available should be set?

THA believes that the number of price points should be limited for the 084 and 087 ranges and that these should be kept at whole number increments inclusive of VAT. We believe that fewer price points should be necessary as SC costs should be lower.

THA is not convinced that consumers will recognise any difference between the 084 and 087 ranges if they do not have a clear branding. We consider it would be more appropriate to consider options for capping the 084 costs at a lower level or to consider the 084 SC as costing 0-5 ppm and 087 SC 6ppm – 13ppm. This would provide more distinction to the branding and allow consumers to associate 0845 as costing less than 087 numbers (Figure 2).

Figure 2. Distinction between 084 and 087 ranges.



Existing proposal for SC price points (ppm)

Alternative SC price

Question 10.8: Do you agree with Ofcom's proposed approach to agree the relevant SC price points with industry rather than specifying them as part of

the Numbering Plan? Do you have a particular preference for which SC price points are necessary within the different number ranges? What criteria would you propose for the selection of price points?

In our briefing to members we focused on just those issues which we felt most affect helplines and helpline users. Where we have not responded to a question, it is not to be taken as endorsement of Ofcom's views or proposals, it is because we have only responded to questions where we have evidence, experience or expertise.

Question 10.9: Do you agree with our assessment on the location of the AHP on BT's and other CPs' networks? If not, please explain why you disagree.

In our briefing to members we focused on just those issues which we felt most affect helplines and helpline users. Where we have not responded to a question, it is not to be taken as endorsement of Ofcom's views or proposals, it is because we have only responded to questions where we have evidence, experience or expertise.

Question 10.10: Do you agree that for calls that route via a transit network, the TCP should pay for transit? If not, please explain why you disagree. In particular please explain your views on how incentives can be included within an "OCP pays" approach to ensure the TCP seeks to interconnect directly (where this is efficient) and not to reduce its points of interconnection at the expense of the OCP and efficient end to end call routing.

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Question 10.11: Do you agree with our proposed approach for calls between two non-BT CPs, both for the case when a transit network is used and for when direct interconnection is implemented? If not, please explain why you disagree.

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084 and 087

Question 11.1: Do you agree with Ofcom's assessment that an unbundled tariff should also apply to the 0845 and 0870 ranges? If not please explain why.

THA believes that the unbundled tariff should apply to the 0845 and 0870 ranges as this would provide a consistent approach. However this view is predicated on the assumption that Ofcom will designate the 03 range as a geographically rated number range and that calls to 03 numbers will be included appropriately in call minutes. However, we remain concerned about the proposed SC charges and the lack of a differential between the 084 and 087 ranges as outlined in our response to question 10.6.

There is a long history of confusion over the 0845 number range and whether this number range is equivalent to geographic calls. One respondent suggested that the 0845 would be more appropriately designated as a geographic call. As 0300 numbers are currently available only to socially important services it follows that if Ofcom continue with their plans no geographic equivalent will be available to organisations that do not meet the relevant criteria.

If an appropriate AC is set for 0845 numbers it may be that Service providers can opt for a 0ppm SC effectively pegging the AC at a geographic rate. If AC is also included in bundles then this would mean callers would not have to pay more to access these services. However, if AC charges are set higher than a geographic rate, or not included in bundles, this could lead to confusion for the consumer and consumers may pay more than the status quo.

Several respondents also noted that they are concerned that helplines adopting 084 numbers with a low price-point may be viewed as exploiting callers even if they do not receive any revenue from calls.

PRESENTATION COMMUNICATION REGULATION

Question 12.1: Do you agree with our proposal not to mandate the presentation of disaggregated AC and SC charges on customers' bills? Do you agree with our view that it should be up to OCPs to decide the best way to present these charges to their customers on bills OCPs but that we require that at a minimum, the OCPs should include the customer's AC on the bill they receive?

Callers should be able to quickly and easily find out their access charge as this can be a significant component of the overall cost of calling, especially from mobile phones. If it is decided that a tariff can only have one AC then it would not be necessary to disaggregate AC and SC components as long as the AC is clearly advertised on the bills. However, if the AC is allowed to vary, disaggregation would ensure transparency for consumers.

Question 12.2: Do you agree with the requirement for a central SC database. If so what would be your preferred approach – public sector or private sector provision? If you do not agree with the need for the database what approach for the dissemination and verification of SC would you prefer and why. Are there any other issues with respect to the database you would wish to raise?

A central SC database would be a good idea if consumers are able to access the database. This would allow a consumer to lookup the SC either before or after accessing a service. Consumers should not be charged for accessing this information.

Question 12.3: Do you agree with the need for reformation of the existing processes for number range building and tariff change notification? If so, what do you consider to be the key characteristic of a revised set of processes? Do you consider that there is a need for regulatory intervention in their establishment, if so why and on what basis should Ofcom intervene.

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Question 12.4: Do you consider that there is a need for additional regulatory intervention in the area of end-users' access to non-geographic numbers, in addition to General Condition 20? If so why and what form should such an obligation take?

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Question 12.5: What steps / actions do you consider need to be undertaken to ensure changes to the structure and operations of non-geographic numbers are successfully communicated to consumers?

A wide-reaching campaign to raise awareness is crucial. This should be done through TV, printed media, on telephone and mobile bills and appropriate mobile internet sites, and telephone directories. The message should be clear and simple and should not run to more than one side of A4.

Time, advertising, awareness

Question 12.6: Do you agree with our proposal that existing price publication obligations (with some modifications) are sufficient to ensure that consumers are made aware of their ACs? Do you agree that we would need to specify the AC as a key charge?

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Question 12.7: Do you agree with our provisional view that the requirement for SPs to advertise their SCs could be implemented through a condition on SPs that is enforced through an industry Code of Practice and the ASA? Are there any other options (beyond the two outlined) which Ofcom should be considering? What do you consider is the best approach for securing industry commitment and developing a Code of Practice?

THA recommend that helplines clearly advertise the costs of calling services at the point of access. Consumers should be given clear information on the costs of contacting a service. THA does however have concerns about how this will be enforced and the timescales involved. In practice, THA believe that this would be hard to enforce without a defined Code of Practice. Clear guidance should be available for Service Providers to ensure consistency across the wider sector.

Further we believe that Ofcom's proposed requirements for advertising will mask the true cost of the AC where the AC is higher than the SC as will be the case for mobile calls to 084 and 087 numbers.

Several respondents raised concerns about the costs and timescales for updating their promotional material. Cost estimates varied from a couple of thousand through to £15000. THA is concerned that some organisations will need more

than a year to update their advertising. THA is also of the opinion that any enforced regulation should give appropriate leeway for SPs to update their advertising in the event that costs change due to amended price structures or VAT changes. Such changes should be scheduled appropriately and proper guidance given to SPs ahead of any changes.

THA also have concerns that unbundling costs could lead to charities being viewed to be 'exploiting' callers as callers may think that the helpline was receiving the entirety of the SC when in fact the SC may be kept by their provider. Consumer awareness will be important to educate callers about these charges.

One respondent felt that it would be inappropriate for advertising regulations to be mandated as there are considerable variables involved in pricing.

Question 12.8: Do you agree internationally originated calls should be charged at the same SC as an equivalent domestic call? If not, please set out your reasons. Do you agree that originators should be able to set a separate AC level for roaming calls in a given country, though the other characteristics of the AC should still apply?

THA believe that this would be a fair approach and reduce the need for SPs to advertise separate costs for calling from abroad.

Question 12.9: We would welcome stakeholder views on our proposed approach for applying the unbundled tariff to payphones. Do you agree that it is appropriate to allow payphones to set a minimum fee for non-geographic calls?

The existing payphone access charge that applies to calls to 080 numbers from payphones that terminate on a network other than BT is currently set at 18ppm. This can result in a considerable burden for some helplines where the service supports callers who are more likely to call from payphones, for instance homeless or missing people.

THA encourage Ofcom to consider whether calls from payphones are likely to increase and to review whether the payphone access charge is set at an appropriate level.

Question 12.10: Do you consider there is a need to exempt business to business telephony contracts from some of the constraints of the unbundling

regime? Is so what exemptions do you consider appropriate and why are they necessary (please give examples of the conflicts you would identify if exemptions are not provided). To which contracts should the exemptions apply and why?

In our briefing to members we focused on just those issues which we felt most affect helplines and helpline users. Where we have not responded to a question, it is not to be taken as endorsement of Ofcom's views or proposals, it is because we have only responded to questions where we have evidence, experience or expertise.

Question 12.11: Do you agree with our proposal that implementation should take place 18 months from the date of the final statement?

THA agrees that 18 months is a reasonable implementation period. However helplines may need the majority of this time to weigh options, make decisions and raise funds to cover costs. If the timeframe is slowed due to industry disputes, indecision on price points or delays due to other negotiations the helpline sector would still need time to react. A minimum of 10 months should be given to implement these changes after the industry is in a position to inform on the cost implications for each existing number.

One respondent suggested that they would be able to run two lines in parallel to minimise the time to switch, however not all charities will be able to afford to do this. Estimates of the time to migrate ranged from weeks to 12 months from point of notification..

COSTS

Question 13.1: Do you agree with our estimates of the billing costs for implementing the unbundled tariff, taking into account the discussion in Annex 19? If not, please explain why and provide evidence to support your response, particularly of the level of costs you are likely to incur as a result of our proposals.

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Question 13.2: Do you agree with our estimates of the level of migration and misdialling costs for service providers who may migrate as a result of the unbundled tariff (taking into account the analysis and evidence in Annex 12)? If not please explain why and provide evidence.

THA members estimated that the costs of physically migrating to a new number would be up to £5,000. However, estimates for the costs of communicating and advertising any new number varied up to £15,000.

Question 13.3: Do you agree with our estimates of the communication costs of implementing the unbundled tariff? In particular: (i) the costs of OCP communication with their customers and (ii) the costs of TCP communication with their SP customers. If not, please explain why and provide evidence to support your response, particularly of the level of costs you are likely to incur as a result of our proposals.

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Question 13.4: Do you have any comments on our impact assessment for the unbundled tariff? Please provide evidence to support your response.

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0800

Question 16.1: Do you agree with our assessment of the options for the 080 range? In particular, do you agree with our preferred option of making 080 genuinely free to caller? If not, please explain why.

THA are strongly in favour of making both 080 and 116 free-to-caller and believes that a freephone number should be free. Respondents to our survey were in favour of making calls free from all mobiles for the benefit of the consumer, but several respondents suggested that a maximum mobile price could also achieve this aim without causing increased costs for helplines.

THA remain concerned about the impact on non-profit helplines which offer freephone numbers and/or 116 numbers. Ofcom have provided estimates of the likely costs to helplines but it remains unclear what the true cost will be for helplines due to:

- increased per minute charges*
- increased fixed to mobile substitution*
- changes in consumer behaviour potentially resulting in increased call lengths*
- associated costs of migrating and meeting advertising requirements.*

THA presented estimated figures of Ofcom's proposals in our response to Ofcom's earlier consultation. On the evidence that we have gathered we now view that the potential impact on the sector could amount to an increase of £6 million in call costs if helplines have to pay an additional 2ppm for calls. However, this figure could vary based on the proportion of calls made to 080 numbers.

The increased costs may force helplines to move away from freephone numbers. Several members suggested that they would try to cope with increased costs through fundraising, however there is limited funding available in the sector to cover helpline calls, and this will not be an option for all helplines. Respondents suggested that they may be forced to migrate away from freephone numbers or that service quality would be affected.

The helplines sector will be acutely affected by these increased costs and we urge Ofcom to ensure that there is a mechanism for easing the charges for non-profit helplines before making a change. THA would like to engage directly with Ofcom in relation to this.

Ofcom should consider how to lever the existing allocation of 080880 numbers for use by confidential helplines. This 10,000 number sub-range is available for helplines that meet the criteria agreed by Ofcom. Currently THA member helplines have access to our Special Freephone Tariff (SFT) where calls are free from 6 participating mobile networks. Helplines pay up to 2.1ppm to receive calls from landlines or mobiles from participating networks. Costs from payphones can be considerably higher (18ppm) where they are subject to the Payphone Access Charge.

An important element of this scheme is that calls are not itemised on a caller's bill. This allows calls to helplines to be confidential and anonymous. This is especially important where callers may be at risk were the call to be discovered for instance in cases of child abuse or domestic violence. Ofcom is proposing to

make all 080 calls free to caller, however if these calls appear on itemised bills there will still be an important need for a number range that is non-itemised.

THA believe that it should be mandated that the 116 and 080880 sub-range (reserved for confidential helplines) should not appear on itemised bills. Accessibility and confidentiality is an important factor for many callers to helplines where the nature of the call is sensitive and especially where callers may be at risk were the call to be discovered, for instance in cases of child abuse or domestic violence. The existing 080880 sub-range is non-itemised only on participating landline and mobile providers. With the recent proliferation of MVNOs and landline providers it has proved difficult to engage with the new providers to ensure these numbers can be non-itemised. THA believe Ofcom should make this a requirement on the 080880 and 116 number ranges so that a consistent approach is applied across the telephony providers, ultimately leading to clarity and consistency for the consumer.

The SFT scheme is dependent on the good-will of participating mobile providers. THA intend to continue to work with the mobile providers and landline providers to look at ways to reduce the costs for non-profit helplines that want to provide free-to-caller numbers. THA ask that Ofcom engage directly with THA on this issue and clarify their position on this number sub-range.

Question 16.2: Do you have any comments on the analysis used to develop the Impact Assessment Range for the mobile origination charge and the Mobile Maximum Price range for 080 calls as set out in Annexes 21 to 25? Please provide evidence to support your comments.

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Question 16.3: Do you agree with our estimates of the level of migration and misdialling costs for service providers who may migrate as a result of our proposal to make the 080 range free to caller (taking into account the evidence and analysis in Annex 12)? If not please explain why and provide evidence.

Respondents estimates of the costs of migration were typically in the region of £1000-£5000 slightly higher than the average migration cost set out in A12.74.

Question 16.4: Do you agree with our proposal to treat the 116 ranges in the same way as the 080 range (i.e. designate all as free to caller) as set out in detail in Annex 27? If not please explain why.

THA agrees that the most consistent and transparent approach would be to make all calls to 116 and 080 numbers free to the caller. THA believe that there is also an argument for introducing a requirement for calls to 116 numbers to not appear on itemised bills to protect callers and improve confidentiality. 116 numbers are designated for socially important services and include the Missing People, Childline and Samaritans helplines, all of which may benefit from confidentiality.

Question 17.1: Do you agree with our provisional view that it is appropriate for an access condition to be imposed on all TCPs hosting designated Free to caller numbers requiring them to: (i) purchase wholesale origination services for calls terminating on designated free to caller ranges from any requesting OCP (ii) to do so on fair and reasonable terms and conditions (including charges) and (iii) notify their SP customers of any initial revision to the charges for wholesale origination services within two months of Ofcom imposing the requirement for zero maximum prices. If not do you consider any ex ante intervention is required? Please give your reasons for or against such intervention and your preferred approach.

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Question 17.2: Do you agree that the access condition does not need to be extended to OCPs, but is effectively binding on both parties? If not please give your reasons.

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Question 17.3: Do you have any other comments on our proposed implementation approach for making Freephone free to caller? For example, do you consider it necessary for Ofcom to impose a requirement on SPs to publicise that 080 calls are free and do you have any other suggestions for

Responding to the Simplifying Non-geographic Numbers consultation

how SPs could be encourage to publish that at the point of call? Are there any other implementation issues which need to be taken into account?

Ofcom should consider the cost implications and timeframes required for non-profit helplines sector to find funds to cover increased costs of running 080 numbers. Non-profit helplines provide socially-important services and often have funding committed some years in advance. Increased costs may result in helplines having to migrate away from free-to-call numbers resulting in a reduction in service availability and service quality.

The majority of respondents felt that non-profits should not have to pick up these costs. However, there were concerns that if charities are exempt this would mask the costs of running the service, and that charities should consider whether they need to be free-to-caller.

THA believes that the helplines sector will be acutely affected by these increased costs and we urge Ofcom to ensure that there is a mechanism for easing the charges for non-profit helplines before making a change. THA would like to engage directly with Ofcom in relation to this.