

**NOTES OF THE 15th ILP MEETING ON TUESDAY 19<sup>th</sup> May 2009**

**Present:**

Jacqui Brookes (Chair) - FCS  
David Ashman – PRA  
Paul Berney - MMA  
Ann Cook – ITV  
Jeremy Flynn – AIME  
Stuart Godfree - MDA/MKodo  
Mark Hawkins – MDA  
Nik Hole - The Number  
Robert Keitch – DMA  
Hannibal Latuff - BBC  
Jeff Loan – Ofcom  
Claudio Pollack – Ofcom (part- item 3)  
Michael Traynor – BT

Sir Alistair Graham - PhonepayPlus  
Paul Whiteing - PhonepayPlus  
Jeremy Hallsworth – PhonepayPlus  
Simon Bates - PhonepayPlus  
Cara Shummen (minutes) – PhonepayPlus

**Guest speaker:**

Tim Reading – Tomtom Nation (part- item 7)

**Apologies:**

Suhail Bhat - MEF  
Neale Dennett – ITV  
Michael Eagle – FCS  
Suzanne Gillies – PRA  
Mark Gracey – UKCTA  
Lesa Green – K-com/UKCTA  
Hamish MacLeod – MBG  
Iain McCallum – O2  
Claire McLaughlin – BBC  
Michael Taylor - ITSPA

## Welcome:

Jacqui Brookes welcomed everyone to the meeting including first time members – Paul Berney, Nick Hole, Robert Keitch and Jeff Loan. Jeff will be taking the place of Anne Hoitink whilst she is on maternity leave.

## Ongoing action log

Meeting/ Action number	Description	Owner	Status
15.1	Scope Review -Ofcom consultation/feedback workshop to be organised for end of June.	Jacqui Brookes and Jeff Loan	NEW
15.2	A workshop to be organised once the Skeleton Paper of Code 12 is prepared	Paul Whiteing	NEW
15.3	Propose ILP quarterly meeting dates for 2010	Cara Shummen	NEW
15.4	The Executive to look into Multi-party chat and update the ILP at the next meeting	Paul Whiteing	NEW

### 1.0 Summary Notes of Last Meeting held on 24<sup>th</sup> February 2009

The minutes were approved with no further comment.

### 2.0 Matters Arising from Last Meeting on 19<sup>th</sup> August 2008

There were no matters arising.

### 3.0 Ofcom PRS Scope Review

Claudio Pollack presented a short summary of the findings from the PRS Scope Review published on 15 May 2009. The presentation covered market developments and implications, the analytical framework and its application; and proposals to improve the current regulatory framework. It was noted:

- The current value-chain is complex and fragmented creating new issues to be addressed. Simpler language/terminology needs to be developed for the different parties in the value-chain across technologies.
- The review considers why PRS is different and if regulation were to be removed would there be consumer harm
- Consumer concerns include bill shock, mobile payment operation, a decrease in call price transparency and areas where call barring is not straightforward
- Options for analysis include a study of the feasibility of pre-call announcements and introducing pricing transparency obligations in advertisements
- Effective consumer redress could include expanding the PP+ number checker and a formal complaints process for SPs and IPs
- Empowering suppliers to act responsibly could be introduced via a central registration scheme or via call barring facilities

The Scope Review is currently in the consultation process until 24<sup>th</sup> July 2009. Ofcom welcomed the suggestion of an ILP workshop in response to the consultation. The workshop is to be organised for the end of June.

#### **4.0 12<sup>th</sup> Code Update**

Paul Whiteing gave a brief update on the progress of the 12<sup>th</sup> Code:-

- The Skeleton Paper is not yet complete due to more complexity than first thought, good progress is being made and it will be ready for consultation soon
- A few big issues are still being discussed such as the complex value-chain, the issue of implementing a registration scheme and due diligence
- The Skeleton Paper will not be a draft Code but a descriptive paper of what the Code will look at. It addresses principles, sanctions and enforcement.
- The industry will be engaged on consultation and a workshop organised for feedback

#### **5.0 0871 Update**

Simon Bates gave a brief update on the progress of 0871 implementation. In the next two and a half months until 1 August the focus will be on:-

- A research report including consumer issues, market size and traffic will be published imminently
- Look at the largest users of 0871 such as travel agencies, banks and ticketing agencies and make contact with them through trade bodies or directly to the companies
- Ensure consumers understand the new regime by conducting a PR campaign at end July.

It was also noted that a number of successful workshops for networks had been held around the UK ahead of implementation. The presentations from the workshops are available on the PhonepayPlus website at

<http://www.phonepayplus.org.uk/upload/PaulWhiteing-PhonepayPlusBeginnersGuide.pdf>

Simon Bates thanked the ILP working group for their hard work in helping create the 0871 Help Note and booklet.

#### **6.0 Quarterly Report**

Paul Whiteing led the ILP through the main points of the Quarterly Report:

- 15,000 contacts per quarter
- 92% complaints were mobile
- There had been 100-180 enquiries per quarter on 0871
- £1million fines were levied in q4 [mainly due to 070 cases]
- 78% outpayments were collected.

Paul Whiteing agreed to provide feedback on consumer research at the next meeting

#### **7.0 ROI of the Phone Brain education scheme**

Simon Bates and Tim Reading from Tomtom Nation presented the findings of the Phone Brain Education campaign. They presented the statistics from the first year of operation and the plan for going forward with the programme. It was noted:-

- The project has met its dual objectives of educating young people and creating a positive buzz around the industry.
- 16% of schools in the UK were involved in the programme, engaging over 58,000 students. Positive feedback has been received from both the students and teachers,

with both groups acting as ambassadors for the project.

- A competition was created in conjunction with the Peter Jones Foundation encouraging students to create their own compliant Premium Rate Service. This will act as a further opportunity for coverage.
- PhonepayPlus should look to leverage the investment already made and, more generally, continue to carry out these kind of proactive, direct messaging campaigns.

## **8.0 New Funding Model**

Paul Whiteing advised that PhonepayPlus are looking into adopting a new funding model as part of the current review of the PhonepayPlus Code. PhonepayPlus has subsequently appointed KMPG LLP as its external consultants to comment on the existing model and to recommend changes and/or develop a new model if appropriate for regulatory and industry purposes. The ILP will be kept informed of any developments.

## **9.0 Industry Feedback – major developments or concern**

### **Number Checker**

Jeremy Flynn raised AIME's concern with the accuracy of the PhonepayPlus number checker after internal testing. The ILP supported an initiative to tidy it up. There was discussion around the development of a single web-based approach. It was decided a new Number Checker Working Group would be set up to help with this process, inviting at least three aggregators and some Network Operators to become involved.

### **AIME Regulatory Round Table**

AIME recently held a round table focusing on the Best Practice Code. It covered discussion around due diligence, reporting analysis and identifying and reporting miscreants (subject to legality). The Industry is taking responsibility for self-regulation and sharing best practice knowledge. It was suggested that SPs cannot be given uplifts at a PhonepayPlus Tribunal if they have signed an agreement to be part of the Best Practice Code. Paul Whiteing informed the meeting that this already formed part of the mitigating factors taken into consideration and the decision was made by the members of the Code Compliance Panel.

### **Operator Store Fronts**

Stuart Godfree highlighted the issue of Operator Store Fronts which were being launched without using PRS. The use of a "buy before you try" policy could lead to consumer harm.

### **Charity Shortcodes**

The MDA is still progressing the use and implementation of Charity shortcodes. There were a number of operators which still needed to sign them off before going ahead.

### **Interactive TV**

Ann Cook reported that ITV had seen increasing numbers of viewers interacting with TV voting. Although the levels did hugely fluctuate for unknown reasons, in general the levels had seen large increases. Consumers still had some problems with trust compounded in competitions by winners not being allowed to be shown on-screen.

### **Billable IM**

Billable IM was flagged as an area of concern. Consumers can pay for it via credit card, PayPal or PRS. It is still in its infancy but the industry should inform PhonepayPlus of any concerns they may have with a service.

## Working Group Actions and Updates:-

1.0	0871 Regulation	Mark Gracey Lesa Green Michael Eagle Michael Traynor	CLOSED
2.0	Key Measures	David Ashman Hamish Macleod	DA reported no new KPIs PW would include customer perceptions of PPP in the next stakeholder audit CLOSED
3.0	Mobile Complaints	Hamish Macleod	PENDING – members of the group have listened to calls in the PPP call centre. The next step is to meet and come up with recommendations to PPP in the summer.
4.0	Awareness of PhonepayPlus	Jeremy Hallsworth	PENDING – a discussion paper has been produced and circulated to ILP for comments. ILP members to please supply any contact names of PR people.
5.0	Registration Scheme	AIME	CLOSED
6.0	Customer Service – input into Code 12	Suhail Bhat Mark Collins	CLOSED
7.0	Market Research	Paul Whiteing David Oatway	PENDING – currently setting out detailed research priorities for 2009/10. The ILP has been requested to help PPP with research and resource sharing and to provide any relevant names they feel may help them with this initiative.
8.0	Compliance Testing – Mobile Services	Iain McCallum Paul Whiteing	PENDING - objective to identify if PP+ can effectively take over current ad-hoc, silo'd testing activities and act as the “policeman” for the industry in driving down the number of non-compliant mobile services. This group is to engage with relevant areas of industry that have significant experience in the testing arena to assess if a workable recommendation can be made that PP+ should become active in this area
9.0	Customer Complaints Handling	Simon Bates Jeremy Flynn Michael Traynor Jeremy Hallsworth Stuart Godfree Hamish Macleod	PENDING – the first meeting will take place on 4 <sup>th</sup> June 2009.

## 7.0 AOB

- Cara Shummen will propose quarterly ILP meeting dates for 2010, generally the 3<sup>rd</sup> Tuesday.
- The Executive are currently looking into the issue of Multi-party chat and will give the ILP an update at the next meeting
- Stuart Godfree commented that some links to the new PhonepayPlus website were no longer working and suggested that a good-looking 404 ER screen be put in place- Simon Bates agreed to investigate

The next ILP meeting will be held on **Tuesday 18<sup>th</sup> August, 10.00 – 13.00**

### **Future ILP Meeting Dates in 2009**

Tuesday 17<sup>th</sup> November, 10.00am

All meetings will be held at PhonepayPlus.