

# Consumer Forum for Communications

<http://www.ofcom.org.uk/about/organisations-we-work-with/consumer-forum-for-communications/>

## Introduction

1. Members of the Consumer Forum for Communications have widely spread areas of interest, and may respond separately to Ofcom on specific issues of importance to them. This shared response focuses on some general issues which concern most members. Many of the procedural issues also concern other stakeholders.
2. We were pleased to see this year a list of potential longer-term priorities and work areas (section 7). This helps to provide some perspective on topics which are not included in the current plan, which we have requested before. In future years, it will be good to see Ofcom's comments on which of these have turned out to be more or less important, and how each will be addressed (if it has not gone away).
3. We appreciate the logical arrangement of the plan, with detailed actions following on strategic purposes and approaches, and its discussion of wider strategic themes.

## Procedural suggestions

4. We welcome Ofcom's declared approach of **transparency**. Some ways in which we would like Ofcom to make its workings more transparent are:
  - Making available detailed organisation charts identifying staff responsibilities.
  - Feeding back to stakeholders who have responded to consultations the reasons why their suggestions have not been taken up.
  - Keeping a public record of where proceedings have reached on each of the projects listed in each year's Annual Plan, giving reasons for any delay. The published Programme of Work for 2012-3 (which was updated once during the year) could provide a basis for such a record: it could be kept in a flexible online format (rather than as a single document) and be updated by individual managers responsible for the various areas, as and when changes happen.
5. We also welcome Ofcom's declared approach of being **consultative** and its continuing primacy of pursuing citizen and consumer interests. Put together, these mean listening to citizen and consumer groups as well as carrying out primary research. But with the **changes in the consumer landscape** (in particular, the imminent closure of Consumer Focus), and in Ofcom's own advisory structure (in particular, drastic reductions in resource available to the Consumer Panel), it is increasingly difficult for consumer representatives to do justice to the communications interests of their constituents. This is a central concern of the Forum, and we hope to discuss with you how it can be addressed, before plans for the coming year are finalised.

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6. **We are increasingly concerned by delays** in progressing various projects, such as switching. We are aware of over-stretching of some Ofcom staff, but are unclear how far this holds back progress. As mentioned in previous years, the plan would be much enhanced by some indication of how resources are allocated among groups of activities, and what if any slack is available for unexpected work. It would be a good start to strengthen the links between the Annual Plan and the Annual Report (which does contain some high-level information on resourcing), with schedules attached to Annual Reports showing how far the plan for each year was fulfilled, with reasons. In particular, where resource shortage within Ofcom is a problem, this needs to be highlighted.
7. An example which links the last two points is the review of **Ofcom's consultation practice**, which is more than a year overdue. Already in November 2011 we shared with Ofcom's consultation champion several ideas for improved consultation practice, some of which could usefully have been implemented soon after. The review is not a large task and its completion could have significant benefits both for Ofcom and for stakeholders. Please can it be carried out without further delay.

## Some consumer issues

8. **Consumer vulnerability** is a shared concern among most CFC members. We appreciate Ofcom's good intentions to "maximise the opportunity to participate" as stated in paragraph 2.16, but the only detailed statement of what this means seems to be at 3.36, which relates to usable equipment and services for disabled users. This is of course important, but it is too narrow. In our view, awareness of the needs arising from consumer vulnerability must apply to all projects with consumer-facing outcomes, including, for example, to switching and consumer information. We hope that the current review of the Consumer Interest Toolkit will incorporate explicit consideration of consumer vulnerability.
9. A specific related request is for Ofcom to investigate any problems that customers in a vulnerable situation have in getting a third party to speak to their Communications Provider (CP) for them; this could lead to a general requirement for CPs to accept a valid form of **authority for third parties** to deal with customer enquiries or complaints.
10. We note also with interest the mention of **migrating legacy services** to new platforms, and the possible need to protect vulnerable users of legacy services from unaffordable price rises. Such migration has been on the horizon for several years already; we shall be interested to know how imminent Ofcom now sees it as being, and what protection measures Ofcom is considering.

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11. Ofcom already recognises in principle the need to design policy around real people rather than around “ideal” consumers, but this recognition is not yet fully apparent in its consumer policy. This is particularly relevant when developing **consumer information** approaches, discussed in paragraphs 4.11 to 4.13. The increasing complexity of offers may mean that a dwindling minority of dedicated comparison shoppers are both capable and prepared to take advantage of market transparency.
  
12. We are in touch with you separately on **combating nuisance calls and texts**; given your recently announced action plan in this area, we are surprised that only silent calls are mentioned in the plan (at 4.43), and not the broader topic. The proposed final outcome of “measurable improvements in level of consumer harm” clearly needs elaboration, to specify how consumer harm will be measured and how much improvement is targeted; we hope to work with you on this.