

**NOTES OF THE ILP MEETING NO. 50th HELD ON
TUESDAY 17th MAY 2016
10.00pm-12.30pm
PhonepayPlus Offices, 40 Bank Street, London, E14 5NR**

Present:

Ann Cook – ITV (Chair)
Andrew Ailwood – BBC
Martina Algeri – Vodafone
Kevin Butcher - BBC
Holly Fairweather – Channel 4
Eric Feltin – Safari Mobile
Robert Franks – Telefonica
Cathy Gerosa – FCS
Claire Harding – 118118
Ann Hoitink – EE
Rory Maguire – AIME
Steve Ricketts – PP+ Board
Miranda Smith – Mobile EcoSystem
Jeremy Stafford Smith – Vodafone
Mike Steel – BT
Carmen To – Ofcom
Rob Weisz – Fonix

PhonepayPlus

David Edmonds (PPP Chairman)
Joanne Prowse (Chief Executive)
Peter Barker
Mark Collins
Jonathan Levack
Ayo Omidoyi
Simon Towler
Stephanie Ratcliffe (minutes)

Guest Speaker

Alex Charlton – Craft

Apologies

Suzanne Gillies – Action 4
Rickard Granberg – UKCTA
Hamish MacLeod – Mobile UK
Simon Miller – Three
Peter Trott – 118118

1.0 WELCOME, INTRODUCTIONS

Ann Cook welcomed members to the meeting and apologies were noted.

The ILP noted that invitations to join the ILP had been extended to Simon Miller and Jillian Phillips from Three and David Lewis from Comic Relief, which will further strengthen our representation of the industry, including the charities sector.

The Chair emphasised that the ILP's success and its membership is only so robust in so far that members continue to attend and contribute to meetings and thanked members for their continued support.

2.0 REVIEW ACTIONS

a) Minutes and Matters arising from the minutes of the ILP meeting held on 1st March 2016

Minutes

The ILP approved the minutes as an accurate record of the meeting.

Matters Arising/Actions

The ILP noted the outstanding actions, where not covered on the agenda, as follows:

- Item 49.1: the Chair requested for members, who have not done so already, to contribute to the website with their biographies and photos.
(Action: All)
- Item 47.3a: progress remains ongoing to produce a list of industry practitioners with specific expertise for the RRT and an update will be provided at the next meeting. Contributions and feedback from the ILP are very welcome.
(Action: M Collins/R Maguire)
- Item 47.3b: a presentation by the FCA on PSD2 will unfortunately need to be rescheduled to a later date, following the FCA's request to present only *after* the Treasury has consulted on the implementation of the regulations. The Executive will continue to seek a committed date from the FCA.
(Action: S Towler)
- Item 49.3: the Juniper and Dimoco research paper on the future of operator billing has been circulated to members.
- Item 49.4a: the discussion document has been circulated to members and a workshop on 'How to encourage PRS development with effective outcomes focused regulation' was held on 12th May. Next steps include a policy paper on proposals, with consultation expected in the summer.
- Item 49.4a: positive discussions with industry concerning barriers and opportunities around operator billing are underway and an update will be provided at the next meeting.
(Action: R Franks)
- Item 49.4b: Rory Maguire gave a short presentation on charity short code transparency and explained positive progress has been made with the introduction of a new mechanism for 70xxx short code ranges, which enables a charity to receive the whole 100% of the donation. Discussion focused on its implications. The ILP recommended revisions are made to the infographic poster to provide for further clarity and that different versions are produced to improve understanding for the industry and consumer audiences. Rory Maguire confirmed maximum effort is being made to ensure messages are being communicated effectively to charities and AIME continue to take steps to improve gift aid collection.
(Action: R Maguire)
- Robert Franks offered to explore additional PR options, having a wide customer base.
(Action: R Franks)
- Item 49.4c: Rotation of focus on topics for future meetings was discussed. The ILP noted that for the next meeting, Rickard Granberg has kindly offered to present on fixed line and that Mike Steel may also contribute jointly.

• **(Action: Rickard Granberg/Mike Steel)**

- Item 49.5a: the ILP noted that conversations continue with industry on ways to improve data sharing.
- Item 49.5b: the ILP noted that the criteria and processes for a limited grounds post adjudication review are set out in the Supporting Procedures and any additional queries can be discussed off line.
- Item 49.5c: research is addressed on the current meeting agenda.

3.0 PhonepayPlus Update

- a) Code 14 implementation remains on track for July, subject to EU approval and Ofcom's subsequent final approval and statement.
- b) The Code Adjudication Panel recruitment process has now been completed for the new panel. Mohammed Khamisa QC has been appointed Chair to the panel, with three legal and seven lay members recruited in an open process. The panel now includes a number of existing CCP and IAB members, who provide experience and continuity, and new members, who bring additional expertise and capability.
- c) Guidance - five pieces of guidance have been consulted upon. PhonepayPlus are working on the comments received. In particular 'method of exit' and subscription services touch on areas raised in the Craft research and further consideration will be given to these. The remaining pieces of guidance are expected to be published in June.
- d) Vulnerability guidance - consultation closes on 18 May and one comment has to date been received. Publication is currently expected in June.
- e) Annual Market Review – the early analysis was presented at the Forum on 4 May. The market shows a slight decline overall however operator billing and charity giving services are on the increase. Publication of the AMR is expected in June and a presentation on the findings will be provided at the next ILP meeting.
- f) The Industry forum, held on 4th May was a success with over 100 people attending and positive feedback has since been received. The Executive welcomed feedback from the ILP on future content for forthcoming forums.
- g) Project 30 - an initiative is underway to ensure PhonepayPlus and its regulatory framework, in its 30th year of operation, continue to be fit for purpose. A recent workshop addressing our regulatory framework was held on 12 May, with publication of a policy paper for wider consultation expected in July. Additional developments include a review of the funding model, improvements in consumer strategy and engagement and internal staff developments through the cultural shift programme. PhonepayPlus was recently awarded the Investors in People silver status award. Only 6% of Investors in People accredited organisations achieve the Silver accreditation. This therefore represents a high achievement and significant leap from the Bronze we have been given for the past 16 years. Market issues - focus remains on online competition services as these account for the majority of complained about services. There is a significant rise in the promotion of competition services via email. In addition, pricing prominence and proximity continues to be an issue on PSMS. PPP continues to monitor content locking and the emergence of marketing via Facebook. The ILP requested the market issues report is circulated to the ILP as a regular report, along with the minutes.

(Action: M Pemberton)

4.0 Presentation by Craft on the Consumer Journey Research for online competitions and adult services

Alex Charlton from Craft gave a presentation on research undertaken on the consumer journey experience in relation to online competition and adult services. The ILP noted that the report had been presented to the Rapid Response Team, the MNO's networks and a number of Level 1s at a recent workshop. The Executive explained the aim of the presentation is for the ILP to note the areas addressed in the research and work together to provide constructive feedback and produce a proactive action plan.

Alex Charlton set out the background to the research and findings on key observations, in particular around unintentional consent in relation to adult and on line competition services. Consideration was

given to the 'bigger picture' and the ILP noted that consumers may have limited experience of purchasing goods and services by charging to their mobile phone bill. In conclusion, recommendations and opportunities to improve the consumer's journey for these service types were presented for discussion.

Discussion focused on consumer behaviours and trust and the following points noted:

- Jeremy Stafford Smith confirmed that following research findings, improvements have since been implemented. Mobile networks are addressing findings, with the aim to improve consumer education and develop principles based flows to improve consumer journeys.
- Eric Feltin drew attention to the positive outcomes associated with consumers using phones to make payments. The ILP acknowledged that different services may require different solutions and supported consideration to be given to the applicability of Special Conditions.
- Robert Franks requested access to the data research source data, in order to gain a better understanding of the findings. The Executive undertook to look into the feasibility of providing this data and confirmed PhonepayPlus will endeavour to continue to work with networks on the issue of sharing data.

(Action: J Levack)

- Rory Maguire advised a working group is being set up to identify quick wins such as changes to STOP and opt out commands. An AIME summary of findings from the research undertaken has been sent to AIME members for wider consideration.
- Various members requested the opportunity to provide comments on the tone and language of the report.

The ILP agreed it was important to focus on improving the consumer journey and to identify quick wins, in particular around improving customer awareness and STOP commands. The ILP agreed it would be beneficial for members to contribute to the current research and feedback with findings from any of their own research undertaken, which may assist with further understanding and putting in place improvement plans.

Joanne Prowse asked for focus to remain on positive action and asked for any comments and feedback on the report to be provided to Jonathan Levack for consideration. . Eric Feltin recommended Level 2 providers are included in discussions concerning remedial actions.

(Action: PhonepayPlus and ILP Members)

David Edmonds emphasised the need for industry and PPP to work swiftly and collaboratively together, in order to produce desired outcomes for the consumer and industry alike.

Ann Cook thanked Alex Charlton for the insightful presentation.

5.0 RRT – Requirements/Reporting

This item is now included as a standing agenda item, to act as a trigger to capture and progress any issues arising from market issues. Current issues were addressed under item 4.0.

6.0 Action Summary & AoB

- Name changes for the organisation - discussions continue with the PhonepayPlus Board.
- Topics for the next ILP meeting include a presentation by Nick Lane on the Annual Market Review and a presentation by Rickard Granberg on Fixed Line. Updates on Project 30 and Project Slimline will be provided at the next meeting too.

(Action: PPP)

End of Minutes

Next ILP meeting at PhonepayPlus Offices, 25th Floor, 40 Bank Street, E14 5NR

- Tuesday 19th July: 10am to 12.30noon, with a networking lunch after the meeting at 12.30noon.