



1	Review of Relay Services - Introduction	1
2	General Comments.....	2
2.1	Equivalence	2
2.2	Mobility & Broadband	3
2.3	Video Relay	3
2.4	USC & GC's.....	4
3	Questions.....	5
3.1	Section 3 – Additional analysis on NGTR.....	5
3.2	Section 4 – Implementing NGTR.....	9

1 Review of Relay Services - Introduction

Sense is a national charity that supports and campaigns for children and adults who are deafblind. We provide expert advice and information as well as specialist services to deafblind people, their families, carers and the professionals who work with them. In addition, we support people who have sensory impairments with additional disabilities.

Sense is keen to ensure that deafblind or dual sensory impaired people are able to fully benefit from and have access to any growth and evolution in the telecommunications sector. There is significant concern that dual sensory impaired people are consistently left behind by developments in technology and so a range of relay services remain vitally important, particularly as telecommunications increasingly happens across networks and from multiple devices.

Deafblindness, covers anyone with a degree of both sight and hearing loss. People of all ages can have a combined sight and hearing loss - they do not

have to be completely deaf and blind, in fact most of the 350,000 people with sight and hearing impairment in the UK will have some useful vision and hearing.

In particular dual sensory-impaired people face difficulties communicating and accessing information because of their combined sight and hearing impairment. As a result deafblind users benefit from the simultaneous use of more than one type of relay service and will use video relay services, captioned telephony, voice carry over (VCO), hearing carry over (HCO), text relay accessed via text or text relay accessed via Braille. The ability to customise preferences within relay services is particularly important in order to suit the variety of communication methods dual sensory impaired people use depending upon the extent of sight and hearing impairment they individually experience.

Sense is a member organisation and as such consulted individual members on the key points in order to be able to represent them fully in this response. Sense is a member of UK Council on Deafness (UKCoD) and endorses the points raised in the joint response with TAG.

Sense is responding to the Ofcom consultation of relay service provision in the UK in the hope of some serious consideration of the points raised, particularly in the light of the disappointingly high number of 12 consultations and studies since 2004. We are keen to participate in wider actions associated with implementing the delivery of true service 'equivalence' to deafblind people and look forward to statements from Ofcom on how this will be achieved.

2 General Comments

2.1 Equivalence

Sense fully supports the stated Ofcom position 'to have regards to the needs of persons with disabilities' and that this is an 'important part of the assessment'.

Sense defines telephony 'equivalence' as a portfolio of next generation services which, irrespective of location or network, addresses the full range of needs of deafblind people across a fully programmable and integrated data (text), voice and video platform.

Next Generation Text Relay (NGTR) will hopefully provide an improvement to current relay services for **some**. However, the continued neglect of the broader advancements in end user technology, networks, service and business and the provision under the Universal Service Condition and General Conditions outlined in this consultation leads to the conclusion that for many deafblind people in the UK 'equivalence' remains an indeterminate aspiration.

In responding to the consultation, Sense want to ensure Ofcom considers the impact a vision impairment has when combined with a hearing impairment. Vision and touch are important tools for communication whether using Braille to access text, text or image to supplement speech or when using sign language.

References to end user services are often neglected in the conversations about conditions, economics, network and the technology change proposed. Sense is concerned that the representation in this proposed solution for NGTR should go beyond substituting text for voice or voice for text but provide a more complete relevant, appropriate and equivalent service. To that end referral to the end user needs should be made repeatedly and consistently in considering any regulatory, economic, service, network or device decision making criteria. This is not always apparent in the consultation process to date.

2.2 Mobility & Broadband

There can be no doubt mobile access is critical to equivalence (particularly now mobile traffic exceeds fixed). However, Sense is concerned about the lack of responsibility, ownership or leadership assumed by the Mobile providers. Equally the lack of strategy to ensure the provision of broadband service equivalence to end users is of concern. This is an imperative for equivalence as bandwidth on both fixed and mobile networks becomes increasingly critical to access appropriate equivalent services.

Sense would agree that industry would be best placed to effectively develop the platform and flexible methods of implementation that meet functional requirements but would encourage Ofcom to assure relevant and competent services are delivered through participation of deaf and deafblind people in any service definition to be agreed.

Sense was particularly disappointed with the Ofcom highlighted view of the Mobile Broadband Group, that the lack of current demand for text relay via mobile represents a significant stranded investment. Sense understands this statement to imply that post investment in the NGTR network & service business would stagnate and hence never become commercially viable. Sense believes this is due to an over segmentation of the wider network costs and service market but were pleased to hear that Mobile providers are unlikely to need to incur significant costs, thus removing the economic argument against inclusion in the NGTR requirement to provide suitable equivalent mobile services.

Sense would caution against gross over assessment of end user devices numbers such as smart phones (ref 3.86) which we believe has no direct correlation to how many hearing/speech impaired users will be able to access via mobile.

However, Sense do see significant potential in 'app' style solutions for smart phones or other internet enabled devices, provided due regard is given to the applicability of the end user service (e.g. the visual component may be impossible to see on a small screen and present a reading speed issue if enlarged).

2.3 Video Relay Services (VRS)

Sense would like to stress that visually based services are not only critical to users of sign language but form a vital and fundamental contribution to

communications between many people with dual sensory impairments. We are disappointed that no timetable for video relay review, that no near term roll out plans exist and that the initial consultation will be at an undefined point in time.

It is no surprise that when considering VRS as a standalone solution the costs (which have yet to be accurately defined) of provision vary so substantially. Sense supports a fully integrated portfolio approach in order that users can receive an appropriate and equivalent service solution and so that the actual total financial investment for true equivalence can be accurately calculated. Sense felt that an adequately subsidised service would not emerge naturally in a free market and, that as a minimum, combined video telephony, video relay and video interpreting service offers a much broader market and more significant economy of scales.

Sense asks for the next consultation to provide a full and accurate prediction of the running costs to prevent inaccurate and gross oversimplifications of the business proposition.

Sense is concerned that some Communications Providers question the fairness and proportionality of having communications sector bear the cost of a video relay service. Sky gave the example 'Royal Mail is not required to subsidise postage fees for all disabled customers' correspondence.' However:

The Royal Mail Articles for the Blind scheme is a free, first class or Airmail service for people sending items specifically designed for blind and visually impaired people. This enables them to send certain items within the UK and overseas free of charge. It is;

- Available to customers who are blind or visually impaired
- Available to organisations representing the blind and visually impaired
- Free of charge
- Servicing both the UK and overseas
- Free collection

This scheme exists (as does text rebate for example) in recognition of the additional costs and needs faced by those using Braille as well as the consequences (e.g. enhanced formats) when using the postal system.

Sense would encourage, indeed challenge, Ofcom and all Communications Providers to offer a similar level of cost and service functionality.

2.4 USC & GC's

Sense believes all the major Communications Providers (CP's) (fixed, broadband and mobile) should be required to **provide** an appropriate equivalent service in order to deliver a competing market (if not competitive) market and that this will only be achieved through effective and proven legislation and regulation .

Sense would welcome further explanation and assurances from Ofcom on the implications of changing the current regulatory arrangements, particularly once the obligations to provide and fund a service that exist under USC4 are withdrawn. The current proposals rely on BT's willingness to provide NGTR leaving questions about the incentives and leverage available to ensure investment in and improvement of equivalent services in the future,

For avoidance of doubt:- An equivalent service is defined as across a fully programmable and integrated data (text), voice and video service irrespective of location or network.

3 Questions

3.1 Section 3 – Additional analysis on NGTR

Question 1: Do you agree that in light of the additional cost data and further clarification, in light of Ofcom's assessment of relevant benefits and other relevant considerations, all CPs (BT, fixed and mobile providers) should be required to provide access to an NGTR service?

Sense fully supports the Ofcom goal that a workable solution for relay services is implemented as soon as is practicable. Sense also agrees that all CP's (fixed and mobile) should be required as a minimum to provide access to an NGTR service.

User experience

Sense would also like to reiterate that this enhanced text relay service needs to provide the following basic functionality as a minimum:

- **End user programmable text speed definability**

Many braille devices and device users will not be able to read at the speeds proposed and information will be lost or pass too quickly through the reader device. The average braille reading speed is about half that of the average print reading speed. Similar speed issues exist with users who have low vision and use magnification. This issue also impacts those with severe visual impairment or indeed learning difficulties. As a consequence the speed of reading must be adaptable to user or device need.

- **End user customisable presentation**

Size, colour and contrast of text, along with background settings should be customisable and not interfere with the use of screen magnifiers for example.

- **End user programmable (non) interrupt definability**

As outlined above, interrupt can be significantly disruptive in a braille based conversation and will need to be selectable as a result. Call progress announcements (for example) may need to be de-selectable or stored until the braille communication is complete.

- **End user re-read and recall capability**

As a result of the two points above, it can often be necessary to re-read or recall previously viewed material as a result of excessive speed, interruption (designed or error) to the flow of information or indeed lack of accuracy in the conversion process.

- **End user legacy equipment (both hardware & software) backward compatibility**

Significant investment has been made in a variety of end devices for braille users. This investment in both time and money needs to be supported forward (e.g. protocol conversion) in any new proposals and any changes to the existing services must account for their integration or upgrade, training and support.

- **Single line (fixed or mobile) full service (simultaneous voice and text) availability**

The solution proposed must consider single line customers. All services must be simultaneous and available without the need to select a specific line or require the purchase of further lines, whether text or voice dominant communications.

- **High network availability, accuracy & resilience**

Corruption of data as a result of network service quality faults can lead to incomprehensible braille communication. The clarity of information communicated in real time is critical if the devices used to enhance the text or voice are to be accurate in presentation. This KPI needs to be higher than standard in order to achieve equivalence. For example, this route of communication is often critical and as such network fault servicing should be a higher than standard priority for deafblind users.

- **Service selection (relay, VCO or HCO, caption telephony and text to text) capability**

Each and all the above services should be selectable to ensure relevance to the individual.

- **Improved accuracy of transcription.**

Due to the compounding effects of translation into Braille, it is imperative that transcription is of the highest accuracy at the relevant chosen speed. Unscrambling contracted Braille spelling mistakes will often take substantially longer than reading a word in letter by letter format.

- **Improved levels of assistant response speeds (to answer) and availability (call duration)**

Deafblind people may not be equipped with sufficient residual senses to be able to identify delays in response speeds and will require significantly longer periods of call duration due to the increased quantity of material to be read and written and associated reading speeds. The broader application of cost support for end users (such as text rebate) needs to be defined and delivered.

- **Improved levels of assistant capability & professionalism**

Training to a recognised standard and familiarisation with the diverse individual situations is critical to the effective use of any service for deafblind people. Assistants need to comprehend the different service level requirements in a range of different combinations of sight and hearing impairment and be able to adapt to the specific need accordingly. Shift changes can have significant impact on the communication and should be avoided completely.

- **Retained and extended funding levels for text rebate scheme.**

Currently applied to landlines, the text rebate scheme needs to be extended to include both broadband and mobile NGTR solutions. In addition the service level rebates must be both a transparent (specifically in end user billing) and universally applied by all CP's in a coherent and comprehensive manner.

The Key Performance Indicators (KPI's) associated with each of the functionalities described above need to be higher than current 'voice telephony' standards in order to achieve equivalence. This issue is considered in more detail below. Sense is keen to participate to ensure that further development by Ofcom and the CP's which would include both expert end users and representative organisations, in collaboration, to support the design, monitoring, analysis and improvement of future KPI's.

Further to this, Sense fully supports the simultaneous introduction of text to text functionality which whilst going beyond the (Ofcom stated) minimum requirements of NGTR starts to make a small additional contribution to a broader portfolio of service that are required to offer closer equivalence for the Deafblind. It raises further concerns about prefixes and number allocation as outlined above.

Further delays caused by arguments about costs would not be acceptable. However, as NGTR is implemented with real and relevant financial data, Sense

would welcome true financial analysis that provides a fair, consistent and relevant assessment of the business case. This would include a base **cost** definition and subsequently, in more detail, identifying areas such as overhead, margin, tax, and depreciation. Sense believes this detailed and relevant analysis will make the business case for a portfolio of equivalent solutions increasingly viable.

The selection of a single service without consideration of a portfolio approach to equivalence limits the scale of the market, the opportunity for market/product service diversity to marginal or other communities and ignores the economies of scale which are inherent in all multi-service networks. Sense believes the network/loss scaling issue (more subscribers leads to greater losses) arises as a direct result of these limitations in the basic assumptions and analysis resulting in the consequential issues of capping and provision restriction.

The perceived limitation on manpower provision (BSL) and differentiated service facilities (call centres) needs to be assessed more accurately. Call centre business models are based on commodity level servicing which is a fundamentally different proposition to value add environments such as relay. It is fundamentally inappropriate to compare the two business models.

Sense believes that the relevant benefits of NGTR to all end user communities have been insufficiently considered and that the greater complexities of addressing the service needs of deaf and deafblind users have been neglected. This consultation focuses on the legislative, economic, network and technology arguments; Sense looks forward to statements about end user focussed implementation.

Question 2: Do you agree that the need to dial a prefix to access a relay service for incoming calls to the hearing and/or speech impaired end user should be removed?

Sense agrees with the removal of additional, non standard prefixes for an end user to access a relay service and a standardised (equivalent) numbering scheme when dialling a deafblind end user.

However, Sense would like to ensure that user experiences are at the forefront of prefix considerations as a user based priority rather than focussed on technical implementation issues.

Whilst a standard number will offer advantages for automated systems and forms as well as provide improved ease of external engagement, Sense is unsure how dedicated number provision offers any equivalence advantage as outlined in the Ofcom report.

Number allocations should be able to handle both outgoing text and voice calls as needed, services which potentially need to run simultaneously as previously outlined. Device based number solutions need to be considered as well as

location based numbers in anticipation of mobile or broadband solutions, along with IP based address solutions for areas such as AppleId.

In a mixed family environment of deafblind and hearing, call differentiation must be possible. The use of current numbers may be one method to allow calls are independent of a relay system.

Sense would be keen to ensure that relevant and capable members of the deaf and deafblind stakeholder groups attend the technical workshops proposed to discuss the removal of prefix to assure the needs of the end users are considered not just those of the network & service providers.

3.2 Section 4 – Implementing NGTR

Question 3: Do you agree with the proposed approval criteria and KPIs? If not please specify your reasons.

Sense agrees with the principle of approval criteria and relevant, challenging and ambitious KPI's and that these should be delivered as part of an on going requirement for an innovative and modern relay service. Ofcom should continue to work with deafblind stakeholders and relay providers to understand the relevance and ensure completeness of the performance indicators on an on going and sustained basis. Some KPI's may well need to exceed the standards set by voice telephony (for example) in order to assure 'equivalence'.

Approval criteria

Sense would hope that the Ofcom list of approval criteria is not exhaustive and a more detailed selection will be developed in collaboration between Ofcom, the CP's (including BT & KC) and most importantly users of the service.

Providers must be motivated to develop services that keep pace with mainstream technological advancements and allow the use of mainstream products wherever possible in order to continually improve the relay users' access.

KPI's

In the absence of a funding model for all relay services that promote choice and competitive behaviour, Sense agrees that the KPI's should be used to ensure transparency and accountability as well as quality of service. Whilst using existing indicators as a basis of conversation these must be substantially updated to ensure a deafblind appropriate and equivalent service. This would include a commitment to customer focussed service upgrades and long term investment in innovation. A next generation relay service should have next generation KPIs, and be subject to a continuous improvement programme. KPI's must be reviewed regularly as the service provision, the network development and the end user experience change under pressure of on going technology and market development.

We also note the KPI's do not cover areas such the text rebate scheme or the quality of relay assistant training for example. These need to be added as part of assuring an appropriate Quality of Service (QoS).

The service and KPIs as they are currently described don't allow those with dual sensory impairment who want to use their own voice to speak directly to the called party and then listen, to the extent possible, to the other party, whilst simultaneously reading near real time captions of any response. Such captioned telephony is an important option for many dual sensory impaired people, particularly when linked to screen magnifiers and refreshable Braille devices. If an insistence on accuracy affects the speed of transcription then users should be able to choose a transcription method that favours speed over accuracy.

Sense would like to note that the references to comments made in this area by the organisation in the previous consultation have been misrepresented by Ofcom and are the subject of a separate letter.

Sense would be keen to work actively with Ofcom and the service providers to consider the user service specific KPI's (beyond the technology) in more detail.

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