



Money and Mental Health response to Ofcom's consultation on treating vulnerable consumers fairly

Introduction

The Money and Mental Health Policy Institute is a research charity established by Martin Lewis to break the vicious cycle of money and mental health problems. We aim to be a world-class centre of expertise developing practical policy solutions, working in partnership with those providing services, those who shape them, and those using them, to find out what really works. Everything we do is rooted in the lived experience of our Research Community, a group of 5,000 people with personal experience of mental health problems.

We are pleased to see Ofcom publishing this proposed guide on treating vulnerable consumers fairly, and look forward to working with Ofcom over the coming months as proposals are refined. In this document we respond to questions 1 and 2.

Background

- In any given year, one in four people will experience a mental health problem.¹ However, we do not always know when we are unwell, or receive treatment. Over a third (36%) of people with a Common Mental Disorder have never received a diagnosis, and 62% are not currently receiving treatment.²
- Common symptoms of mental health problems, like low motivation, unreliable memory, limited concentration and reduced planning and problem-solving abilities, can make it harder for people to be engaged consumers and advocate for themselves.³
- Four in ten (37%) people who have experienced mental health problems exhibit significant levels of anxiety when dealing with essential service suppliers including telecoms providers. This is indicative of at least a mild phobia of this situation. Symptoms can include breathlessness, sweating or shaking.⁴
- All of this contributes to an increased risk of detriment in telecoms markets. People with mental health problems are three and a half times more likely to be in problem debt as those without.⁵

¹ McManus S et al. Adult psychiatric morbidity in England, 2007. Results of a household survey. NHS Information Centre for Health and Social Care. 2009.

² McManus S et al. Mental health and wellbeing in England: Adult Psychiatric Morbidity Survey 2014. NHS Digital. 2016.

³ Holkar M. Seeing through the fog: How mental health problems affect financial capability. Money and Mental Health Policy Institute. 2017.

⁴ Holkar M, Evans K and Langston K. Access essentials. Money and Mental Health Policy Institute. 2018.

⁵ Holkar M. Debt and mental health: A statistical update. Money and Mental Health Policy Institute. 2019.



- Half (46%) of adults in problem debt also have a mental health problem.⁶
- The psychological impact of poor affordability, disconnection from communications services and aggressive debt collection practices can be particularly acute for people who are experiencing mental health problems and can wear away at people's resilience and reduce their chances of recovery.
- Mental health and financial problems can form a devastating, self-reinforcing cycle. Over 420,000 people in problem debt consider taking their own life in England each year, and more than 100,000 people in debt actually attempt suicide.⁷

Question 1: Do you have any comments on Ofcom's proposal to publish a guide to help providers treat vulnerable customers fairly?

We are delighted that Ofcom has signaled that treating vulnerable consumers fairly is a priority issue and we welcome the proposal to publish a guide to help telecoms providers treat vulnerable customers fairly, this could significantly improve practice and outcomes for vulnerable consumers. To maximise impact, and ensure that the guide is as useful as possible for providers, we encourage Ofcom to provide additional clarity about the outcomes it would like to see for vulnerable consumers.

Communications services are essentials of modern life, that people rely upon for work, and when accessing public services and support networks. It is imperative that these services are designed to work for the broad range of consumers across the country, and that people who are vulnerable to harm, in particular, are treated fairly and are not disadvantaged when dealing with telecoms providers. Currently, people with mental health problems often have difficulties when choosing, using and paying for telecoms services, which can result in both psychological and financial detriment, and many people with mental health problems feel that they have been treated unfairly by their telecoms providers. The good practice set out in the proposed guide could go some way to addressing these needs.

While Ofcom's General Conditions already set out, in high level principles, telecoms providers' obligations with regard to vulnerable customers, this places a considerable burden on providers to interpret how the principles apply for their business, across countless interactions with their customers. The proposed guide could both clarify Ofcom's expectations and cut providers' compliance costs. If providers continue to fall short of these requirements, we hope that Ofcom will take action.

⁶ Ibid.

⁷ Bond N and Holkar M. A silent killer: Breaking the link between financial difficulty and suicide. Money and Mental Health Policy Institute. 2018.



We support Ofcom’s proposed approach of providing indicative guidance, rather than being prescriptive about practice. Consumer vulnerability is a nuanced and complex area and practice is developing quickly, so there may be a range of ways that providers could achieve good outcomes for vulnerable customers, and we should not expect Ofcom to provide all of the answers. However, we do feel that Ofcom could be clearer about the outcomes they are looking for from providers, and how they intend to measure them, without sacrificing this flexibility of approach.

In particular, we feel that it would be useful for Ofcom to clarify:

- What characterises “fair” treatment of vulnerable customers
- What “good” and “bad” outcomes for vulnerable customers look like
- Which specific outcomes Ofcom intends to measure when assessing providers’ treatment of vulnerable customers

By setting out outcomes and metrics, Ofcom would provide real clarity about its expectations, encouraging providers to focus on what matters most, fair outcomes for vulnerable consumers, while still allowing for flexibility of approach. Providing common outcomes and metrics would also help Ofcom to compare practice and assess compliance across the sector, and to take action if providers fall short of their regulatory obligations.



Question 2: Do you have any comments on the suggested measures set out in sections 3-7? Please set out your comments on each section separately.

Section 3: Establishing and publishing policies

Proactive senior level engagement

We agree with Ofcom that senior level engagement is essential, if communications providers are to develop a culture that champions fairness for vulnerable consumers and to design and deliver inclusive services. We hope that providers will respond to this element of the guidance positively, but if it does not drive sufficient senior level engagement and commitment, Ofcom should consider making it a formal requirement that senior leaders are accountable for their conduct and actions, as the FCA has done through its Senior Managers and Certification Regime.

Building on point 3.3, Ofcom should encourage providers to develop a clear framework of accountability, so that staff across the organisation understand who is responsible for different aspects of the fair treatment of vulnerable customers.

As highlighted in point 3.5, providers will need to monitor their performance to ensure that they are providing good outcomes for vulnerable customers and driving improvements in practice. To help providers do this effectively, as mentioned in response to question one, Ofcom should first clarify what “good” and “bad” outcomes for vulnerable customers look like, and how it intends to measure them. Additional clarity here would help to guard against misinterpretation and ensure that providers don’t develop divergent standards of what “good” looks like for vulnerable customers. By providing more detail on outcomes, Ofcom will also make it easier to evaluate compliance and to compare practice across the markets it regulates.

Taking an inclusive approach to who is potentially vulnerable

We are pleased that Ofcom proposes that providers take an inclusive approach to who is potentially vulnerable. However, we feel that Ofcom could be more explicit about the rationale for this approach, the benefits it can yield, and what it means in practice for providers.

As this section of the draft guidance recognises, a large proportion of the population will be vulnerable at some point in their life, but this can change over time. Looking just at mental health, one in four people will experience a mental health problem each year,⁸ and as many as half of us

⁸ McManus S et al. Adult psychiatric morbidity in England, 2007. Results of a household survey. NHS Information Centre for Health and Social Care. 2009.

will be affected over a lifetime.⁹ Mental health problems often fluctuate, so the extent to which people are vulnerable can vary significantly over time, and people do not always know when they are unwell. Over a third (36%) of people with a common mental disorder have never received a diagnosis and as a result are very unlikely to be able to tell a provider about their condition.¹⁰

Providers will always have incomplete information about which customers are vulnerable and when, so attempts to identify and respond to vulnerability at the individual level will inevitably be imperfect, and will never reach everyone who is struggling. This creates a powerful rationale for inclusive design. By designing services that work well for everyone, including their most vulnerable customers, providers can prevent problems from occurring for these customers and reduce the need to identify vulnerable customers and intervene at the individual level. Designing services in this way should also yield benefits for consumers as a whole, by making services more accessible and easier to use.

Ofcom should add to this section of the guide, introducing the concept of inclusive service design, and explaining that this approach can help providers to meet the needs of vulnerable consumers, without needing to identify who is vulnerable and when.

“I suppose part of the problem is that people don't feel comfortable disclosing this to a stranger, so perhaps - in an ideal world - they should amend their practices for everyone.” - Expert by experience

Publishing policies on treating vulnerable consumers fairly

We welcome Ofcom's proposed guidance on steps that providers should consider when publishing their policies and procedures on treating vulnerable consumers fairly. Low awareness of support options is currently a significant barrier to customers disclosing problems and accessing support, so these steps could make a considerable difference to outcomes for many vulnerable consumers. We are pleased to see Ofcom emphasise the importance of the design and presentation of this information. As this information is for vulnerable consumers, Ofcom should be explicit that it should be designed to be accessible for and meets the needs of this target audience.

Mental health problems can affect the way that we interpret and process information in a number of ways. Common symptoms like low motivation and difficulties concentrating can mean that people find it harder to process large amounts of information, and people with mental health problems also report difficulties sifting through information to find what is most relevant for them.¹¹

⁹ Mental Health Foundation. Fundamental facts about mental health 2016. 2016.

¹⁰ McManus S et al. Mental health and wellbeing in England: Adult Psychiatric Morbidity Survey 2014. NHS Digital. 2016.

¹¹ Holkar M, Evans K and Langston K. Access essentials. Money and Mental Health Policy Institute. 2018.

When a provider fills a webpage with too much content this can be overwhelming and distressing, resulting in “information overload”.

“I feel as though my brain is in total meltdown. I cannot think very clearly at all. The mental effort required to analyse different websites and jargon is just too much. You cannot take information in, let alone process it.” - Expert by experience

The design steps suggested in the draft guidance could all help people to overcome these difficulties. A prominent link from the homepage, and the ability to search content, could both help people who otherwise struggle with navigating information, and summaries can present key information in a more digestible format. Ofcom should also encourage providers to use simple language, minimising jargon and technical terms, not to overcrowd their information pages, and to highlight key pieces of information and any action points, for example by using colour.

Alongside this information, providers should be encouraged to set out what might happen if a customer discloses information about a mental health problem, or another vulnerability. Uncertainty about how a provider will respond can be a significant barrier to customers disclosing problems, and providing this sort of information could help to manage people’s expectations and address concerns.

As best practice, providers should be encouraged to design and test their messaging with vulnerable consumer groups, including people with mental health problems. User involvement in design and testing could help ensure that information is sufficiently easy to understand, and that the tone used is supportive and encourages vulnerable people to engage. This approach can help providers to ensure that messaging achieves its desired outcomes.



Section 4: Treating vulnerable consumers fairly

Identifying vulnerable customers

While identifying vulnerable customers and offering them appropriate support is an important part of treating vulnerable customers fairly, we feel that the draft guidance places too much emphasis on vulnerable customers disclosing information about their problems. Ofcom should be clear that relying on customers disclosing problems will not be sufficient to treat vulnerable customers fairly. As highlighted in comments on section 3 of the guide, providers will never be able to identify and respond to the needs of every vulnerable customer, but through inclusive design they can make it easier for customers to manage their telecoms services independently and reduce the need to intervene at the individual level, while at the same time facilitating disclosure from those who are able to and choose to do so. Where evidence of difficulties remains, providers should be encouraged to offer proactive support to help customers avoid harm.

General Condition C5.3 (a) makes clear that providers must have practices to ensure the fair and appropriate treatment of consumers who they have been informed, or should otherwise reasonably be aware, may be vulnerable. Providers should reasonably be expected to understand the prevalence of mental health problems, and how they can commonly affect the way that customers interact with their services, even if many customers experiencing these difficulties will not have informed them directly. Ofcom should use the guide to reiterate that providers' responsibility towards vulnerable customers is not limited to those they have been directly informed about, and to highlight that inclusive design can help them to meet this broader group of vulnerable customers' needs.

As recognised in point 4.6, some vulnerable customers may not be willing or able to tell providers about their vulnerability, and this will often be the case for customers with mental health problems. Research with the Money and Mental Health Research Community found that just one in three respondents (29%) had ever told a telecoms provider about their mental health problems.¹² Sadly, mental health problems remain the subject of significant social stigma, so disclosure can be distressing and require serious courage. People who have had a negative experience of disclosure in the past, such as being asked to repeat sensitive personal details on multiple occasions before any action is taken, are often particularly reluctant to disclose again, even if this past experience was with a different provider or in another sector. Disclosure can be altogether impossible for the many people with undiagnosed mental health problems who may not fully understand what they're experiencing. 36% of people with a common mental disorder have never received a formal

¹² Money and Mental Health survey. Base for this question: 319 people with lived experience of mental health problems.

diagnosis¹³ - equivalent to more than three million people in England alone.¹⁴ Although these people without a diagnosis are likely to be unable to disclose their condition, they may be experiencing exactly the same symptoms and challenges as people who know about their condition and can disclose it to a provider, and are at equal, if not greater, risk of detriment. It is vital that providers' approach to treating vulnerable customers fairly looks beyond disclosure to ensure that the needs of this sizeable group are met.

We are pleased to see Ofcom suggest that providers should be proactive, by training staff to listen for signs of vulnerability and routinely telling customers about the support services that they offer, these steps could both help more vulnerable customers access support. We are also pleased to see Ofcom call for substantial improvements in the number of vulnerable consumers identified and the regulator's willingness to introduce new interventions if these do not happen. As well as seeking this change through improvements in routine customer interactions, Ofcom should encourage providers to draw on customer data, particularly consumption and financial data, as a powerful indicator of potential vulnerability. This could enable providers to proactively offer support to customers who miss payments, or advertise usage and bill limits to customers who exceed their usage allowances.

While providers cannot rely on disclosure alone to understand customers' needs, there is still a role for disclosure, and it is important that providers handle these interactions effectively and supportively. As highlighted in point 4.5 of the draft guide, there are steps that providers can take to create a more supportive environment for customers and encourage disclosure. In particular, providers should ensure that there are a range of ways for customers to share information about their problems and their needs. More than half (54%) of customers who have experienced mental health problems have serious difficulties using the telephone to contact providers,¹⁵ but customers are often required to disclose information about their health problems by telephone.

New data from the Money and Mental Health Research Community suggest that telecoms providers are often not dealing with disclosures of mental health problems effectively. Just one in four (26%) reported feeling that they were treated fairly when disclosing, and three quarters (74%) have had to disclose on multiple occasions, which can be distressing and frustrating experience.¹⁶ Ofcom should encourage providers to engage with established best practice for responding to and recording disclosures of customer vulnerability.

¹³ McManus S et al. Mental health and wellbeing in England: Adult Psychiatric Morbidity Survey 2014. NHS Digital. 2016.

¹⁴ Money and Mental Health analysis of Adult Psychiatric Morbidity Survey 2014 and ONS mid-year population estimates 2018.

¹⁵ Holkar M, Evans K and Langston K. Access essentials. Money and Mental Health Policy Institute. 2018.

¹⁶ Money and Mental Health survey. Base for these questions: 84 and 77 people with lived experience of mental health problems who have told a telecoms provider about their mental health problems, respectively.

"I told <Telecoms provider> on several occasions during a complaint I raised regarding billing. Absolutely no acknowledgement or help. If anything I was treated worse, as if I was some kind of imbecile who didn't know what I was talking about." - Expert by experience

How providers can help vulnerable consumers

We are delighted to see the range of measures suggested in this section of the guide, which could be offered to all customers and would make a significant difference to people experiencing mental health problems.

Offer a wide range of communication channels

We are pleased to see Ofcom set out a clear expectation that providers offer a range of communications channels. As the draft guide notes, mental health problems can fundamentally affect people's communications needs. Half of customers who have experienced mental health problems (54%) have serious difficulties getting in touch with providers by telephone, while many others struggle to open post or communicate digitally, particularly when unwell.¹⁷ Providers should not be considered to be meeting customers' accessibility needs unless they offer a range of channels for inbound and outbound communication.

"If I have a problem, it is very difficult to ring someone to sort it out... I can't always understand what I am being asked or told. I avoid making contact, as I am afraid of not being able to deal with it." - Expert by experience

Making customer interactions a positive experience

We welcome Ofcom's focus on improving interactions for vulnerable consumers and support its suggestions for improving practice. Getting in touch with a telecoms providers is a stressful experience for many customers with mental health problems, but simple steps can provide reassurance and make this a better experience.

In addition to the good practice that the draft guide sets out, Ofcom should suggest that providers make information available on their websites, to help manage customers' expectations about getting in touch with their telecoms provider. This should include information about what might be discussed in routine phone calls to collections teams, or when a customer discloses a vulnerable situation. Providers should also be encouraged to take steps to manage customers' expectations

¹⁷ Holkar M, Evans K and Langston K. Access essentials. Money and Mental Health Policy Institute. 2018.



while they are getting in touch, for example by indicating how long customers are likely to wait before receiving a reply or sharing information about any next steps that may be involved.

Provide clear accessible written communications

We are pleased to see Ofcom highlight the need for clear accessible written communications. Providers often have vast collections of support resources and provide customers with information across multiple channels. However, some people with mental health problems report feeling unable to find what they're looking for, sometimes experiencing "information overload" and being overwhelmed. These difficulties can be particularly acute when people are unwell and experiencing symptoms like reduced concentration span or low motivation, and can be exacerbated when providers use jargon, don't present data in a meaningful way or include too much content in a letter or a page.

Ofcom could strengthen this section of guide by stipulating that providers should not determine what constitutes "clear accessible written communications" based on the reading and comprehension ability of the average telecoms employee or customer. To meet the needs of vulnerable consumers, providers should provide communications that are clear for consumers with lower levels of literacy, busy lives and health conditions that affect their ability to process information. As the draft guide suggests, user testing communications can help providers to ensure that they meet a broad spectrum of customers' needs. Ofcom should explicitly state that user testing should involve customers with a range of accessibility needs and literacy levels.

Building on point 4.19, Ofcom should also specifically recommend that providers monitor and evaluate the effectiveness of their communications, including for vulnerable customers. This could include tracking metrics like message open rates and whether or not a customer follows a link or takes another action after receiving a message.

Offer follow-up information in writing

We welcome Ofcom's suggestion that providers offer follow-up information in writing. Ofcom should add that this should be considered an accessibility requirement for customers with memory problems, and that there may also be a strong business case for providing this information.

Many customers with mental health problems report difficulties recalling details from conversations with their telecoms providers. Memory problems are a common symptom of several mental health problems and of medications prescribed for mental health problems, and people can be particularly like to forget details if they find the interaction with their provider stressful. This is a poor outcome for customers, meaning that many find it harder to take action or deal with account



problems promptly, and is wasteful for providers too, as many customers will have to get in touch again. Ofcom should recommend that providers proactively offer written follow-ups at the end of conversations, to ensure that customers are aware of this option and that it reaches those who need it most.

“I find it extremely difficult to hold a conversation on the telephone and retain enough information to make a good judgment.” - Expert by experience

Implement specialist customer service teams or identify staff members who can help

We welcome Ofcom’s proposal that providers implement specialist customer service teams. Where people with mental health problems do get through to specialist support, this can make a significant difference to their experience and outcomes. Ofcom should add to this section that, in order for specialist teams to work effectively, it is essential that all frontline staff understand when to refer customers to these teams, and that escalation processes are clear and easy to follow. Ofcom should also encourage providers to trust their customers, and not to seek medical evidence before offering specialist support.

“I think companies should provide a dedicated team (like a particular bank I used to be with) who have some training in mental health issues and communication skills.” - Expert by experience

Help third parties, such as relatives or carers, who are supporting vulnerable consumers

We are pleased that Ofcom proposes encouraging providers to offer more functionality to enable customers to flexibly involve third parties in their account management. Many people with mental health problems get help with financial management from family and friends, but existing tools to facilitate this are often seen as unsuitable, delegating excessive power to the third party and undermining privacy. 30% of respondents to a Money and Mental Health survey felt that current options for allowing other people access to their essential services accounts are unsuitable, and as a result, many people with mental health problems rely on risky workarounds like sharing account login details, which can enable abuse.¹⁸

Our consumer research has found that many people with mental health problems would welcome the ability to grant third parties limited visibility or control over their accounts, for example by enabling alerts to a third party or the ability to delegate control over specific functions, like spending or usage limits.¹⁹

¹⁸ Bond N, Evans K and Holkar M. A little help from my friends. Money and Mental Health Policy Institute. 2019.

¹⁹ Ibid.



“It might be helpful if others could receive notifications if you're about to go over your data allowance and why, for example. This isn't just beneficial for those with mental health issues, but parents would appreciate this functionality, as well.” - Expert by experience

Ofcom should also monitor the takeup of third party bill management services and encourage providers to make sure that customers are aware of this functionality. Third party bill management is a useful existing option, that could help many customers with mental health problems, but awareness and takeup are currently low.²⁰

Act fairly when a consumer is facing problem debt

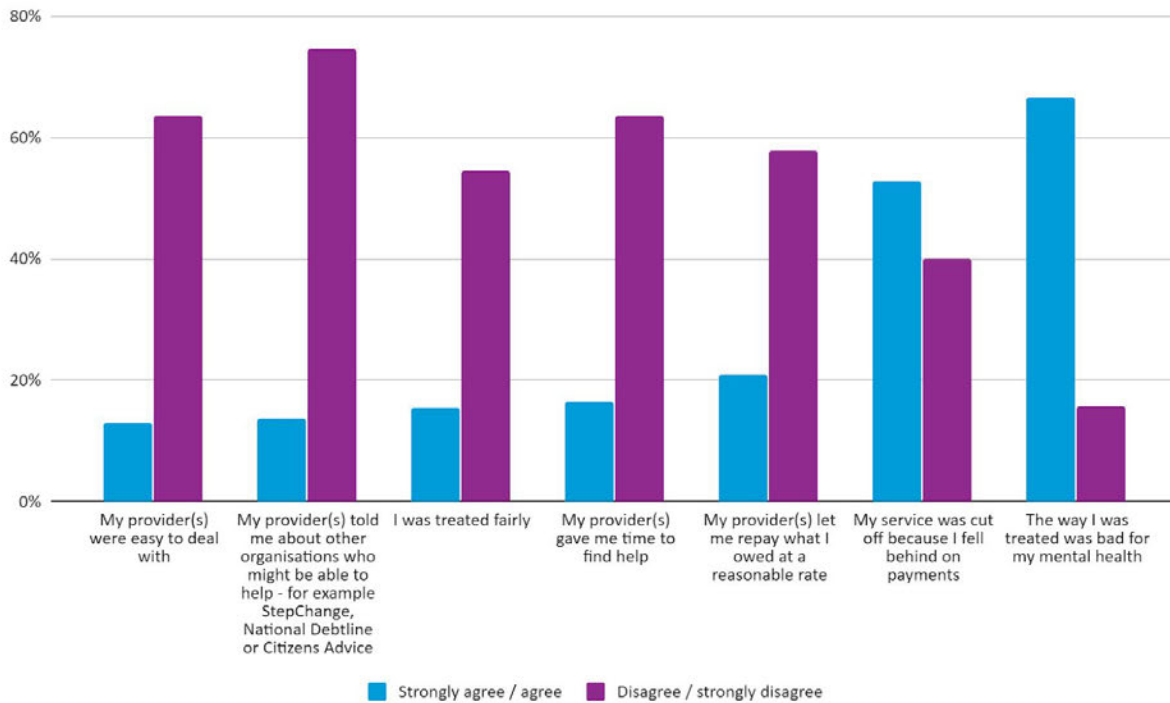
We are delighted to see Ofcom encourage providers to act fairly when a consumer is facing problem debt and highlight the link between problem debt, debt collection practices and risk of suicide. When debt collection is handled well, providers can help customers reach support services and improve their long term financial prospects, but poor practice can put further pressure on customers' finances, make people feel trapped, and increase the risk of suicide. The good practice that Ofcom has set out could help drastically reduce the psychological distress caused by telecoms debt collection, and could ultimately save lives.

New data from the Money and Mental Health Research Community suggest that Ofcom should make collections practices a particular focus, as many people with mental health problems have experienced poor practice.

²⁰ Ibid.



Figure 1: People with mental health problems' experiences of missing telecoms bill payments



Source: Money and Mental Health survey of people with lived experience of mental health problems. Base for this question: 115 people who have missed a telecoms bill payment.

As figure 1 shows, two thirds of our respondents (67%) felt that the way they were treated was bad for their mental health, and our evidence suggests that some providers are not fulfilling the basic requirements of treating customers in debt fairly. Only 14% of respondents report being told about support organisations such as debt advice charities and just one in five (21%) felt that providers let them repay what they owed at a reasonable rate.

“You worry about getting debt letters etc. Plus the companies don't give you much time to sort yourself out. You get hounded with letters and phone calls. This means you're even less able to cope.” - Expert by experience

Respondents who have been disconnected by telecoms providers due to financial problems also described the particular impact that this can have on their mental health. Many people with mental health problems rely heavily on telecoms services to stay in contact with support services or their support networks, particularly when they are unwell and struggling to leave home. Disconnection can leave these people isolated and vulnerable.

“It left me unable to get appointments and order my medication. I couldn't do online shopping, which helps with budgeting and getting special offers. I couldn't make calls about my benefits or feel connected to the world during days of feeling dangerously low. I didn't feel like an adequate parent - my children couldn't do their homework and I started to feel they would be better off living elsewhere because I was affecting their future by affecting their homework.” - Expert by experience

Telecoms services are essentials of modern life, and vulnerable customers often depend on them more than most, particularly if they are socially or geographically isolated, or rely on support services. Given that half (46%) of customers in problem debt also have a mental health problem,²¹ Ofcom should instruct providers only to consider disconnecting customers who are struggling to pay as a last resort. Providers should be encouraged first to contact customers using multiple communication channels, and with a clear offer of support, to ensure that the message gets through and to encourage customers to engage. Ofcom should also make it clear that it will take enforcement action if vulnerable customers are put at risk of harm by disconnection from telecoms services - this should be highlighted as a clear example of not treating vulnerable customers fairly.

“Getting threats in emails or letters saying their cutting you off but I need to be able to access my journal for Universal Credit. Problem when I suffer anxiety already as I can't go out by myself.” - Expert by experience

Given the extent of problems identified by our Research Community members, many of whom may be particularly vulnerable, we recommend that Ofcom urgently reviews providers' policy and practice in this area, and takes action where providers are not meeting acceptable debt collection standards. As recognised in the draft guide, there is particular scope for harm if vulnerable customers in problem debt are treated poorly.

²¹ Holkar M. Debt and mental health: A statistical update. Money and Mental Health Policy Institute. 2019.

Section 5: Recording information

Recording consumers' needs

We welcome Ofcom's proposed guidance on recording consumers' needs. If handled well, disclosures of information about needs can help providers to better understand and support their vulnerable customers. However, as highlighted in comments on section four of the guide, we do not feel that relying on customers to disclose problems will be sufficient for providers to treat their vulnerable customers fairly.

For many people who do tell their telecoms providers about their mental health problems, the process of disclosing this information can be acutely stressful and can stir up difficult memories and feelings. As recognised in point 5.4 of the draft guidance, being required to repeat disclosures can be frustrating and can add to this distress.

New data from the Money and Mental Health Research Community suggest that disclosures of mental health problems are often not handled well by telecoms providers. Three quarters (74%) of respondents who had told a provider about their mental health have had to repeat this information.

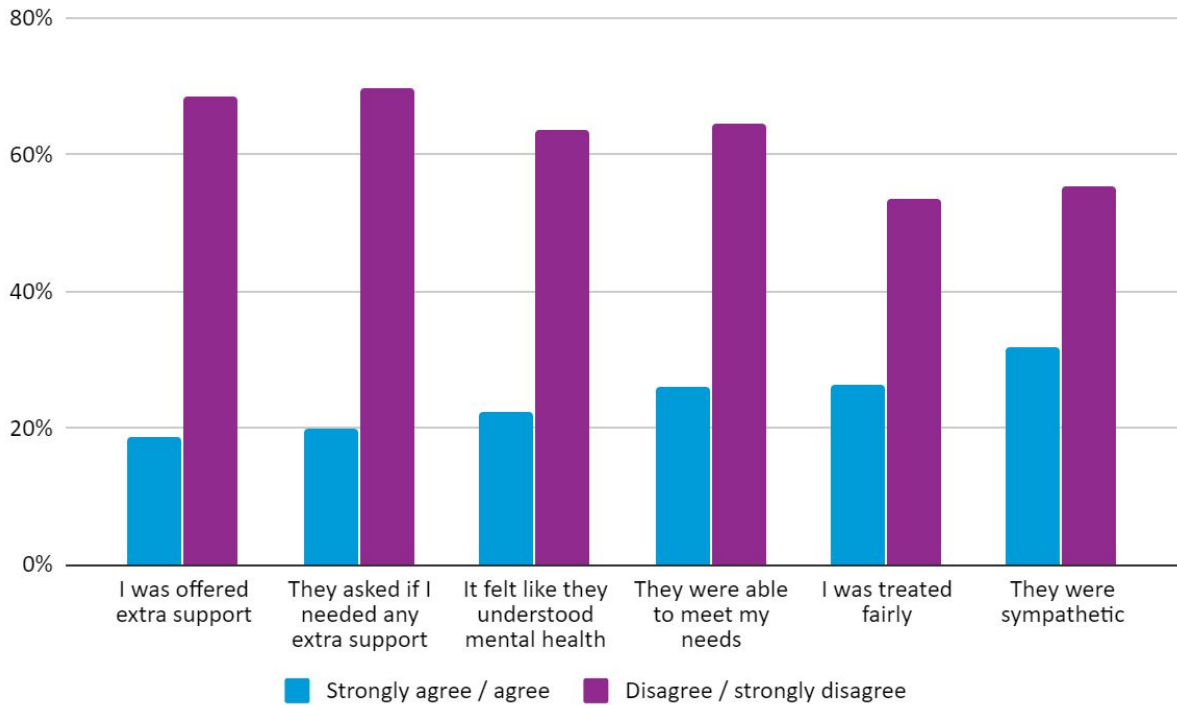
²²

"I hate telling people about my mental health because I feel like they treat me different so having to go through that again is very upsetting." - Expert by experience

²² Money and Mental Health survey. Base for this question: 77 people with lived experience of mental health problems who have told a telecoms provider about their mental health problems.



Figure 2: People with mental health problems' experiences of telling a telecoms provider about their mental health



Source: Money and Mental Health survey of people with lived experience of mental health problems. Base for this question: 86 people who have told a telecoms provider about their mental health problems.

As figure 2 shows, just one in five (19%) of our respondents who disclosed were offered extra support, and only a quarter (26%) felt that they were treated fairly. Where respondents encountered sympathetic staff they often described a positive experience, but more than half (55%) of our respondents did not feel that staff were sympathetic. We also found a strong perception that telecoms providers do not understand mental health problems and how they can affect customers' needs.

It is particularly concerning that just one in four (26%) of our respondents felt that their needs were met, after they disclosed information about their mental health problems. We know that disclosure can be a distressing process, so customers should not be put through it unless providers are prepared to meet their needs. Ofcom should explicitly remind providers that recording customer

needs is not an end in itself, and that it may not be proportionate to process this sensitive information if it is not used to help the customer.²³

To help staff respond to customer disclosures more effectively, Ofcom should encourage providers to develop tools and other adjustments that address particular customer needs, so that frontline staff can offer practical support when a customer discloses vulnerability, or one is suspected.

For customers with mental health problems, common symptoms such as increased impulsivity, reduced attention span and memory problems can have a profound effect on their financial capability and behaviour. Providers could help meet many of these needs by offering tools such as reminders, usage alerts and caps, third party access mechanisms as described in comments on section four of the guide, and by recording and following customers' communication channel needs.

²³ Article 5. General Data Protection Regulation. (EU) 2016/679. Data minimisation is one of the seven key principles of the GDPR. Data processors are encouraged not to collect or use more personal data than they need for any particular purpose.

Section 6: Monitoring performance

As set out in response to Question 1, we encourage Ofcom to detail specific outcomes and metrics for treating vulnerable customers fairly, to make it easier for providers to understand and comply with their regulatory obligations. This would also provide parameters for providers to monitor their own performance, which is likely key to them consistently treating vulnerable customers fairly, and driving improvements over time.

Evaluating staff performance

We are pleased that Ofcom has explicitly stated that it expects staff performance monitoring to include assessing the quality of service delivered to vulnerable customers, and we welcome Ofcom's guidance on how performance could be evaluated.

Ofcom could add to this guidance by encouraging providers to evaluate staff performance at key moments that have a major impact on outcomes for vulnerable consumers. This could include:

- Escalation to specialist or collections teams
- Handling disclosures of mental health problems
- Signposting to external support organisations, such as debt advice charities or the Samaritans.

Gathering and using customer feedback

We welcome Ofcom's guidance on gathering and using customer feedback. Ofcom should add that providers will need to be proactive, in order to understand the full range of consumers' views and experiences.

Customer satisfaction surveys and complaints data are both valuable sources of insight, but Ofcom should highlight that these are not always a reliable means of understanding the issues that vulnerable customers face. Depending on how accessible these processes are to engage with, they are likely to underreport vulnerable consumers' experiences.

Many consumers with mental health problems find that complaints processes are inaccessible, for instance, if they are required to use the telephone or if information about how to complain is obscured. Others struggle to lodge complaints because of psychological barriers, such as difficulties with confrontation.²⁴

²⁴ Holkar M, Evans K and Langston K. Access essentials. Money and Mental Health Policy Institute. 2018.



MONEY AND
MENTAL HEALTH
POLICY INSTITUTE

Providers can address these challenges by proactively seeking out consumers with particular needs or experiences, as highlighted in the draft guide, and by working with organisations that have expertise on particular vulnerable consumer groups.

Section 7: Staff training

Content of training

We welcome Ofcom's detailed draft guidance on staff training, and in particular that the importance of training for staff involved in the design of products and customer journeys is recognised. As highlighted in earlier sections of the guide, aspects of service design such as which communication channels are used and how information is arranged and presented can determine how well services work for vulnerable consumers, and can be a driver of detriment when certain consumers' needs aren't accounted for.

As the draft guide sets out, all frontline staff should be prepared to deal with vulnerable consumers. Ofcom could add that this is particularly important for staff who work with customers in financial difficulty. Financial problems can be a driver of vulnerability, and people in these circumstances are also more likely to also be vulnerable in other ways. Half (46%) of all customers in problem debt, for example, also have a mental health problem.²⁵ Providers should not be considered to be treating vulnerable customers fairly unless their collections staff are appropriately trained and are confident in dealing with vulnerable customers.

Collaborating with consumer interest groups and charities

We welcome Ofcom's recommendation that providers collaborate with consumer interest groups, and we are delighted that Ofcom has highlighted Money and Mental Health Policy Institute's Mental Health Accessible standards, in particular. Expert organisations often have detailed knowledge of the groups they represent and the difficulties they face, and can have a trusted relationship with vulnerable consumers that providers may struggle to replicate.

However, Ofcom should recognise that developing and applying expertise about vulnerable customers can be a resource intensive process, and that charities often have limited resources to support telecoms providers. By suggesting that collaboration with charities can help providers to meet their regulatory duties, Ofcom may increase demands on charities. Ofcom should consider how to ensure that the charity sector has sufficient resources to meet these demands.

²⁵ Holkar M. Mental health and debt: A statistical update. Money and Mental Health Policy Institute. 2019.