

MINUTES OF THE 22nd MEETING

PHONE-PAID SERVICES AUTHORITY CONSUMER PANEL

Wednesday 13 December 2023, 11.00-13.00

Phone-paid Services Authority, Riverside House,
2A Southwark Bridge Road, London, SE1 9HA/Microsoft Teams

Attendees:

Chair: Rhian Johns

Consumer Panel members

Louise Baxter

Paul Eaves

Nicola Wilson

Phone-paid Services Authority

Tor Ahjem

Simon Chong

Jonathan Levack

Sarah-Louise Prouse

Simon Towler

Minutes: Emma Hurt

Apologies: Patrick Bligh-Cheesman

1. Introduction

1.1 Introduction and apologies

Rhian welcomed members to the Consumer Panel meeting. Apologies were received from Patrick Bligh-Cheesman.

1.2 Previous meeting minutes and action log

The previous meeting's minutes were accepted as an accurate record of the meeting.

Matters arising were picked up during the meeting.

1.3 Executive update

The Executive provided an update. The key highlights are:
Complaints and other market indicators continue to demonstrate that the consumer experience of phone-paid services has improved significantly in recent years. The two main sources of complaints are now ICSS and Alerts.

ICSS - complaint levels have dropped since October with significantly less ICSS traffic, reflecting the Code changes implemented. Another potential reason for the drop could be the Google advertising ban on ICSS being implemented effectively.

Alert Services – the number of complaints for SMS alert services has increased.

The Executive also noted that Ofcom’s Consultation to transfer regulation from PSA to Ofcom and supporting documents have been published.

1.4 Panel update

The Panel is keen to respond to the consultation with a strong emphasis on how future regulation will be strengthened for consumer protection, and the extension of the vulnerability policy.

The panel will draft a response to the consultation

2. Theme

2.1 Future of Regulation

Ofcom provided an update on the transfer process and key impacts and future of PRS regulation.

The consultation and supporting documents were published in November with a nine-week consultation. The transfer is on track for 1 October 2024. Whilst there is some concern on the impact on timing that an early General Election could cause, the likely delay, dependent on the timing of the election, is approximately 3-6 months. However, it was noted that an Autumn 2024 election was looking more likely and this would have no impact on the transfer timetable.

Ofcom confirmed that the intention is to lift and shift as much from Code 15 as possible ensuring there are no regulatory gaps and continue to enforce any ongoing cases, PSA will enforce and regulate up to the point of transfer and Ofcom will takeover seamlessly. Ofcom also noted where they have proposed to make changes to regulation, whether by intention or as required by the need set regulation out in a Statutory Instrument. These included including changes to enforcement, registration, ICSS, vulnerability and the prohibition of individuals.

The PSA Business Plan and Budget has been published with a full year budget funding up to April 2025.

ACTION: The Executive to circulate the Ofcom presentation to the Panel.

3. Policy

3.1 Engagement and Enforcement update

The Executive provided an update on engagement and enforcement and a review of the year.

In 2023 16 cases were referred to Engagement and Enforcement.

32 cases have been resolved through various methods including adjudication, engagement, informal resolution and NFA, (for example where the providers are no longer in market, or are considered low concern)

There were 18 ICSS focussed enforcement cases.

The engagement process has strongly contributed to the high level of compliance by – providers.

New case resolution processes including engagement first approach and informal resolution have enabled a speedier resolution of cases.

Priorities for 2024

- To maintain business as usual meeting the Business Plan objectives -providing regulatory continuity and managing down residual issues
- The resolution of current cases
- Effective transition of casework into Ofcom by:
 - Completing as much as possible of ongoing enforcement and engagement matters.
 - Delivering an engagement first approach – but continue to take enforcement action in more serious cases.
 - To work with Ofcom to ensure effective handover of completed matters that require some form of follow up as well as ongoing enforcement cases (regardless of where it is in the case lifecycle)

ACTION: The Executive to circulate the E&E presentation.

4. Any other business

No further business was discussed

Date of the next meeting: 14 March 2024

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Action log

| Actions from the previous meeting | Status | Notes |
|--|------------------|--------------|
| The Executive to check with AM if can differentiate between PAYG and contract billing from a vulnerable consumer link. | Open | |
| Actions from the December meeting | | |
| The Executive to circulate the Ofcom and E&E presentations | Completed | |