

Improving broadband information for customers

Proposal for new guidance to improve customer information

KCOM's response to Ofcom's consultation May 2023

1. Introduction

- 1.1 KCOM welcomes Ofcom's proposals to introduce guidance to address inconsistencies in the way in which broadband services are described.
- 1.2 KCOM provides services in Hull, East Yorkshire, North Yorkshire and North Lincolnshire. In 2012, KCOM made a commitment to invest in a ubiquitous ultrafast FTTP access network in the Hull area. FTTP services are now available to over 97% of customers in the Hull Area. KCOM is also expanding its FTTP network beyond the Hull Area to communities in East Yorkshire, North Yorkshire, and North Lincolnshire.

2. Ofcom's Proposals

- 2.1 KCOM is very aware of the confusion that customers experience in relation to broadband technologies. This is particularly the case in our expansion areas where we are competing with other providers offering services over FTTC connections.
- 2.2 In 2020 KCOM undertook research to understand the issues that residents in East Yorkshire and North Lincolnshire had experienced as a result of poor broadband during COVID-19 and to measure the impact that COVID-19 had on the perception of the relevance and importance of broadband.
- 2.3 When questioned about their current connection type a significant number of customers were unaware of the technology over which their services were delivered:

- 2.4 As Ofcom notes, customers who live in areas where FTTP is available usually have a choice of different technologies to deliver their broadband services. KCOM's experience is that customers often confuse FTTC connectivity with FTTP connectivity making it more difficult to engage with them regarding the benefits of FTTP.
- 2.5 Subject to our comments below, KCOM broadly supports Ofcom's proposals to amend the guidance under General Condition C2.3 and General Condition C1 to require providers:

- Include a short description of the underlying technology of the network delivering the broadband service, on their websites and in contract information, using one or two terms such as ‘fibre’, ‘cable’, ‘full-fibre’, ‘copper’ or ‘part-fibre’;
 - Use those terms consistently to describe the service;
 - Only use the terms ‘fibre’ and ‘full-fibre’ when referring to fibre-to-the-premises networks;
 - Provide an explanation of the one- or two-word terms used to describe the service, in a way that can be easily accessed by customers.
- 2.6 Ofcom has proposed an implementation period of 12 weeks from publication of the final guidance on the basis this will be sufficient to allow providers to change their systems, amend information published on their websites, and change Contract Summaries and terms and conditions for new and upgrading customers, from the date of implementation.
- 2.7 Changes to Contract Summaries and Contract Information to provide a customer specific description of the underlying technology delivering the service will require changes to systems to ensure that the correct information is communicated. Inevitably systems changes require longer lead times. KCOM is also facing the additional challenge of migrating from legacy systems which restricts our ability to make changes to these systems during the migration.
- 2.8 While KCOM does support the inclusion of a customer specific description of the underlying technology in Contract Summaries and Contract Information, if required to do so then an implementation period of 6 months would be more realistic.
- 2.9 As an alternative it would be possible to include a general statement in both Contract Summaries and Contract Information describing the technology used for each product offered by KCOM. This would allow a customer to identify the technology used to deliver their service by reference to their product name. We would appreciate Ofcom’s confirmation that this would be an acceptable approach.
- 2.10 We note that Ofcom’s proposals do not cover advertising but cover point-of-sale information on services available to consumers and contractual information. We also note Ofcom’s comments regarding the Advertising Standards Authority (“ASA”) and its approach to assessing whether advertising is misleading, in particular the ASA review of fibre broadband.¹

¹ <https://www.asa.org.uk/news/asa-concludes-review-of-fibre-broadband.html>



- 2.11 We would urge Ofcom to engage further with the ASA to ensure consistency in terms of the approach to describing broadband technology. The ASA review was undertaken in 2017 and at that time found that the term “fibre” was “not a key differentiator and was “seen as one of many generic buzzwords to describe modern, fast broadband”. This led the ASA to conclude that the word ‘fibre’ was unlikely to mislead consumers as it was currently used in the advertising of part-fibre broadband services.
- 2.12 To avoid continued customer confusion this inconsistency in approach should be addressed.