

Minutes

Consumer Panel Meeting No 12

Tuesday 29 June 2021

Via Microsoft Teams

Attendees:

Chair: Rhian Johns

Consumer Panel members

Louise Baxter
Patrick Bligh-Cheesman
Paul Eaves
Fred Forbes
Nicola Wilson

Phone-paid Services Authority

Michael Burgess
Catalina Ciontu-Halauceanu
Gavin Daykin
Katie King
Jonathan Levack
Barbara Limon
Alex Littlemore
Simon Towler

Guest: Winnie Palmer (observing)

Minutes: Emma Hurt

1. Introduction
1.1 Introduction and apologies Rhian welcomed members to the Consumer Panel meeting. No apologies were received for this meeting.
1.2 Previous meeting minutes

The previous meeting's minutes were accepted as an accurate record of the meeting. Matters arising were picked up during the meeting.

1.3 Action log

The Panel asked whether there was any update on the status of "call back" ICSS, which were demoed and discussed at a previous meeting.

ACTION: The Executive will report back to the Panel on this.

The Panel enquired if there had been any confusion between the similarly named Phone-paid Services Consumer Group and the PSA Consumer Panel. The Executive confirmed no confusion has been reported.

1.4 Executive update

The Executive provided an update:

ICSS (Information, Connection and/or Signposting Services): While complaints remain at an all-time low, complaints about ICSS are now the most complained about service type. Since the last meeting, the Executive presented to the Ofcom Consumer Communications Panel on 20 May on ICSS and the consumer harm these services can cause.

The Ofcom CCP shared the panel's concerns and at the meeting discussed how to work together to ensure these consumer harms are addressed.

A meeting is being set up between the two panels, in response to the Panel's letter to the Ofcom CCP.

BBC Watchdog: The PSA has been contacted by the BBC, to help inform a short film for the Watchdog segment on the One Show about ICSS. The segment will cover how ICSS work, the consumer harm they cause, the scale of this harm, consumer advice and Google's role in and stance on this issue. The film includes case studies, from two consumers who tried to call government agencies and in both cases were cut off at 24 minutes and charged in the region of £200.

One panellist noted they had been working with the BBC on a film about cyber-related issues and will place the Executive in touch with their contact there.

Consumer engagement plan

The Executive gave a presentation on recent progress against the consumer engagement plan, including on work to understand consumer use and engagement on the PSA website.

Primarily, consumer advice is located on the "For consumers" pages of the website. A new [media centre](#) on the website has been launched which provides resources that journalists may wish to use, including consumer advice covering key topics.

The consumer engagement exercise provided good insights into improving consumer awareness and education. It is important to reach consumers to raise awareness and understanding of the complaint route.

The Panel suggested engaging with the Phone-paid Services Consumer Group, and to look at its social media profile to see which consumer groups it follows on Twitter, to broaden the PSA's reach.

The Panel discussed utilising awareness days to spotlight specific consumer advice. The Executive confirmed that it does this already – for example, Safer Internet Day in February saw a rise in social media traffic. The Panel is keen to support on social media.

The Panel commended the work undertaken in improving the consumer pages on the PSA website and on the consumer engagement plan more generally.

1.5 Panel update

The Panel agreed to hold its next meeting, scheduled for September, online. The December meeting is proposed to be held in person, with the option for hybrid attendance dependent on the Covid restrictions in place at the time.

2. Code 15 update

The Executive updated the Panel on the progress of the Code 15 project, covering its development and implementation, and the new supervisory powers the Executive will have.

A series of webinars and 1:1 meetings have been held since the last Panel meeting. Stakeholders are broadly supportive of the objectives underpinning the development of Code 15 around preventing consumer harm in the market.

A key issue for industry is the 12-month re-opt in for subscription services. This has attracted a lot of pushbacks from across the industry, with one provider stating that in the absence of another solution they would need to stop offering phone-payment as an option. Industry has asked the Executive to consider alternative models, such as:

- notification of renewal – with option to opt-out
- continuous payment authority/120-day rule.

The Executive noted that it was considering these responses and alternative approaches more closely aligned to proposals being developed for consultation by BEIS. These included notification in advance of a subscription running out with auto-renewal as the default and auto-cancellation for inactive subscriptions.

Progress continues on developing guidance specific to different standards, with the Executive confirming the guidance will be kept as short and concise as it can be.

The Panel viewed and gave feedback on one piece of draft guidance, on vulnerability. They suggested removing all tables in guidance as screen readers can find these difficult to process. The Panel also noted the use of customer/consumer and suggested consistency of using one term.

	<p>On this piece of guidance specifically, the panel feel it is important to understand the definition of vulnerability including emerging vulnerability, situational marketplace vulnerability and the ability to access complex information.</p> <p>ACTION: Relevant Panel member to share guidance on marketplace vulnerability.</p> <p>The Panel suggested signposting providers to sources of guidance, templates, and training where policy requires.</p> <p>The implementation programme is running broadly to plan.</p> <p>Code 15 will see resource shifting from enforcement to supervision, to prevent consumer harm in the first instance.</p> <p>The new model will allow for a more flexible exchange of data and identification of risks, and account managers will have a number of tools at their disposal to assess risk and compliance with the Code. The emphasis will be on being proactive not reactive.</p> <p>ACTION: A Code 15 update will remain on the Consumer Panel agenda.</p>
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<p>3. Consumer Communications</p>	<p>The Executive presented on consumer communications, having undertaken desk-based research to see how different regulators including ASA, ICO and Ofcom manage their communications with complainants compared to PSA. This showed the PSA’s approach was broadly in line with the approach of other regulators, but the Executive was open to the Panel’s suggestions on how its complainant communications could be improved.</p> <p>The PSA complaint journey updates the consumer at the end of the case. It was noted the phone operators are obliged by Ofcom rules (the General Conditions of entitlement) to help consumers on where to direct their complaint including supplying information.</p> <p>The Panel recommended replacing industry “jargon” with plain English, for example references to value chain could be replaced.</p> <p>The Executive welcomes ideas on how to engage better with consumers.</p>
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<p>4. Any other business</p>	<p>Committee terms of office:</p> <p>When the Consumer Panel was set up in 2018, all panel members signed up to a three-year term with the option thereafter to sit for a second term or step down from the Panel. All panel members apart from Fred are approaching the end of their first term.</p> <p>ACTION: Jonathan will meet with Panel members individually to obtain a clear understanding of members who would like to stand for a second term and to forward plan to enable a smooth, phased transition between Panel members.</p>
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No further business was discussed.

Date of the next meeting: Wednesday 29 September 2021

Action log

Actions carried forward from previous meetings	Status	Notes
The Executive will report back to the panel on the outcome of the (ICSS) calls.	Open	
Actions from June Consumer Panel meeting		
Executive and relevant Panel Member to correspond about Home Office charter (had been expected in February but has been delayed).	Open	
A Code 15 update will remain on the Consumer Panel agenda.	Ongoing	
Relevant Panel Member to share marketplace vulnerability.	Open	
Jonathan will meet with panel members individually to obtain a clear understanding of panel members who will be standing for a second term and to forward plan to enable a smooth, phased transition between panel members.	Open	