

## Communications Consumer Panel and ACOD response to the discussion document related to Ofcom's Strategic Review of Digital Communications

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The Communications Consumer Panel (the Panel) and the Advisory Committee on Older and Disabled People (ACOD) greatly welcome this opportunity to respond to the discussion document on Ofcom's Strategic Review of Digital Communications.

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 microbusinesses.

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.

### Introduction

The Panel's driving force continues to be our belief that, given the increasingly central role of communications in people's lives, society and the economy, it is vital to support fully the communications needs of all consumers, citizens and micro businesses.

Consumers, citizens and micro businesses are more reliant than ever on communications services - mobile devices particularly have experienced an exponential rise in use. In the Panel's view, any sub-optimal delivery of communications services has ceased to be a cause of irritation for individual consumers and micro businesses - it is now an issue of real and significant detriment. The causes of such detriment may be (but are not limited to) a result of:

- inadequate infrastructure - be it a lack of reliable, fast broadband or the absence of robust and ubiquitous mobile voice and/or data coverage;
- poor customer service, including delays in service provision or repair;
- or a failure to treat consumers fairly.

Work must continue to ensure that the full range of communications services is made available and accessible to the whole population, together with high standards of coverage, speed and reliability, backed by excellent customer service and complaint handling systems.

Given the quick pace of technological change and the dynamics of the market, it is our view that consumers' and micro businesses' interests need promoting and protecting more than ever. The tendency towards the mystification of technology together with pricing complexity mean that consumers' needs and expectations, taken alongside industry consolidation and rapid technological development, add greater impetus to the importance of regulatory protection and industry initiatives in this increasingly important sector. We welcome the progress that Ofcom has made across many fronts over the last 10 years and appreciate the increasing focus on consumer issues highlighted in the discussion document - which rightly focuses on both the strengths and weaknesses of the UK's communications sector.

It is vital that the needs of all consumers are considered in policy making, regardless of their level of engagement with the market. This is particularly crucial in the case of consumers who are potentially more vulnerable to detriment. As we have worked with DCMS, Ofcom and other agencies, we have highlighted the need to consider external forces, such as the needs of an ageing population, when scoping out the needs of consumers - as well as micro businesses, where communications needs and challenges may differ from the wider SME community.

Generally, the Panel would welcome more emphasis in Ofcom's approach on identifying where it can use its position and expertise to facilitate or encourage other stakeholders working in a given area to address policy challenges, even if Ofcom itself is not taking or cannot take direct action. We also encourage Ofcom to move more quickly in taking clear and robust decisions to help consumers, citizens and microbusinesses make the very most of a thriving and competitive market. We believe that the cornerstone of success will be a combination of availability, accessibility, reliability, innovation and trust.

Such a market should innovate, improve service standards, offer uncomplicated choice and give good value for consumers. However, market failures do happen - for example, mobile coverage is not optimal, and too many people are unable to enjoy a reliable broadband service at a decent speed. When the market does fail its consumers in these ways, we believe that Ofcom must be flexible and nimble enough to act quickly and decisively so that consumers' and citizens' interests are both protected and promoted. So we would urge the Strategic Review to consider how Ofcom might best use its powers in the case of market failures.

The Strategic Review offers the opportunity to fundamentally consider what regulation is required to support the future provision of communications services and how best to serve consumers and citizens. All stakeholders need to think radically about what the future may hold; so whilst this is an Ofcom led Review we would urge all stakeholders, including Communications Providers (CPs), to work in collaborative partnership to ensure the best outcome for a competitive market that works in the best interests of its consumers.

The communications sector is a particularly fast moving market. The 2003 Communications Act does not even mention the Internet. Yet being able to go online is now fundamental for many people: in 2013, Ofcom research<sup>1</sup> highlighted that 94% of businesses said that their business would either 'struggle to function' or could 'only manage for a limited period' without the internet. A similar level of dependence was found amongst residential consumers, with 64% saying that they would 'struggle to function' / 'could manage but for a limited period' without their internet connection. And the last two years have witnessed a host of significant developments in people's online usage.

We are pleased that Ofcom acknowledges that: "even with effective and sustainable competition...some aspects of mobile service availability and quality are not meeting users' expectations". We are pleased also that, inter alia, the challenge of delivering widespread availability of services is recognised - although we would prefer a firmer term than widespread. A truly ambitious strategy might aim for universal (or near universal) availability. That, we believe, would send a stronger signal of intent to consumers and industry.

We are glad that the risk of social exclusion is identified - although we believe the Review could give this aspect even more focus. Communications must serve citizens as well as consumers. Digital participation is a key component of modern society. The lack of participation amongst some groups - because of poor access, affordability, a lack of skills, confidence or motivation - impacts not only on them directly, but also on the overall strength of the economy, impacting the broader population.

To create an enduring and successful sector that thrives by focussing on its consumers, we believe that any strategy must begin with desired consumer outcomes. At the heart of that strategy should be "what good looks like for the consumer". We believe that the Review would be well served to consider this further including, but not limited to, elements such as: price; availability and accessibility; quality of service; informed consent; protection from harm (including complaint handling and redress); inclusivity.

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<sup>1</sup> <http://stakeholders.ofcom.org.uk/binaries/research/telecoms-research/telecoms-market-data/fault-repair-research.pdf>

Crucially, whilst the Review may set the direction of travel for the next 10-15 years, Ofcom must retain the ability to be able to adapt quickly and revisit its approach if necessary. Telecommunications is now rightly regarded as the fourth utility. But in direct contrast to many utilities, there are multiple suppliers who interact with consumers – both residential and business. For consumers to be truly empowered there has to be an integrated approach – a holistic understanding of consumers’ needs underpinning pragmatic solutions at every level – ranging from the regulatory approach to providers’ direct support of people’s increasingly complex setups.

## Changing Nature of the Telecoms Sector

Consumers’ use of the fixed internet and mobile voice/data has changed significantly since the 2013 research referred to above and these services are now essential components of many people’s everyday lives. The 2015 Communications Market Report noted that ‘technology has changed the way we communicate, and for the most part is making life easier. Seven in ten (69%) internet users agree that *‘technology has changed the way I communicate’* and six in ten (59%) agree that *‘new communication methods have made my life easier’*. Digital communications are seen to bring benefits. Almost two-thirds (64%) of online adults agree that being online is *‘invaluable for keeping me informed about current issues’*, and six in ten (60%) agree that it helps them keep in touch with close family and friends. Just over half (52%) agree that it *‘inspires me to try new things’*.’

Connectivity is required that is always on, secure, high quality, seamless and ubiquitous. This is needed to support consumers’ and businesses’ needs now – and, if it is not already, will be an essential requirement in the near future. This covers areas such as financial dealings, electronic payments for goods and services, access to digital services, health services, Government services and so on. And on the not too distant horizon, machine to machine communications, the Internet of Things and increasingly connected cities will mean that communications become ever more important as the lifeblood of human activity and wellbeing.

Indeed, Telehealth and homeworking are both good examples of how communications can support wider societal change. The Royal College of Nursing has stated<sup>2</sup> that “Remote monitoring...offers the potential to help the NHS deliver a range of clinical services more efficiently and effectively, and manage increasing demands on services. Several studies have shown that it reduces travel time for both patients and health professionals. It reduces waiting times and hospital admissions, patients can receive a quicker diagnosis, and the patient experience is extremely positive (NHS North Yorkshire and York, 2011;

<sup>2</sup> [https://www.rcn.org.uk/\\_data/assets/pdf\\_file/0018/450252/004\\_232\\_Using\\_telehealth\\_V3.pdf](https://www.rcn.org.uk/_data/assets/pdf_file/0018/450252/004_232_Using_telehealth_V3.pdf)

Darkins et al, 2008)... for some patients, remote monitoring provides a service that might not have otherwise been available (Scottish Government, 2009; DH, 2011).” Between 2007 and 2012 the number of UK employees who usually work from home increased by 13%. This was an increase of almost half a million people, taking the total to over 4 million employees out of a UK workforce of 30 million<sup>3</sup>. In the near future, people will expect to have the ability to move seamlessly from network to network and from device to device, and the line between personal and business use of communications will become ever more blurred. Connectivity on demand will become an everyday expectation.

In addition to infrastructure provision, the discussion document rightly highlights both the increasing importance of the UK market for digital content and the ease of payment for such content. Fuelled by the always-on culture made possible via mobile devices such as smartphones and tablets, this is a market that is growing rapidly, offering incredible convenience, choice and immediacy.

## Infrastructure

We cannot overstate how consumers, citizens and micro businesses are more reliant than ever on communications services – and particularly mobile devices. Voice, text – and at a rapidly increasing pace, data – are all central aspects to people’s lives both collectively and individually. Data networks have enabled an explosion in services provided by a variety of new players, with economics that allow very small groups of consumers and the economy to be better served in a range of ways. This over the top, or app, market is very easy to enter, very competitive and can provide good value, but only if the data platform is there and capable. Ofcom needs to act swiftly to recognise and support this critical capability.

We believe that the ambition should be for mobile and broadband coverage to be truly ubiquitous – and for mobile coverage to relate to both indoor and geographic coverage, as well as on roads and rail. There is often a lack of effective competition in rural areas. Unless the fundamental economics of rural coverage provision change, the commercial market alone will never achieve universality – so it is imperative that public policy continues to address gaps in the market; is alert to where these are likely to occur in future provision; and takes steps to address them.

Ninety-seven percent of premises are able to access a basic broadband service, with download speeds of more than 2Mbit/s; 85% can access a standard service, with speeds of

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<sup>3</sup> <https://www.carbontrust.com/media/507270/ctc830-homeworking.pdf>

10Mbit/s or more; and 75% can access superfast speeds of 30Mbit/s or more<sup>4</sup>. There are 3% of households that are in postcodes where next generation access networks are not available and can only receive a service of less than 2Mbit/s. Other households are limited to less than 10Mbit/s. Whilst the percentage is small, the absolute number is significant and those who are affected deserve a high level of assistance and support. The likelihood is that the market will serve the market and not necessarily all consumers; the full reach of a digital infrastructure must be extended somehow. The Government has committed to launching a scheme with local bodies across the UK in 2015 to subsidise the costs of installing superfast capable satellite services. This will build on the previous commitment that there will be at least 95% superfast broadband coverage by 2017 by offering a superfast capable solution to around a further 1% of premises. We would encourage exploration of technology neutral solutions to enable delivery of accessibility to these remaining areas as soon as possible, and close co-operation between government bodies at all levels to ensure that the experiences and strategies of bodies working in one part of the UK, eg Community Broadband Scotland, are shared across the whole country. We would support a requirement for all new housing developments and business parks/premises to include the provision of fibre broadband. The gap between the available speeds is increasing – not decreasing. Those who are disenfranchised are becoming increasingly so. The Government cannot move to “digital by default” for provision of services without committing to universal access to a fast and reliable broadband service.

The inclusion of fixed line and narrowband alone in the USO – the legal entitlement to a basic service – is outdated. We were encouraged therefore that, in the 2015 Digital Communications Infrastructure Strategy, the Government committed to looking to raise the USO from dial up speeds to 5Mbit/s broadband, ensuring that every household in the UK has access to basic broadband. We were pleased to see this progress towards a broadband USO. However, we do not believe that 5Mbit/s is a sufficiently high threshold to serve current and future consumer needs. We would suggest that 10Mbit/s is the very minimum we should aim for – a lower figure would represent a missed opportunity for the UK’s consumers, citizens and microbusinesses. Any such broadband USO must include provision for microbusinesses.

It is essential to ensure that basic broadband and mobile infrastructure is in place across the UK. This goal should not be undermined – unwittingly or otherwise – by the temptation to see ultra-fast speeds as a panacea, or some kind of “holy grail”. Whilst the Panel understands, and indeed supports, the ambition and value inherent in ultra-fast speeds we believe that a greater and wider benefit would be achieved from a ubiquitous and

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<sup>4</sup> [http://stakeholders.ofcom.org.uk/binaries/research/consumer-experience/tce-14/2\\_Change\\_Availability.pdf](http://stakeholders.ofcom.org.uk/binaries/research/consumer-experience/tce-14/2_Change_Availability.pdf)



universal basic broadband service offering a reliable 10 Mbit/s at an affordable consumer price. This should be a priority. We would therefore encourage an in-depth review of infrastructure competition and investment options as well as that of retail competition. In short, we are concerned that investment in a solid mobile and broadband infrastructure isn't compromised by other commercial imperatives. In responding to the DCMS' Digital Communications Strategy<sup>5</sup> terms of reference, we suggested that, given the need for robust modelling, a detailed assessment of current provision and the supply market was required.

We believe that infrastructure cannot stand alone and must be linked to digital participation initiatives. The best connectivity in the world is fundamentally undermined if significant numbers of the relevant population are not able to use it to best effect. In our view, social inequalities will be heavily influenced one way or the other by communications availability and effective digital participation (or lack of these things). We discuss the importance of digital participation in greater detail below.

DCMS' consultation<sup>6</sup> on tackling not-spots in mobile phone coverage provided the opportunity for the Panel to call on DCMS to consider national roaming as the solution to quickly and comprehensively tackle partial not-spots, a key issue for us for a number of years. As highlighted in the DCMS document, partial not-spots affect 3% of UK premises, 10% of A roads, 16% of B roads and 21% of landmass. These figures have a disproportionately high impact in rural areas and may give rise to serious safety issues. However, partial not-spots are ubiquitous across the whole UK, including London and other major cities, particularly in-building.

Whilst we understand that 4G rollout is important, we argued that it is far more democratic and equitable for all parts of the UK to have access to at least some acceptable form of mobile voice and data provision via 2G and 3G than for only some areas to have access to 4G, and others to be left with a vastly inferior service. This is of particular importance given the drive to place more government services online and encourage people to self-serve as part of the digital by default initiative, supporting the case that internet access should be universal.

Consumers have never been able to do anything about not-spots other than buy SIMs from more than one Mobile Network Operator (MNO) and swap them over to gain coverage - which is not a solution, but a costly and inconvenient process; whereas the MNOs do have the capability, technology and financial resources to fix the problem for their customers.

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<sup>5</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/digital-communications-infrastructure-strategy-terms-of-reference-response.pdf>

<sup>6</sup> [Response to DCMS' consultation on Tackling Partial Not-Spots in Mobile Phone Coverage - Nov 2014](#)

Moreover, for many consumers, swapping SIMs is not even a workable solution as their phone is locked to a specific network. Not spots are a particular concern in relation to business owners with a disability and for companies working in many rural areas and outside major conurbations. We would welcome an examination of the economic drivers that would encourage network sharing - particularly in rural areas. This is particularly important given the move to provide enhanced emergency services contact over 4G.

The Panel has welcomed the 4G coverage obligation of 98% indoor coverage UK wide, and 95% in each Nation by the end of 2017, and the mobile infrastructure project as tools to increase rural broadband and mobile voice/data coverage. We hope that the recent undertakings given by MNOs to Government - guaranteed outdoor voice and text coverage from each operator across 90% of the UK geographic area by 2017 and full coverage from all four mobile operators increasing from 69% to 85% of geographic areas by 2017 - will make a significant impact and we will encourage close monitoring of their rollout and efficiency. It is vital that this coverage is rolled out and provides robust and reliable voice and data coverage for consumers and microbusinesses. The Panel is concerned about the value and impact of the Mobile Infrastructure Project (MIP). As we understand it, only a very small proportion of the £150 million fund has been used so far and we wonder how Ofcom will view this in the context of the Review - both in terms of the efficacy of the Project and more generally when thinking about how best to improve future coverage.

We note that there is no agreed definition of what constitutes an acceptable threshold level to determine 2G voice call coverage. Based on the Ofcom's drive testing research conducted for last year's Infrastructure Report, Ofcom identified that a signal level of at least -86dBm was needed to provide good 2G voice call coverage. This level was used to report on 2G mobile coverage levels in the report. Mobile operators use a lower (-93dBm) signal threshold to determine 2G voice call coverage. While it is possible to make calls at these lower signal levels, it is more likely from the drive test results to lead to consumers experiencing interrupted and/or dropped calls. While Ofcom's most recent research supports the historic use of -86dBm for traditional phones, a more realistic threshold for modern smartphones is -81dBm. We would welcome work to establish an agreed and commonly used definition of what constitutes an acceptable threshold level.

We were also encouraged by the Department of Transport announcement in February that train operators are being asked to set out how they will meet the commitment to provide free Wi-Fi on trains for passengers. We would urge progress on as many lines as possible in the very near future.

We have encouraged much greater availability of free public Wi-Fi, together with advice about relevant security. Availability of public Wi-Fi is currently patchy which, when the signal degrades, significantly affects the user experience. Moreover there is inadequate supervision of the security of such networks and poor information available to the public



in terms of the security of such public Wi-Fi networks. MNOs have a key role to play in raising people's awareness.

Despite the developments in superfast broadband and mobile coverage, we consider that there is still some way to go and it is vital that consumers and citizens in the widest sense should not be left behind, left out or left wanting. Excellent network coverage and call quality combined with the provision of better information will help people make better choices – and make greater use of the functions and applications that they want, which in turn we believe will drive up service levels and ensure that a thriving competitive market benefits all stakeholders.

### Market consolidation

Consolidation in the mobile market is an issue of interest to the Panel in the context of consumer impact. The Competition and Markets Authority's recent invitation to comment on one such proposal was an opportunity for us to highlight our concerns that the position of all UK telecommunications consumers must not be weakened in any way by the anticipated acquisition. There is now a risk of even fewer providers offering services to consumers. The consumer should be at the heart of a competitive market and the Panel is concerned that a reduction of players in the communications market risks diminishing competition, consumer choice and service provision. We believe that, outside the economically challenged area of rural provision, competition drives infrastructure investment much more reliably than any amount of consolidation.

It is of significant concern to us that consumers appear to have experienced significant price increases in other European markets (e.g. Austria) where there has been a reduction in the number of MNOs in the market. We have encouraged a detailed and thorough exploration of what safeguards might be necessary to protect consumers.

It is unclear what will happen to the existing Cornerstone and Mobile Broadband Network Limited (MBNL) Joint Venture agreements, should the proposed mergers go ahead. We are keen to understand the role that MVNOs can play in expanding coverage. If MVNOs are able to offer multi-network coverage to their customers, this could alleviate problems in a number of partial not spots. We would be interested to know if there are any barriers – for example exclusivity agreements – that are preventing MVNOs from fulfilling this role, which would be a swift and low cost solution.

We note the remarks made by Ofcom's CEO Sharon White recently in relation to market consolidation, the Framework and the regulator's ability to act "... the European Commission and European telecoms regulators have raised concerns that the specialist European framework governing the communications sector may not be sufficiently flexible

to allow for the regulation of markets where there is a limited or shrinking number of players - namely an emerging oligopoly.

This specialist framework allows regulators to intervene *ex ante* - in other words, to take action to address damaging market features that could harm consumers, before that harm materialises. It therefore offers greater flexibility than merger remedies alone. The problem is that the framework sets too high a bar for regulating cases where no one company has market power but the market is still highly concentrated, and consumers can be made worse off as a result.

To address any concerns, the framework requires us to show that the market structure is likely to result in a degree of coordination between operators. This may require demonstrating tacit collusion, which by definition is hard to prove.

The European body of telecoms regulators, of which Ofcom is a member, published a paper in June this year raising this issue. It talked of the difficulty of ensuring "the development of effective and sustainable competition" in the presence of what it termed "tight oligopolies", namely highly concentrated markets.

The European Commission has now committed to consider the issue as part of the review of the telecoms framework. This initiative is to be welcomed. I hope it does lead to a revision in the framework so that regulators have the full range of tools to respond to a changing market. This is not about regulators seeking new powers for the sake of it, or regulatory creep. Rather it is a recognition that the statutory framework needs to evolve to deal with emerging challenges in a rapidly evolving sector.

Any new powers would need to be applied proportionately, and with care. Checks and balances should be built into the system to ensure that happens. With a change in the framework we could do more to facilitate the entry of new operators, keep low price deals on the market for longer or require companies to give up spectrum."

We would fully support a review of the Framework which preserves NRAs' ability to respond to evolving needs of their national markets, and to innovate, under a continuation of the existing minimum harmonisation regime, and would oppose a move towards a "full harmonisation" framework. The Framework must enable national regulators to act in the best interests of consumers and citizens and not hamper their ability to intervene where justified and proportionate.

## Spectrum Strategy

Whilst the Panel recognises the increase in mobile device ownership, we remain unsure about the evidence base behind demand predictions - the reliability of which we do not

believe can be certain. Although it is important that consumers and citizens can enjoy the mobile data services they want and need, there are also sections of society who will not benefit to such an extent from improvements to mobile services. It is important that a balance is struck between the potentially competing needs of these groups. We have raised our concerns when responding to a number of Ofcom's consultations - stating that it is vital that the DTT platform can remain viable, innovative and competitive so that the interests of consumers and citizens who are not on a pay TV platform are protected. We therefore urge that careful consideration is given to the impact that any change in spectrum allocation could have on DTT consumers - especially more vulnerable people. We also strongly encourage Ofcom to work with operators to ensure that they are using their allocated spectrum to best and most efficient effect as part of any process to make further spectrum available.

## Quality of Service

A key element of consumers' experience of communications, and probably their closest experience of infrastructure issues, is the quality of service that they receive when new services are installed or when faults occur. Ofcom's last strategic review began in December 2003, and led to the creation of Openreach, through which BT is required to provide access to competing providers on equal terms, for them to offer telecoms services to consumers.

The discussion document notes that this approach has delivered real choice, quality and value for phone and broadband customers over many years but that some challenges remain. For example, the incentive for BT to discriminate against competing providers can be limited by regulation, but not removed entirely. The document notes that BT's network has evolved in recent years, which may require different models of competition than those that worked best for the traditional copper telecoms network. In addition, Ofcom has been concerned that Openreach's performance on behalf of providers has too often been poor, requiring the introduction of rules for faster line installations and fault repairs. The review addresses these issues, and Ofcom is seeking views and evidence on future regulatory approaches. It notes that Virgin Media and a variety of smaller operators own networks, which allow them to provide phone and broadband services without using BT's network at all. This kind of 'end to end' competition, which sometimes involves running fibre lines directly to premises, can help incentivise Openreach to improve its infrastructure.

In June 2014, Ofcom announced new performance standards for Openreach to bring about faster repairs and installations for telephone and broadband customers.

As of July 1 2014, Openreach had to:

- complete around 70% of fault repairs within one to two working days of being notified. This requirement will rise to around 80% by 2016;
- provide an appointment for around 55% of new line installations that require an engineer visit within 12 working days of being notified. This requirement will also rise to around 80% by 2016;
- make clear the timeframe in which it is currently completing any remaining repairs or installations, to provide reassurance to consumers about how long the work is likely to take; and
- report publicly on its performance. Openreach must publish quarterly reports on its website about how long Openreach is taking to repair faults and install new lines, allowing consumers to keep track of the company's performance.

We make no comment here on how improvements to quality of service could be brought about by retaining or altering the current model of regulation in relation to Openreach and its relationship to BT. We are neutral on that point. However we strongly believe that, by whatever means it is brought about, there needs to be a significant improvement in the quality of service that is provided to consumers.

Whilst Openreach is now meeting its separate 60 targets, these are actually no more than three minimum standards for two products (wholesale line rental (WLR) and Metal path facility (MPF)) spread over 10 geographic regions. This does not, in our view, equate to a good standard of service for the end consumer. It is not sufficient that 89% of services must be delivered on the date agreed between Openreach and the service provider; that 67% of repair jobs (rising to 77%) must be fixed within the timescales set out in the relevant service maintenance level; and that 54% of appointments requiring an engineering visit must be offered within 12 working days (rising to 79%).

We believe that these targets are unambitious, verging on weak, and do not give Openreach any incentive to provide a world-class service. Taking the repair situation as an example, it is our understanding that a level 2 standard target comprises of the day of the fault report, plus two days. This means a consumer could be without service for three days but if the repair was then carried out before the end of that day, it would be deemed as having met the target. This is in our view not a good enough level of customer service. Even so, to hit its overall target Openreach need only achieve the three days in 77% of cases - meaning that almost one in four consumers with a faulty line could wait over three days for a repair. And yet Openreach will have hit its target. We find this completely unacceptable. Much higher requirements should be set. We would also welcome further consideration of what Ofcom can do to improve consumers' understanding and evaluation of quality of service.

As consumers' requirements and hardware and software become more complex, CPs will also need to move to being able to provide a system of seamless support to consumers. It will no longer be acceptable for consumers to be told that it is an issue outwith the CP's control.

## Customer Service and Alternative Dispute Resolution

The Communications Market Report 2015<sup>7</sup> reported that satisfaction levels remain high for telecoms services, although satisfaction with fixed broadband and mobile telephony has decreased. Around nine in ten adults were satisfied with the service asked about; 91% were satisfied with their mobile phone service, 89% were satisfied with their fixed-line telephone service, and a similar proportion (86%) with their fixed broadband and mobile broadband services. However, mobile services have seen small but statistically significant fall of two percentage points since 2014. This is part of a longer trend; satisfaction has fallen from 95% in 2012. However this means that 9-14% of consumers did not express satisfaction with their services. This might seem like a small percentage, but in terms of actual numbers of consumers, this aggregates to millions of people.

The Consumer Experience Report 2014<sup>8</sup> found that the majority of consumers in each market remain satisfied with their services overall, with dissatisfaction at between 4% and 9% across markets - highest in the fixed broadband market. Broadband customers are the most likely to say they have had a reason to complain (12%), followed by mobile (7%), and fixed-line (6%) customers. Not all of these consumers proceeded to make a complaint. In total, 8% of broadband customers said they had made a complaint (this equates to 69% of those with cause to complain) and compares to 4% among mobile customers and 4% among fixed-line customers.

It was these points that we sought to understand further in our 2013 research *Going Round in Circles?*<sup>9</sup> - commissioned to understand the experiences of people who had contacted their CPs provider to try and resolve an issue. We have subsequently continued to pursue the issues highlighted in the research with CPs and Ofcom. We have asked for regular updates from CPs so that we can hold them to account in relation to our recommendations in five key areas from the report: quality of information; contact staff training; consumer

<sup>7</sup> <http://stakeholders.ofcom.org.uk/market-data-research/market-data/communications-market-reports/cmr15/>

<sup>8</sup> <http://stakeholders.ofcom.org.uk/market-data-research/market-data/consumer-experience-reports/consumer-experience-14/>

<sup>9</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/going-round-in-circles.pdf>

<sup>1</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/going-round-in-circles.pdf>

contact experience; support for older and disabled consumers; and Alternative Dispute Resolution (ADR) referral processes. We remain particularly concerned about consumers' ability to access ADR schemes.

The Panel was therefore extremely disappointed by the findings of the independent study released on 10 September by Ofcom into ADR referral. Of the cases analysed in the sample, the research highlighted:

- the lack of communication about ADR, with the first mention almost always coming from customers
- that only one-fifth of complaints were logged with a correct start date
- in over 60% of the cases where consumers had requested a deadlock letter, they did not receive one.
- that approximately 5% of the complainants that should have received an eight week letter from their CP (which inform consumers of their statutory right to ADR) had done so.

ADR is an important way to redress the power imbalance between consumers and CPs, who have greater resources, knowledge and control when it comes to complaints about products and services. A crucial step in the complaints handling process is for providers to inform consumers, in a clear and timely fashion, of their right to take a complaint to the relevant ADR service. When ADR was introduced in 2003, the intention was for a free, simple, low risk and easily accessible independent resolution service. Twelve years on, the weak link in the chain remains those providers who have failed in respect of making ADR accessible because they do not inform complainants of their rights and options. This must change, and the Panel has called on all stakeholders to work together to provide consumers with the comprehensive complaints resolution process that they have every right to expect.

Based on the recommendations made at the time, and in light of this new research that suggests that there continues to be no improvement, the Panel continues to call for:

Communications providers to:

- review and strengthen their escalation processes and staff awareness of them to make them more effective; and
- ensure that consumers are aware of their rights, particularly with regard to the use of ADR, early in the process.

Ofcom to:

- independently review the efficacy of, and access to, escalation procedures across the industry.



Ofcom, the ADR schemes, industry and consumer advocates to:

- undertake serious consideration of a shorter complaint duration time than eight weeks before consumers can approach the ADR schemes.

We also very strongly encourage the open publication of data on how providers perform. Publication of more complaints handling data would be helpful to consumers and would provide some incentive for CPs to improve performance. Such data should include:

- information about complaints referred to ADR, both the number referred and the number upheld, and taking into account size of provider; and
- information about providers' performance against the code of practice as measured by independent audit.

### **Regulatory action**

Individual communications providers, ADR schemes and Ofcom all have a role to play - as does Openreach in delivering services that meet the requirements of its wholesale customers and the residential and business customers served by them.

We are pleased that Ofcom has acknowledged customer service, and in particular complaints handling and ADR, as a key consumer issue and is undertaking action to focus efforts on addressing those areas where improvement is most needed. We urge Ofcom to pursue our recommendations and to hold providers to account when their complaints-handling performance falls below acceptable standards.

### **Consumer Engagement, Switching and Consumer Information**

The Consumer Experience Report 2014<sup>10</sup> reported that switching levels have declined since 2013 in all communications markets except digital TV. The largest decline was noted in the mobile market, down four percentage points since 2013 (11% in 2013 vs. 7% in 2014). Switching in the fixed-line and fixed broadband markets each dropped by three percentage points since last year (from 9% in 2013 to 6% in 2014). Reasons for considering, but not switching provider vary by market. In the broadband market 'perceived hassle' was the main reason considerers had not switched (28%). In the fixed-line market it was 'satisfaction with the current provider' (30%) and in the mobile market it was 'terms and conditions' (39%, up 16 percentage points since last year). Despite a general response that it was 'easy to switch', half of all switchers (when prompted) said they had experienced difficulties when switching.

We would welcome a policy approach which acknowledges the sometimes diverse needs of all consumers in the market. Age and/or disability does not necessarily confer

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<sup>10</sup> [http://stakeholders.ofcom.org.uk/binaries/research/consumer-experience/tce-14/2\\_Change\\_Availability.pdf](http://stakeholders.ofcom.org.uk/binaries/research/consumer-experience/tce-14/2_Change_Availability.pdf)

vulnerability but, as has been seen, older and disabled people most rely on more traditional communications services and, given lower switching levels, may be more likely to experience detriment. This concern extends to harder-to-reach groups such as rural communities with limited access to broadband, where everyone is more likely to be disadvantaged in relation to communications, irrespective of age.

The Panel has long called for the process of switching CPs to become easier for consumers and micro businesses. Low switching levels lead to reduced competition and a worse deal for consumers across the board. If consumers are more aware of the potential benefits of switching and can switch between providers quickly and easily, consumers will benefit from enhanced competition and innovation in communications markets. We know from other sectors that as more choice is available in the market some consumers relish it, but others disengage. The risk is that those who disengage are treated as ‘cash cows’ to subsidise innovation and investment elsewhere in the business. It is therefore important to maintain consumers’ confidence and ability to switch despite an increasingly complex market.

However switching between CPs is often complex, and involves steps that must be coordinated between different providers in ways that do not arise in other consumer markets. What should be an easy and seamless consumer journey as part of a vibrant market can be an obstacle-ridden process that, evidence suggests, discourages switching and thus deprives consumers of potential benefit. Additionally, consumers may suffer instances of poor service that are in themselves a cause of harm and detriment – as well as having a negative impact on the industry’s reputation.

In response to Ofcom’s call for inputs on consumer switching<sup>11</sup>, we restated our view that the current regime has not, for some time, been sustainable and reiterated our view that a Gaining Provider Led (GPL) process should be the model for all switching processes. The Panel has previously urged providers to work with Ofcom to design a unified switching system as soon as possible. Ofcom’s strategic aim should, we believe, be harmonised switching processes for all communications services including mobile, pay TV and cable services. We are also concerned by providers using a variety of contract end dates within a bundle, which can add to complexity and deter consumers from switching.

It is important that consumers are not mis-sold devices or service packages. Whether it be ensuring that consumers are not upsold devices or service packages that are inappropriate for their needs – or that any debt is handled sensitively and appropriately by CPs – Ofcom must continue to closely monitor the market and be prepared to intervene swiftly when necessary.

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<sup>11</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/switching-final-sept-2014.pdf>

The increasing breadth of offers, the multiplicity of providers and the increasing trend to bundle services all provide greater choice for consumers - but also bring the potential for greater confusion. One of the key difficulties that consumers face in choosing a new provider can be how to evaluate the plethora of services on offer. This is exacerbated if advertising does not include the cost of all components required to receive a service e.g. line rental. Currently, there is a low level of use of price comparison websites by consumers. It would be helpful to consumers if Ofcom could provide information on how to establish what 'good' looks like, and offer some guidance on how consumers can best decide what a good deal is for them individually.

In 2009, the two industry websites that provided consumers with information about factors other than prices (e.g. service provision, faults, upheld billing complaints and complaint handling) were closed down. These were Topcomm (for fixed services) and Topnet (for mobile).

We believe that the consumer landscape has undergone significant change since the decision was made to close these sites in 2009. The provision of sites which compare the consumer experience are now legion online - and are very popular. Web 2.0 has allowed some - although by no means all - consumers to compare information and voice their opinion of the goods and services they receive in a way that was not previously possible to the general consumer.

We would encourage the reconsideration of such resources being made available through today's accredited sites - and the reinstatement of comparable information across providers. This should be in consumer-friendly formats and offer assistance to people in assessing and evaluating the information. As we have previously stated, we would also like to see the publication of complaint data by the ADR schemes so that consumers can use it to inform their considerations. This has recently been launched, successfully, by Ombudsman Services: Energy. We have clearly seen the positive effect that the public provision of information can have in other markets, e.g. the food hygiene ratings initiative.

## Privacy and security of data

The Internet of Things (IoT) offers many exciting possibilities for UK consumers and citizens, but its development also leads to concerns in relation to privacy, data protection, the control of data and security. This is particularly relevant to the growth of big data - especially that of machine to machine data. What sets this apart from our current situation is the new development of aggregated data and inferred data. So while there are great opportunities for innovation, there are risks too. Consumers need to be given the tools to control their data and understand how data has evolved, how it might in future, the value of their data and especially the implications of their consent to its

release and use. Companies need to ensure that they have a compliance culture (which could involve a Code of Conduct for example) - to supplement any existing regulatory framework - and adhere to it.

The IoT potentially offers the possibility of providing a significant improvement in the lives of people with disabilities and may help to improve quality of life. Connected devices offer people with disabilities, that prevent them from direct interaction with objects in their typical locations, the possibility of control via a mobile app. Connected devices also offer easier control to people who may struggle with a particular device, but can access and interact with it through tailored setups on their own mobile phones or other devices.

We raised these issues in our response<sup>12</sup> to Ofcom's call for input on promoting and investing in the IoT. Just over three-quarters of UK adults (77% - 1st quarter 2014<sup>13</sup>) have fixed or mobile broadband and consumers have access to a vast range of online services and applications. Many of these are free at the point of use, but these are often funded indirectly by the data that consumers provide about themselves and the websites they visit. Previous research by the Panel *Online Personal Data - the Consumer Perspective*<sup>14</sup> suggested that few consumers have top-of-mind concerns in this area, although they express significant concern when asked about specific privacy issues. However with machine-to-machine data exchange on the horizon, and as the market for personal data becomes ever more complex and monetised, it is increasingly important that people understand the implications of the consent they are giving organisations for the use of their data and, with regard to security, the precautions they can take.

The IoT will potentially involve a vast increase in the collection and transmission of data - and particularly sensitive personal data. The protection of this data is paramount. However, there is an opportunity to learn from the experiences of the use of data online and how it has been utilised along the value chain by some commercial organisations, sometimes to detrimental effect for the consumer - e.g. as a partial cause of nuisance calls. Consumers can only take responsibility if they know how their data is being collected and processed and have the tools to manage its use. This should not mean making privacy policies longer and more complicated - in fact there is a good case for simplifying such information. Consumers should also be able to easily reverse decisions that they have made to share personal data. Companies need to use their expertise in content presentation to provide privacy information and tools in user-friendly ways. We therefore called for consumer-centric policies - clear and layered privacy notices and flexible regulations that allow innovation but hold companies responsible if they misuse data.

<sup>12</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/iot-final.pdf>

<sup>13</sup> Ofcom 2014 <http://media.ofcom.org.uk/facts/>

<sup>14</sup> <http://www.communicationsconsumerpanel.org.uk/online-personal-data/online-personal-data-1>

There is the risk that IoT devices could be hacked in ways unbeknown to the user. We have already seen examples of this - and it is of particular concern that some devices lack the capability of being adjusted by the consumer to change or increase security levels - e.g. password setting.

Network security and reliability of supply take on added importance in the context of the IoT. If, for example, wellbeing and healthcare are managed via the IoT, the quality and consistency of supply is paramount. If issues should occur, there needs to be fast and effective back up and a safety net of some kind - especially for more vulnerable people.

Exploiting the benefits for consumers must surely start with full awareness and understanding, and then true benefits must be identified and appropriately regulated. Although industry may be best placed to lead development in many respects, the Panel would like to see Ofcom take a proactive role when it comes to assessing consumer impacts, protection and awareness.

## Disabled consumers access to and use of communication services

The Panel/ACOD warmly welcomes the publication of the results of Ofcom's large scale quantitative research on disabled consumers access to and use of communication services<sup>15</sup>, carried out as part of the British Population Survey's (BPS) Household Survey.

This built on research carried out by BPS for Ofcom in 2012<sup>16</sup> extended to include consumers with learning disabilities. The results show that, although progress has been made since 2012, access to communication services such as the internet and mobile phones is generally lower for consumers with a disability than for those without, even when demographic factors have been taken into account. A fifth of disabled consumers said their disability prevented their use of at least some communication devices and services, with differences seen among consumers with different types of impairment. The findings of this report should help inform all areas of Ofcom's work relating to the needs of disabled consumers, helping to identify and prioritise potential areas of focus and action for Ofcom and other stakeholders. For this to happen, it is vital for Ofcom to ensure that the results are widely shared and discussed. We are particularly pleased to see the

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<sup>15</sup> <http://stakeholders.ofcom.org.uk/market-data-research/other/cross-media/disabled-consumers-ownership-comms-services/Disabled-consumers-use-of-communications-services/>

<sup>16</sup> [http://stakeholders.ofcom.org.uk/binaries/research/telecoms-research/disabled/Disabled\\_consumers\\_report.pdf](http://stakeholders.ofcom.org.uk/binaries/research/telecoms-research/disabled/Disabled_consumers_report.pdf)

Briefing Sheets, summaries of results for each type of impairment, with an Easy Read Summary for those with a learning disability.

## Accessibility

Building on our Going Round in Circles? work, the Panel has commissioned research into how CPs and other organisations support communication with their older and disabled consumers across the UK. The research agency (Rica) interviewed 41 older and disabled people who discussed their experiences of communication services and CPs. Participants were selected to represent a range of types and severities of impairment, including: cognitive, communication, dexterity, mobility, hearing and visual impairments. We aim to publish the report in the Autumn.

Dovetailing with the Panel's research, we were concerned by the results of Ofcom's mystery shopping exercise which suggest that disabled consumers may not consistently be getting the information they need via in-store, online or telephone interactions in order to find out about the services that are available to them. We agree with Ofcom that this gives rise to a serious concern that there is a risk of significant consumer harm within the UK communications market. We're pleased that Ofcom has commenced a monitoring and enforcement programme to assess the steps that CPs are taking to ensure that the services they provide to users with disabilities, as required under GC15.1 to 15.9, are widely publicised. This is an example of where we believe it is essential to have regulatory requirements. If some companies appear unable to provide consistently the required level of service when they are subject to a General Condition, we would have serious concerns about provision were this requirement to be removed.

ACOD's remit includes providing specific advice on matters relating to television, radio and other content made available via services regulated by Ofcom. Within this remit, we focus on work to ensure that, as far as practicable, all content users have equivalent access. We have long argued that provision for people with disabilities should be built into technology as standard, rather than as a separate piece of development or hardware.

The Panel believes that text relay is a vital service as it enables people with hearing and/or speech impairments to communicate with others via the telephone. We will continue to work with Ofcom as it monitors the new text relay service to ensure it meets the required standards and undertakes research to compare the current and new relay service, as well as monitoring developments in speech recognition technology which may support further improvements to text relay services in the future.

We will also support Ofcom in encouraging the development of video relay services to enable sign language users to communicate more widely, following the initiative by Ed



Vaizey MP, Minister of State for Culture and the Digital Economy, for progress to be made by major organisations, and the pilot scheme introduced by the Scottish Government.

As more and more content is available online, it is vital that all consumers have equality of access. We urge Ofcom to continue its range of work on the accessibility of content, including in relation to the provision of access services on video on demand content. Our response to the Public Service Content in a Connected Society consultation<sup>17</sup> emphasised that it is extremely important that the Public Service Broadcasters provide excellent levels of accessibility to content – in its broadest sense.

The Panel continues to engage with Ofcom's range of work on the accessibility of content, and we have also met with ATVOD and the BBC in relation to the provision of access services on video on demand content. We have written to the BBC Trust urging the publication of statistics in relation to the BBC's provision of subtitles on video on demand (VOD) content. We wish to see everything possible being done to improve the provision of subtitles on VOD content sooner rather than later.

In our response<sup>18</sup> to Ofcom's call for inputs on speaking Electronic Programme Guides (EPGs), the Panel supported the view that the speaking EPGs should be introduced as a mainstream application. We have long argued that provision for people with disabilities should be built into technology as standard, rather than as a separate piece of development or hardware and we see no reason why EPGs should fall into a different category – particularly given the importance of TV to people with partial sight or blindness. We have called for the initiative to be implemented as soon as possible. As we argued in our submission to Ofcom's review of signing arrangements on television, there should be a progressive rise in provision over 10 years<sup>19</sup>, as we believe that deaf consumers of relevant channels should benefit from improvements over time equivalent to those for other access services and other channels.

## Digital Participation and digital skills

While the advantages of online connectivity apply to all groups in the community, they are especially relevant to disabled people and older people, many of whom may be less

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<sup>17</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/psb-260215.pdf>

<sup>18</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/speaking-tv-programme-guides-080914.pdf>

<sup>19</sup> <http://www.communicationsconsumerpanel.org.uk/downloads/signing-relevant-channels.pdf>

mobile than younger people. And yet we know that the take-up of the digital world is unequal amongst the population, with older people more likely to be excluded.

Building on our [Consumer Framework for Digital Participation](#)<sup>20</sup> and informed by our 2012 [Bridging the Gap: Sustaining Online Engagement](#) research, the Panel identified a number of areas for strategic focus and made a series of recommendations for Governments, policy makers and those delivering on the ground. The Panel has continued to press a range of stakeholders working in digital participation to address the needs of all consumers and citizens.

We now live in an era in which we are seeing many government services become “digital by default” and where being online is becoming more and more a necessity of life and less and less of an optional extra. Whilst solutions may be complex, the issue itself is straightforward: approximately 21% of the UK population lack basic digital literacy skills. The potential consequences of this exclusion are serious: for individuals, especially those who are more vulnerable; for society; for business; and for the UK economy.

An increasing number of commercial services are only available online - or delivered offline in a way that effectively penalises the offline community, through high cost or lower quality. Those people still functionally offline will be at an increasing disadvantage and risk being left behind in terms of ease, convenience, inclusion, speed and cost. It remains our belief that unless fundamental action is taken, the digital divide risks becoming an ever greater digital gulf as the distance increases between those who are online and those who remain firmly anchored in the offline world. Digital literacy, especially on security matters, is going to be critical.

We have previously strongly supported the establishment and/or consolidation of comprehensive digital help and free access at locations people use - e.g. schools and colleges open to local citizens after school hours, post offices and libraries - under a unified programme of government digital help for citizens. We also indicated our belief that there should be a free helpline for users of digital services to provide technical as well as specific service support. Whilst these are not areas within Ofcom’s direct remit, they are areas in which it can use its soft powers and evidence base to inform and stimulate the debate and policy development.

## Micro businesses

The Panel’s remit includes micro businesses (those businesses employing nine or fewer people). There are an estimated 5.2 million private sector businesses in the UK and 95% of

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<sup>20</sup> <http://www.communicationsconsumerpanel.org.uk/the-consumer-framework-for-digital-participation/the-consumer-framework-for-digital-participation-1>

them can be classified as a micro business. They account for 33% of UK private sector employment and 18% of turnover. In 2014/15, we commissioned and analysed new research into the communications experiences of micro businesses. We found that communications services play a vital role for these businesses but their use of these services is hampered - with many of their concerns and frustrations echoing those of individual consumers and citizens. A significant number of respondents in our research were dependent on the reliability and performance of residential grade communications services, particularly with respect to the internet. However, this means that when services are disrupted, there can be longer delays in rectifying issues or repairing faults than would normally be the case in a business environment as businesses are also reliant on residential grade support services. Many micro businesses feel they lack negotiating power or leverage with their communications provider that larger companies enjoy. We have used the findings to give voice to these consumers and discussed the recommendations for action with a number of stakeholders, including CPs around the UK.

The Panel's report, *'Realising the potential: micro businesses' experiences of communications services'*, highlights that, for micro businesses to gain greater benefit from their communications services, action needs to be taken in three key areas:

#### **Improved Speeds and Coverage**

The Panel encourages:

- Government and Ofcom to investigate the effectiveness of methods of increasing mobile coverage as a matter of urgency - including the possibility of national roaming. Improved coverage must also address road and rail coverage.
- Government to explore, as part of the Digital Communications Infrastructure Strategy, a revised minimum requirement for standard broadband connection which would enable micro businesses to support better their online requirements.
- Government to raise awareness of, and stimulate demand for, its small business initiatives, including the rollout of superfast broadband e.g. ensuring micro businesses are aware of the possibility of aggregating vouchers and are enabled to use growth vouchers to good effect.

#### **Tailored Services:**

The Panel recommends that communications providers:

- consider the introduction of intermediate contracts which are essentially a residential supply but with enhanced support, as well as improved service levels and response times to service faults. It is vital that: information about such contracts is in unambiguous language; there is transparency about key contract terms and conditions, price and any penalty clauses; and that there is ease of contact to skilled customer service staff. There is also a need to ensure improved

co-ordination between multiple providers in the value chain around a single customer – particularly customer-facing and wholesale providers.

- better support this growing market sector and look to tailor tariffs and packages to introduce more flexible contractual terms that are currently only available to larger corporations. Additionally, contract terms should not unduly impair businesses' freedom to switch due to lengthy fixed terms or hefty termination penalties.
- consider how these ancillary services can be included as standard as part of a competitively priced core package.

#### **Information and Advice:**

The Panel encourages:

- Local Enterprise Partnerships, Chambers of Commerce, local authorities and trade associations to consider how they can support micro businesses by the provision of an advice hub.
- Government, communications providers and business support organisations to review their current information and advice for businesses in relation to communications services and tailor it as appropriate for micro businesses.
- price comparison websites to offer clear information on data and broadband packages that are relevant to micro businesses.
- Ofcom to use its resources to support micro businesses seeking information that enables them to assess and judge different providers' performance.

The Panel welcomes the recent focus that the SME market is receiving from Ofcom and other stakeholders and the establishment of a dedicated online portal to provide small businesses with access to information and advice to help them make the most of communications services. It is important that Ofcom consolidates its work in this area and supports the growth of microbusinesses through its support of their engagement with the communications sector.

### **Consultation process**

Reflecting the consumer and citizen voice in policy development and decisions is vital – and yet hard to achieve effectively. With the support of Ofcom, the Panel and ACOD commissioned a sub-group to review Ofcom's consultations process and build on best practice. The sub-group undertook a review of how Ofcom consults – in the widest sense.

The consultation review sub-group presented its recommendations to Ofcom and we look forward to seeing their implementation across Ofcom. There are a number of consumer groups, working in different areas who we know are willing and able to assist Ofcom in its

work. For the Panel, much of our work takes place during the development of policy and behind the scenes, but other groups are well-placed to also assist with the delivery of Ofcom's initiatives to protect or empower consumers. It is the Panel's view that broad consumer representation and input is invaluable, and we hope that Ofcom continues to utilise the available support and raise awareness amongst these groups of its willingness to engage and hear their views on the policy challenges it is working to address.

## Summary

We welcome this review. It presents an opportunity to ensure that consumers and citizens not only remain at the heart of communications policy, but that their needs are taken account of as never before. We therefore urge Ofcom - and all stakeholders - to take a holistic and inclusive long-term view. All consumers, citizens and microbusinesses should have access to the services that they need when they need them; the quality of those services should be high, with reliability paramount

In particular we would like to see:

- Telecommunications fully recognised as a fourth utility and for there to be an ambition for mobile and broadband to be truly ubiquitous.
- A review of the EU Telecoms Framework which enables Ofcom to act in the best interests of consumers and citizens and not hamper their ability to intervene where justified and proportionate.
- Ofcom acting quickly and decisively in cases of market failure, using its position to influence others to take direct action and the Government to develop public policy to address the gaps in the market.
- The needs of **all** citizens, microbusinesses and consumers to be considered particularly those who are more vulnerable to detriment.
- A broadband USO of 10 M/bits.
- More effective targets for infrastructure provision and repair (whatever form it may take post review).
- More effective provision of consumer information to facilitate well informed consumer choices.
- Tangible improvements in consumer engagement, complaint handling and ADR access.