Ofcom has powers to take enforcement action against those companies who are in breach of the law and Ofcom’s policies on abandoned and silent calls, and we take this issue extremely seriously.

In April, Ofcom fined TalkTalk £750,000 for making an excessive number of abandoned and silent calls to potential TalkTalk customers in 2011, through two of its call centre operators.

Ofcom’s ongoing enforcement action represents part of its five-point action plan, announced earlier this year, to address the wider issue of nuisance calls.

As part of this programme of work, Ofcom recently published new research revealing the extent to which nuisance calls are affecting UK consumers. The study found that consumers who experienced unwanted calls received around two per week on average, with four in five participants receiving at least one nuisance call during the four-week research period.

Calls about Payment Protection Insurance (PPI) made up the largest proportion of unwanted calls that could be identified. As a result, Ofcom announced it is investigating and considering enforcement action in relation to suspected abandoned and silent calls made by companies within the PPI/claims management sector.

Ofcom has also written to the Ministry of Justice to draw attention to the extent to which PPI claims appear to be driving nuisance calls.

Ofcom is playing an active role in the coordinated effort to tackle nuisance calls alongside other regulatory bodies, such as the Information Commissioner’s Office, and Government.

This is a complex and challenging area, but Ofcom is determined to work with industry and other regulators to drive a more effective response to nuisance calls and help protect consumers.
Increasing protection for rural post boxes and protecting the universal postal service

Ofcom has recently introduced increased protection for consumers against the removal of post boxes in rural areas.

Ofcom already requires Royal Mail to provide a sufficient number of post boxes in appropriate locations to meet the needs of UK postal users. Specific criteria on the location and density of post boxes set out how Royal Mail must meet its obligation.

Prior to Ofcom’s decision, the previous criteria applied in only 61 of the 121 postcode areas in the UK. Postcodes outside of this protection mostly covered rural areas, but some major cities such as Belfast, Edinburgh, Newcastle and Swansea were also not protected.

Following consultation, Ofcom has now increased regulatory protection for post boxes by introducing new criteria that will apply nationwide for the first time.

New criteria to protect post boxes

Users of post boxes in rural areas and those in previously excluded urban areas will be afforded greater protection against the removal of post boxes under the new rules. The requirements now specify that:

• there must be a post box within half a mile of at least 98 per cent of ‘delivery points’ (usually the letter box of an address) nationally; and
• for the remaining two per cent of delivery points, Royal Mail must provide sufficient post boxes or other means of access to the universal service (e.g. collection on delivery) to meet the reasonable needs of those users, having regard to the costs and operational practicalities of doing so.

These requirements are in line with the levels of post box access already provided by Royal Mail, and will ensure Royal Mail continues to provide sufficient post boxes in the future.

Meeting the needs of postal users

In March Ofcom concluded its Review of Postal Users’ Needs, a comprehensive study into the needs of UK postal users. More than 4,000 residential consumers and 1,100 businesses were surveyed, supplemented by discussion groups in locations across the UK.

After consulting on this research Ofcom concluded that, overall, the postal market is currently meeting the reasonable needs of users, and decided not to change the scope of the universal service. This means that consumers will continue to benefit from the current service provided by Royal Mail, including six-day delivery and the choice of a next-day priority delivery service, ‘First Class’, and a lower-priced three-day standard delivery service, ‘Second Class’.

Ofcom’s proposals for the scheme include the introduction of quarterly spot-checks to ensure PCWs maintain compliance between audits and a requirement to ensure accredited sites have a fair and timely process for complaints handling.

Ofcom’s consultation is seeking views on these proposed changes by 15 July 2013.

Accreditation scheme for price comparison websites

Ofcom is consulting on proposed changes to the scope and operation of its Price Comparison Website Accreditation Scheme.

Price Comparison Websites (PCWs) can apply to Ofcom for accreditation, which involves undergoing an assessment by an independent auditor against a series of approval criteria set by Ofcom. The criteria require PCWs to be accessible, accurate, transparent and comprehensive.

The proposed changes include requiring accredited PCWs offering broadband comparisons to provide information about any limits on data usage, to explain that traffic management policies may apply and to explain how consumers can test the speed of their line.
Ofcom research published in March reveals that average residential UK broadband speeds reached 12.0Mbit/s in November 2012.

Ofcom’s latest report into fixed-line residential broadband speeds shows that the average actual UK speed rose by a third (3.1Mbit/s or 34 per cent) in the six months from May to November 2012, as take-up of ‘superfast’ services increased.

The report also shows that the average broadband speed has more than trebled in the last four years, from 3.6Mbit/s in November 2008 to its current level of 12.0Mbit/s (an increase of 234 per cent).

New guides to help prevent ‘bill shock’ when using your mobile phone at home and abroad

More consumers than ever before are signing up to contracts for mobile phones.

These deals have a number of advantages – contracts often cover the cost of a handset, you get inclusive minutes, texts and data each month, and it can be more convenient than topping up your phone credit.

But there are times when you can face paying more than you were expecting – known as ‘bill shock’.

Using more than your monthly allowance – whether it’s through more data (accessing the web, emails, apps, music, etc, from your phone), making more or different types of calls, using your phone abroad or being a victim of phone theft – can all result in a bigger bill than you expected.

Ofcom wants to help consumers to avoid bill shock while also ensuring that industry takes responsibility for preventative measures. We published an update on our ongoing work aimed at tackling this issue in March. We also published new consumer guides providing advice on how to avoid the key causes of bill shock.

They offer advice and tips covering four areas:

- Preventing bill shock when using your phone at home in the UK
- Preventing bill shock when using your phone abroad
- What to do if your phone is lost or stolen and how to protect your phone from thieves
- What to do if you do get stuck with an unexpectedly high bill

New video guides, providing step-by-step instructions on how to perform some basic functions to help prevent unexpectedly high bills on the top five handsets, such as password protecting your SIM card and handset and turning off data roaming, are also available on the Ofcom website.

The guides are supported by consumer groups and other industry organisations including Citizens Advice, the National Mobile Phone Crime Unit, the Association of British Travel Agents, Rough Guides, Travel DK, PhonepayPlus

Average UK broadband speeds hit double figures

This is Ofcom’s eighth report into fixed-line residential broadband speeds using data collected by research partner SamKnows. The results help consumers to understand the significant variations in the performance of ISP packages and, when considered alongside other factors such as price, can help them to make more informed purchasing decisions.

All of the UK’s largest ISPs are signatories to Ofcom’s Voluntary Code of Practice on broadband speeds. Ofcom is due to publish the results of its mystery shopping research to check ISPs’ compliance with the code later this summer.
Improving the quality of live TV subtitles

Ofcom has recently announced proposals to improve the quality of subtitling on UK TV to benefit deaf and hard-of-hearing viewers.

Subtitles are used by over a million people with hearing impairments to watch TV. While pre-prepared subtitling is generally of a good quality, hearing-impaired viewers have made clear that there are continuing problems with the speed, synchronisation, accuracy and presentation of live TV subtitling.

Proposals to improve live subtitling

Under the current rules, TV broadcasters that attract a certain audience level must provide subtitles and they have to provide information to Ofcom on the amount of subtitling they provide. While the current rules have resulted in high levels of subtitling across a range of channels, Ofcom is now proposing they also report on the quality of their subtitles.

This would help by highlighting problem areas and incentivising broadcasters to make improvements. It would also enable viewers to monitor what progress is being made by each broadcaster to improve quality of live subtitles. Therefore, Ofcom is proposing to publish reports every six months on:

- key measures of quality – the speed and accuracy of subtitling and the length of delays between speech and subtitling;
- the number of programmes that are accepted later than the intended ‘delivery date’, resulting in live subtitling, which can be of lower quality, rather than pre-prepared subtitles; and
- technical failures that may have occurred.

Ofcom is also asking broadcasters and others for views on the feasibility of delaying live programmes for a short period of time (perhaps a few seconds) in order to improve the quality of live subtitling.

Ofcom’s consultation closes on 25 July 2013.

CONTACT US

We’d really welcome your views on our Consumer Bulletin. Please e-mail rapinder.newton@ofcom.org.uk or call 020 7783 4897 if you have any views on how we can improve the next issue.

COMING UP...

- Mystery Shopping research on providers’ compliance with the Broadband Speeds Voluntary Code of Practice
- Policy decision on switching landline and broadband providers on the Openreach copper network
- Policy decision on how to protect consumers against mid-contract price increases
- Ofcom/ICO joint initiatives to tackle nuisance calls