

Emailed to: annualplan2020@ofcom.org.uk

Plan of Work Team, Strategy and Policy Team
Ofcom
Riverside House
2A Southwark Bridge Road
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SE1 9HA

24 February 2020

Dear Sir/Madam,

Ofcom's proposed Plan of Work 2020/21

I write in response to Ofcom's proposed plan of Work 2020/21. Included at Appendix A to this response is information about Ombudsman Services.

General Comments:

We welcome Ofcom's Forward Work Programme and we agree with the priorities for 2020/21, which build upon the positive steps taken by Ofcom in 2019. We are supportive of the work to ensure fairness for consumers and for better fixed and mobile services. For an essential communications service to function in modern society, we think strengthening service provision and ensuring that consumers are treated fairly go hand-in-hand.

Key points:

Fairness Outcomes

We welcome the list of measures proposed in Chapter 5 ('Delivering good outcomes for consumers across the UK') by Ofcom. It is important that good consumer outcomes are put at the heart of any future strategy. It is right to assess the impact of interventions and to review those measures to ensure they remain relevant and continue to make a difference for consumers.

While we appreciate that the list of measures on page 20/21 is not exhaustive, we think there may be other measures that can be included. It would be useful, for example, to have clear outcomes to measure and ensure vulnerable consumers are treated fairly beyond the proposed measure of the proportion of people who have difficulties being able to afford communications services.

We think there is an opportunity for Ofcom to facilitate with key stakeholders a more joined up approach and view of vulnerability in the Communications sector, much like work happening in the utilities sector around the Priority Services Register. We would be happy to work with you on this. As you know, we have helped facilitate vulnerability workshops with communication providers and energy providers. We have been able to bring into that work experts from different areas of potential vulnerability, for example, financial vulnerability and mental health vulnerability.



Alongside that, we think it is important to look at the outcomes and understand the impacts of remedies delivered through mandatory means (for example, changes to the General Conditions) and those that are undertaken on a voluntary basis. There are clearly benefits and drawbacks of each approach. When voluntary schemes work well, they can provide additional protections at low cost and with little delay for communications customers. The drawbacks can include patchy coverage, for example as we see with auto-compensation. This is not necessarily a problem, but we would suggest it would be worth Ofcom considering the pros and cons of each approach as it delivers its Work Plan, particularly when they affect areas that may not be areas of service in which companies compete or which drive customer activity in the market.

Likewise, we think there is merit in thinking about the role Third Party Intermediaries (TPIs) play in the market and the different levels of protection that consumers experience based on their route into the market. Looking at overall fairness in the market is key and that includes looking at outcomes for those who use TPIs. The same applies to small businesses, which can experience similar detriment as consumers, without being afforded the same protections, we think it's important to include measures to protect small businesses in any future work plans.

Working together

As mentioned earlier, we think that cross sector data may be used to good effect and will continue to share our data and insights. Reports from last year such as those issued by the National Audit Office and Public Accounts Committee called for more collaboration and consistency across sectors. We think there are opportunities for all organisations and industry bodies to work more closely together, to develop partnerships with shared insights. We welcome the opportunity to work more closely with Ofcom to share insights and provide data to support and enable improvements in the market.

Please do not hesitate to contact us if you would like further information regarding our response. Our response is not confidential.

Your sincerely,

Ed Dodman
Director of Regulatory Affairs

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Appendix A

About Ombudsman Services:

Ombudsman Services is a not-for-profit private limited company established in 2002 which runs a range of discrete national ombudsman schemes across different sectors including energy, communications and an appeals service in private parking. Each scheme is funded by the companies under our jurisdiction and our service is free to consumers. In 2018 we received 174,855 initial contacts from complainants and resolved 68,063 complaints. In the energy sector we received 108,349 initial contacts and resolved 45,667 cases, and in the communications sector, we received 62,233 initial contacts and resolved 21,251 cases. We also received over 67,000 appeals in our private parking appeals service.

We are:

- to our consumers, the people they can turn to for impartial advice and solution that's fair;
- to our partners, the people they look to for knowledgeable and insightful ways to help them reduce complaints by enabling them to make the changes they need to deliver better customer services;
- to our regulators, champions in protecting rights as well as partners in information sharing, we share our analysis so that regulators and business partners can make improvements; and
- to our people, here to enable them to deliver clarity to consumers and partners through meaningful work.