

## Information, Connection and Signposting Services

### Notice of Special Conditions

This Notice is being issued to inform all providers involved, or intending to be involved, in the provision of society lottery services that Special conditions apply. Level 2 providers are required to comply with [the Phone-paid Services Authority's Code of Practice](#), and the Special conditions set out below, which are imposed under paragraph 3.11.1 of the Code.

Under paragraph 3.11.3 of the Code, *"a breach of any special condition in respect of a high-risk service imposed under paragraph 3.11.1 shall be a breach of the Code"*.

ICSS is defined as follows:

**"Premium rate services, excluding full national directory enquiry services<sup>1</sup>, that provide connection to specific organisations, businesses and/or services located or provided in the UK; and/or which provide information, advice, and/or assistance relating to such specific organisations, businesses and/or services."**

The definition creates two distinct categories of ICSS; services that provide connection to organisations sought by consumers and those that provide information, advice and assistance on organisations. For ease of reference we refer to these categories as Type 1 and Type 2 and further describe them as follows:

**Type 1** – 'Call connection' services. Type 1 services offer connection to a small number of organisations, rather than the full range that a national Directory Enquiry (DQ) service provides. In some cases, Type 1 services may, in addition to connection, offer the number the consumer is seeking.

**Type 2** – 'Signposting' and 'Helpline' or advice or assistance services (which may or may not include the consumer providing account details relating to an unrelated online account they hold, so that the ICSS provider can interact with the account on their behalf). Type 2 services usually offer consumers the number of one or small

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<sup>1</sup> This is defined in the Ofcom Statement dated 1 March 2002 and has been adopted (to the extent set out) as follows: *"A Directory Enquiry Service which provides information on allocations of numbers to subscribers from the United Kingdom numbering scheme to callers located in the United Kingdom. A National Directory Enquiry Service shall be considered a "full" National Directory Enquiry Service for the time being if it provides information on the geographic numbers of all business and residential listings and on other numbers used for comparable purposes to geographical numbers (e.g. 08 numbers used for main switchboards etc), where the subject of the listing has not withheld their permission for its inclusion."*

number of organisations (but not onward connection to that number), operator-led assistance, or provide generic, pre-recorded advice via an Interactive Voice Response (IVR) system.

For the further avoidance of doubt, the following providers of ICSS are exempt from this Notice:

- Any provider who has an established, written agreement with a public or commercial organisation to operate an information, advice, or assistance service on their behalf. Such agreement must be provided to the Phone-paid Services Authority upon request.

### **Special conditions**

*Imposed under Annex 2, Paragraph 1.1(c) and (k):*

*(c) requirements to ensure there is an adequate technical quality to the provision of the high-risk service*

*(k) information that is required to be given to callers in promotional material or at various stages before and during provision of a high-risk service (including as to receipts)*

**ICSS 1** All search engine advertising and search results, including map based search results, must contain an accurate description of the true nature of the service and not use any language or marketing techniques which may mislead the consumer into believing that the service is the helpline or information service of the organisation the consumer is seeking. For example, the promotion or search result should say “*premium rate connection service*” or “*Call connection service*” for Type 1 ICSS, and “*Information assistance service*” for Type 2 ICSS. Such information must be prominent on-screen when the consumer views search engine promotions and search engine results. For the avoidance of doubt alternative phrases may be used where they meet the description requirement of this condition.

*Imposed under Annex 2, Paragraph 1.1(k): information that is required to be given to callers in promotional material or at various stages before and during provision of a high-risk service (including as to receipts)*

**ICSS 2** Services must not promote using URLs which mislead the consumer into believing the ICSS website is associated with the organisation they are seeking; this includes (but is not limited to) the domain name and any subdomain.

**ICSS 3** All Promotional material must clearly and prominently state (where it is factually the case) that the information (including the contact number) advice, or assistance provided by the PRS is available directly from the relevant public or commercial organisation at no or a lower cost.

This statement should:

- (i) be set out above the premium rate number and, or clickable call button;
- (ii) include a link to the homepage of the official website of the organisation that contains the contact number the consumer is looking for where such a website exists.

For the avoidance of doubt this condition applies to all PRS that meet the definition of ICSS regardless of whether the service offers any other additional service or function.

**ICSS 4** All promotional material must be distinct in appearance from that of the organisation being sought by the consumer. Promotions must not use descriptions, colour, typeface or logos or marks which imitate, or may be perceived to imitate the organisation the consumer is seeking, nor should any official logos or marks of those organisations be used. Promotions must not imply that the information being provided to the consumer is unique to an ICSS when the same information is available from the relevant organisation.

**ICSS 5** Promotional webpages containing the call to action must display the accurate description of the true nature of the service, cost of the call per minute and/or per call followed by the words *"plus your phone company's access charge"*, and provider name prominently in close proximity to the call to action, e.g. "call connection service, calls cost £X.XXp per minute or £X.XXp plus your phone company's access charge, operated by XXX Ltd".

**ICSS 6** Where an ICSS provides an IVR containing the number of the service the consumer is actually looking for, then promotional material must clearly instruct consumers to have a pen and paper ready, or some other means of recording the number, before they call.

**ICSS 7** Where the consumer has been provided with the number they are seeking and has the option of being connected to it directly, they must be clearly informed of the cost of doing so followed by the words *"plus your phone company's access charge"* and be given the opportunity to refuse before incurring any charge for that direct connection.

**ICSS 8** Where consumers are requested to supply secure personal and/or confidential details, in addition to any GDPR and DPA 2018 requirements they must be clearly informed that their details are being provided to a third party, and not the

organisation they wished to contact. In addition, where such data will be used to log into a consumer's online account in order to undertake any action on their behalf, then consumers must be clearly informed of this and that they could perform these actions themselves at no cost. Providers should ensure that any information about how their data will be stored and processed is also clearly provided on the website that promotes the ICSS number to the consumer.

*Imposed under Annex 2, Paragraphs 1.1(k) and (n):*

*(k) information that is required to be given to callers in promotional material or at various stages before and during provision of a high-risk service (including as to receipts);*

*(n) requirements for caller agreement before a high-risk service proceeds before the caller is charged*

**ICSS 9** Providers of ICSS who intend to collect confidential data/information (e.g. login passwords, PIN numbers etc) should in addition to any GDPR and DPA 2018 obligations also clearly inform consumers as to the precise use of such information, and make clear that by providing such information the consumer may be breaching the terms and conditions of the organisation they have a protected account with, and that the ICSS provider may then have unrestricted access to the consumer's account including, where applicable, payment details. Consumer consent should then be obtained before any confidential information is used. Providers should thereafter not use the information for any other purpose or on any other occasion without further consumer consent being given. As soon as the purpose for collecting the confidential information has been achieved the information should be destroyed immediately and permanently.

*Imposed under Annex 2, Paragraphs 1.1(k) and (m):*

*(k) information that is required to be given to callers in promotional material or at various stages before and during provision of a high-risk service (including as to receipts);*

*(m) the provision of defined information to the Phone-paid Services Authority and the intervals at which it is to be given and the manner to which it is provided.*

**ICSS 10** Providers of ICSS who intend to collect personal and/or confidential data and/or information should in line with the GDPR and DPA 2018 only collect information which is necessary to facilitate provision of the service, and should provide evidence that any data or information they have collected is necessary for service provision upon request by the Phone-paid Services Authority.

*Imposed under Annex 2, Paragraph 1.1 (k) information that is required to be given to callers in promotional material or at various stages before and during provision of a high-risk service (including as to receipts)*

**ICSS 11** Consumers must receive an alert at the start of the call before onward connection stating the following (in any order):

- (i) The price per minute followed by the words “*plus your phone company’s access charge*”;
- (ii) that the ICSS provider is not [insert the end organisation’s name] or that the ICSS provider is [insert ICSS provider name]; and
- (iii) the name of the end-organisation consumers will be connected to or given the option of connecting to.

Caller agreement may be given by pressing a specified key or otherwise responding to the alert, or by remaining on the line to access the service

*Imposed under Annex 2, Paragraphs 1.1(x) and (m): (x) providers of higher risk services to notify the Phone-paid Services Authority at commencement of such services and provide any related information required by the Phone-paid Services Authority within a specified time period; (m) the provision of defined information to the Phone-paid Services Authority and the intervals at which it is to be given and the manner to which it is provided*

**ICSS 12** ICSS providers must register their services within 48 hours of making the service accessible to the public, and in doing so make clear such services are ICSS when declaring that the service(s) are subject to Special conditions. This should include all numbers, all web domains associated with the service and who the service is connecting to or providing advice or assistance on.