

Code implementation workshop

Standards & requirements

CODE 15

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Objectives & agenda

- This is an opportunity to clarify expectations and the changes you may need to make by April 5th
 - Today's focus is on the Standards and requirements. We will concentrate on areas that we've had feedback to date
 - We'll also touch on exemptions and data retention
 - Got a question: type it in the chat and we will try to get to it
 - This session is being recorded
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The Code has 7 consumer and 3 organisational standards

Code 15 Standards

1. Integrity
2. Transparency
3. Fairness
4. Customer care
5. Vulnerable consumers
6. Consumer privacy
7. Prevention of harm and offence
8. Organisation and service information
9. DDRAC
10. Systems

We consulted on Guidance Notes for 6 of the standards and one **PSA** Service Specific Requirement

Code 15 Guidance Notes consulted on

1. Transparency
2. Fairness
3. Customer care
4. Vulnerable consumers
5. DDRAC
6. Systems
7. Service Specific Requirement 3.13.3 *

* We are currently consulting on a revision to section 3.13 of the Code and have proposed removing this Note as a result

The purpose of these Guidance Notes is to support compliance with Code 15 and not to introduce new requirements.

A lot of the actual content is not new – much of it can be found in the current Guidance Notes. However, we have reduced and simplified the Guidance.

Transparency

The Standard	What we are expecting	Feedback to date
<ul style="list-style-type: none">Consumers must receive clear, complete and timely information so as to enable them to make fully informed decisions when purchasing phone-paid services	<ul style="list-style-type: none">This Standard aims to ensure that the entire phone-paid service process from service promotion to service exit, is clear and transparent.Consumers should be able to make fully informed decisions, before any charge is incurred.	<ul style="list-style-type: none">What constitutes prominent and proximate – positioning of key information, use of colour & font typesPricing information wording – use of shorthand terms & requests for more examplesICSS – request for more prescription. We incorporated some of the former Special Conditions into the Code, underlining the importance we place on this issue.Clarification on when receipts should be sent

Fairness

The Standard	What we are expecting	Feedback to date
<ul style="list-style-type: none">Consumers must be treated fairly throughout their experience of PRS, including by being charged for PRS only where they have provided informed and explicit consent to such charges.	<ul style="list-style-type: none">This Standard aims to ensure that consumers are treated fairly, and fairness is central to providers' approach to consumersProviders should act – and be able to demonstrate they are acting, through the right policies and processes - in the best interests of consumers	<ul style="list-style-type: none">Excessive Use – the section of the Fairness guidance on excessive use is based on the current note on Enabling Consumer Spend Control – updated and simplified.

Fairness

The Standard	What we are expecting	Feedback to date
<ul style="list-style-type: none">Consumers must be treated fairly throughout their experience of PRS, including by being charged for PRS only where they have provided informed and explicit consent to such charges.	<ul style="list-style-type: none">Excessive Use<ul style="list-style-type: none">Lots of feedback on modal average – reminder that this is the current guidanceReflects the importance we are placing on vulnerable consumersWhat’s important here is that providers consider what excessive spend might look like in relation to their service. If in doubt, consult PSA – seek compliance advice.We will look to work with you on this through Supervision if this remains an issue	

Customer Care



The Standard	What we are expecting	Feedback to date
<ul style="list-style-type: none">Consumers must receive excellent and timely customer care including the resolution of their complaints	<ul style="list-style-type: none">This Standard aims to ensure that consumers should receive a high level of customer care and satisfaction in their dealings with providers of phone-paid services including, when things go wrong, receive a prompt response to fix the problemGood customer care is a priority – we have seen poor customer care in the past, characterised by long waits and a confrontational approach	<ul style="list-style-type: none">Where does responsibility lie? primarily merchant’s responsibility unless other arrangements are in placeCost of customer care – no more than basic rate cost to the consumerDefinition of a complaint, not every dissatisfaction should be categorised as a complaint - our definition of a complaint is aligned with Ofcom’s, consumer decides when they have a complaint.

Vulnerable consumers

The Standard	What we are expecting	Feedback to date
<ul style="list-style-type: none">Services must be promoted and provided in a way that ensures they are not likely to cause harm or detriment to consumers who are or may be vulnerable as a result of their particular circumstances, characteristics or needs.	<ul style="list-style-type: none">This Standard aims to ensure that measures are adopted for consumers whose particular characteristics or circumstances may make them vulnerableThis should be achieved by providers giving sufficient consideration to the particular needs of people and take steps to protect such consumersThis marks a shift in emphasis/importance rather than a significant change to requirements	<ul style="list-style-type: none">Identifying vulnerable consumers – highly challenging, but demonstrating to PSA (through policies/procedures) that you have thought through risks/put in mitigating actions will go a long way to meeting the StandardBarring access and discrimination – only a requirement for services that require age verificationParental controls - in hands of consumer, but more promotion needed?

Organisation and service information

The Standard	What we are expecting	Feedback to date
<ul style="list-style-type: none">Organisations and individuals involved in providing PRS must provide the PSA with timely, accurate and detailed information about themselves and the services they offer or intend to offer	<ul style="list-style-type: none">The objective of this Standard is for the PSA, industry and consumers to have access to timely, reliable and comprehensive information about the market and servicesUpdate your information from March	<ul style="list-style-type: none">The PSA's role in verification and validating registration informationRegistration is not an authorisation scheme

Due Diligence Risk Assessment and Control (DDRAC)



The Standard	What we are expecting	Feedback to date
<ul style="list-style-type: none">Organisations and individuals must perform effective due diligence on any person or organisation with whom they contract in relation to PRS, and must conduct a full and thorough assessment of potential risks arising from the provision, content, promotion, and marketing of PRS on an ongoing basis.	<ul style="list-style-type: none">This Standard aims to ensure that good due diligence and ongoing risk management are a priority for providers.DDRAC has been a recent focus for the PSA, both in policy and enforcement.	<ul style="list-style-type: none">How does this apply to merchants? DDRAC is required downstream. Providers are required to perform DDRAC on providers in the phone-paid services value chain that they contract with directly.However, we expect providers to have an overview of DDRAC throughout the value chain for services they are involved in providing.

What's next

- Publications in mid-February:
 - Guidance Statement and finalised Guidance Notes
 - Procedures
 - Exemptions – largely carried over, updated to reflect new Code provisions
 - Data retention notice – largely carried over, update to reflect new Code provisions
 - Two further workshops:
 - Supervision – February 9th
 - Engagement and Enforcement – February 22nd
 - Consultation on draft amendments to section 3.13 (Competitions and Voting Services) closes February 23rd
 - Code in force on April 5th
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Further questions

- Lots of information on our website
 - Email compliance@psauthority.org.uk
 - Open to 1-2-1s
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Thank you

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