

Consultation response form

Consultation on changes to regulatory framework for Information, Connection and Signposting Services (ICSS)

Please complete this form in full and return by email to consultations@psauthority.org.uk or by post to Sarah-Louise Prouse, Phone-paid Services Authority, 40 Bank Street, London, E14 5NR.

Full name	██████████
Contact phone number	██████████
Representing	Organisation
Organisation name	Telecom2 Ltd
Email address	██

If you wish to send your response with your company logo, please paste it here:

We plan to publish the outcome of this consultation and to make available all responses received. If you want all or part of your submission to remain confidential, please clearly identify where this applies along with your reasons for doing so.

Personal data, such as your name and contact details, that you give/have given to the PSA is used, stored and otherwise processed, so that the PSA can obtain opinions of members of the public and representatives of organisations or companies about the PSA's subscriptions review and publish the findings.

Further information about the personal data you give to the PSA, including who to complain to, can be found at psauthority.org.uk/privacy-policy.

Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how the PSA handles your personal information and your corresponding rights, please see our Privacy policy at psauthority.org.uk/privacy-policy.

<p>Your details: We will keep your contact number and email address confidential. Is there anything else you want to keep confidential?</p>	<p>Delete as appropriate: Nothing</p>
<p>Your response: Please indicate how much of your response you want to keep confidential.</p>	<p>Delete as appropriate: None</p>
<p>For confidential responses, can the PSA refer to the contents of your response in any statement or other publication? Your identity will remain confidential.</p>	<p>N/A</p>

Your response

Please enter your response to each of the consultation questions in the appropriate box below.



Telecom2 Ltd is an all in one business to business telecommunications provider with an extensive portfolio of technology, products and services. It was founded in 2009 by Rob Johnson (Chairman) and Alex Perez (Managing Director). It has operations in Ireland, Spain and Italy, with its head office based in Canary Wharf, London

Thank you for the opportunity to respond to the consultation on regulation of ICSS.

As well as answering the questions we feel That there are other issues relevant to this consultation that need commenting on. These comments are not confidential.

BACKGROUND TO ICSS

PSA claim to have received a number of complaints from organisations that the services connect to. The solution to this is in those organisations hands. Prior to the EU Directive on Customer Services, customer services were available on PRS numbers and widely promoted by the organisations. The writer has personal experience of this having had to make a call costing forty pounds to resolve an issue with a PC monitor that was under guarantee. Much of this was time spent on hold. The EU directive outlawed this practice, customer services had to be provided on a geographic or 03 number. Following this organisations “buried” their customer services numbers within their websites, some even deleted them from public access. This made

contacting these organisations difficult at best and many vulnerable people or those who had little knowledge of how to manoeuvre round web sites were seriously disadvantaged.

ICSS providers did the research, found the numbers, and set up call connection services. This research isn't cheap and has to be maintained in order to ensure that their database of customer services numbers is accurate.

If organisations made their numbers more accessible, and some, including HMRC, have, then there would be no need for ICSS services.

CALL RECORDING SERVICES

In the consultation it is claimed that call recording services are also ICSS. We would strongly challenge this assertion. Call recording is a service like any other phone paid service. Of necessity, like them it has to connect to another number to provide that service but the service isn't call connection, the service is recording the call once that connection has been made. Many call recording services say in their promotion that if the caller doesn't want to record the call they should hang up and dial the customer services number direct, this is not consistent with a call connection service. We would welcome sight of the basis for PSA's view.

CURRENTLY NON COMPLIANT SERVICES

We note that PSA appear to have found a number of non compliant services. If this is the case then enforcement action needs to be taken, it is not a reason to place further more stringent obligations on Service Providers who do comply with the Special Conditions.

BILL SHOCK

Mention is made of high call costs, often leading to bill shock. What doesn't receive a mention is the Access Charges imposed by the caller's Phone Service Providers. These are a significant part of the cost of a call and for lower rate services can be, and from mobile handsets frequently are, over 90% of the call cost. ICSS providers have no influence over these rates and cannot change them.

PSA/NOTTINGHAM UNIVERSITY RESEARCH

We are concerned that so much reliance is placed on this research when it says this in the concluding paragraph on demographic factors:

"The research sought to test average consumers. Population size for most demographic factors was insufficient to discern statistically significant trends in either the survey or the eye-tracking."

Consultation questions	Your response
Q1. Do you agree with revised wording of ICSS1 as being outcome based and inclusion of the reference to the appearance of organic search	Confidential? No We have serious concerns with this condition. The level of regulation is overbearing and will deter

<p>engine results including map-based results? If not, why not? Please provide evidence to support your reasons.</p>	<p>consumers, many of whom will be vulnerable, from using the service.</p> <p>The constraints imposed by the search engines mean it is not technically possible to comply with this condition. Clicking on an ad or map will take the consumer to a landing page and it is here that the wording should be regulated and a full description of the service provided, enabling the consumer to make an informed choice as to whether to make use of the service.</p> <p>A more generic service name would be possible but this is all in the hands of the search engines who should be approached to allow better information to be provided.</p> <p>The requirements around language and marketing techniques need clarification and guidance, it is difficult to have wording for a call connection service that will be significantly different to that of the organisation's own wording but still describe the offering.</p> <p>This level of regulation is not imposed on any other PRS service and it seems that the intended outcome is to deter consumers from using the service even though they may need it.+</p>
<p>Q2. Do you agree with the proposed amended wording of ICSS2? If not, why not? Please provide evidence which supports your reasoning.</p>	<p>Confidential? No</p> <p>We agree that the called Organisation name should not be the domain name but having it below that level is a valuable guide to the consumer and the ICSS provider as to what organisation is being connected. Without this being available there could be confusion leading to extra call costs as the consumer could click on the wrong link. It is difficult to see how removing information would make a consumer better informed, particularly where this information is clear and unambiguous. This all assumes that the consumer reads the URL, the PSA research says: consumers "failed to utilise information like the phone number or the url " and "Most consumers did not look at the url of the website"</p>
<p>Q3. Do you agree with the proposal to require the specific information listed in ICSS3 to be above the call to</p>	<p>Confidential? No</p>

<p>action? If not, why not? Please provide any evidence you might have which supports your answer.</p>	<p>We are not convinced the the positioning of this information is as significant as suggested. If this were the case then major corporate advertisers would all follow this practice and we have not been able to find any consistent support for PSA’s research findings.</p> <p>The requirement for a link to the home page of the called organisation to be given ignores the fact that many organisations conceal their customer services number within their web site to deter callers. A link to the home page would, therefore, be counter productive.</p> <p>Para 66 refers to call recording. As stated above, call connection is not the service being offered and we don’t believe that call recording falls within the ICSS regime. Few, if any, organisations offer call recording to callers. Many do record calls but the only way a caller can obtain these recordings is through a Data Subject Access request and these can take more time than is available to resolve an issue.</p>
<p>Q4. Do you agree with the proposal to combine ICSS4 and ICSS5 as both conditions are relevant to the same issue and potential for harm?</p>	<p>Confidential? No</p> <p>We have no concerns with this proposal</p>
<p>Q5. Do you agree that the amended condition should prohibit the use of official logos and marks, as well as imitative logos, marks and other promotional aspects?</p>	<p>Confidential? No</p> <p>We do not see a need for ICSS providers to use official logos in their promotional material. If, however, a provider offers connection to many different organisations then it’s own corporate colours may be similar or the same as one or two organisations they offer connection to. It would be unfair to compel ICSS providers to expend resource on changing their corporate colours on this basis, particularly when organisations can and do change their own corporate colours with little or no notice.</p> <p>We agree that ICSS providers shouldn’t imply they offer a unique service or information when it is available elsewhere.</p>
<p>Q6. Do you agree that the pricing</p>	<p>Confidential? No</p>

<p>information requirement in this condition should cover those ICSS which have dropped charge tariffs? Do you also agree with the clarification as to the cost and opportunity to refuse being given before a charge is incurred? If not, why not?</p>	<p>We agree that the pricing information should also cover drop charges. We cannot agree that the information be given before a charge is incurred because, apart from certain specific and strictly limited services, it isn't technically possible. We do not see this as being feasible under the current UK telecommunications environment. Technically in the UK, any particular call is likely to undergo multiple protocol conversions to reach its destination. This on its own makes the calling environment or transmission path nearly impossible to guarantee. Without this, any attempt at interfering with the signalling and send a message back to the caller will prove impossible.</p> <p>The only entity that can reliably delay charging is the caller's phone service provider. Even if the ICSS phone service provider was able to do this the caller would still incur an acces charge for a minimum of a minute. This condition is really only applicable to DQ/118 services that offer onwards connection after the number is given and is already a condition for those services.</p>
<p>Q7. Do you agree with the proposal to retain ICSS8, ICSS9 and ICSS10 and the amendments made to ensure consistency with the GDPR and DPA 2018? If no, please provide reasons to support your answer.</p>	<p>Confidential? No</p> <p>As far as we are aware none of our clients collect such information but in any event we would have no objection to this proposal</p>
<p>Q8. Do you agree that alerts at the start of an ICSS call should clearly state the cost of using the service regardless of the call tariff type? If not, why not?</p>	<p>Confidential? No</p> <p>We agree with this proposal, however, providing the other information required by ICSS 11 could increase the cost of the call, particularly the access charge if it drops into another minute charging period</p>
<p>Q9. Do you agree with the assessment of current condition ICSS12 and the proposal to remove it? If not, please provide reasons to support your answer.</p>	<p>Confidential? No</p> <p>We agree with this proposal</p>

<p>Q10. Do you agree with the modification of this condition and the requirement to register all web domains on the PSA Service checker? If not, why not.</p>	<p>Confidential? No</p> <p>The PSA registration process is undergoing a review and until the process is finalised it is difficult to comment. URLs etc change, they are not constant and it is possible that the new registration process will make it difficult to make changes to existing services once they are registered. In any event, there would need to be a publicly available archive of URLs, who they connected to and when, to assist callers who track their usage through their browsing history.</p> <p>We are concerned though that this is more over regulation as no other PRS has this requirement</p>
<p>Q11. Do you agree that the proposed additional condition (the new ICSS5), will help to prevent consumers from calling ICSS when they do not intend to? If no, please provide evidence to support your answer.</p>	<p>Confidential? No</p> <p>This condition places abnormal constraints on providers ability to design web pages. This degree of control is not seen anywhere else.</p> <p>We do not agree with the location part of this condition and believe the research is not adequate for PSA to rely on it. We note the following comments in the Research document:</p> <p>“Population size for most demographic factors was insufficient to discern statistically significant trends in either the survey or the eye-tracking.”</p> <p>Even with this limited population the research doesn’t say that data should be in the top left hand corner, simply that that was where people looked at banners and logos and that the decision is made possibly because that area was “slick”</p> <p>We would like a breakdown by ethnicity for the panel used for the research. Again we note the following comment from the research:</p> <p>“All the participants had English as a first language.”</p> <p>While the majority of people in this country read from left to right and top to bottom this isn’t the case for a significant and growing minority of the population, who would be disadvantaged by this proposal if it were applied.</p>

	<p>Again, we researched advertising by a number of large successful commercial companies and again there was no consistent support for locating information in the top left hand corner. Given the amounts of time and money they spend on marketing research, if the suggestion as to location were true the “sextant” would have been identified and acted on long ago. As it is, the important information is still located in the centre of view.</p> <p>So no, we don’t believe the new ICSS 5 will deter people from calling ICSS when they don’t want to. It does beg the question though, why would they be looking for ICSS if they didn’t want it?</p>
<p>Q12. Do you agree with the proposal to apply the proposed Special conditions to all ICSS regardless of the number range they operate on? If not, why not.</p>	<p>Confidential? No</p> <p>We agree with this proposal but would point out that it will do little to prevent bill shock. Even with the 13ppm tariff the access charge can still form 80% of the call charge from a mobile and even from a fixed line it can be 50%. For the lower rates, as stated above, the portion of the call charge consumed by access charges can be much greater. OFCOM has stated in various consultations that consumers are often not aware of access charges and even when they are, most do not understand them.</p>

If you have any supporting imagery for your responses, you can paste them in your responses in the table above or here:

Submit your response

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