

# Consultation response form

## Consultation on Service-Specific Requirements for Competition and Voting Services

Please complete this form in full and return by email to [consultations@psauthority.org.uk](mailto:consultations@psauthority.org.uk) or by post to Barbara Limon, Phone-paid Services Authority, 40 Bank Street, London, E14 5NR.

Full name	<div></div>
Contact phone number	<div></div>
Representing	Organisation
Organisation name	<div></div>
Email address	<div></div>

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](https://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](#).

<p>Your details:</p> <p>We will keep your contact number and email address confidential. Is there anything else you want to keep confidential?</p>	<p><b>your name/organisation name</b></p>
<p>Your response: Please indicate how much of your response you want to keep confidential.</p>	<p><b>None</b></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><b>Yes</b></p>

### Your response

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

Consultation questions	Your response
<p>Q 1. Do you agree that the proposed amendment to Requirement 3.13.3 clearly sets out what providers must do in respect of valid entries to competitions? If not, please give your reasons.</p>	<p>Confidential? <b>No</b></p> <p>We support AIMM and our broadcaster colleagues' responses.</p> <p>We do not understand the cause of the change. This is one of the strong growth areas in the industry from the thorough market research PSA undertakes and shares, and from PSA's own figures there are virtually no complaints.</p> <p>Before each service we undertake due diligence and risk assessments – the competition or vote mechanism has to be editorially fit for purpose, meet the needs of our audience and use technologically appropriate platforms: we match editorial to technology. Some propositions require a short turnaround and prompt resolution often with a live announcement, otherwise they do not work editorially. Our audiences</p>

	<p>understand that, as they generally understand the platforms we use otherwise we would not use them. This shift impacts that assessment – what is reasonable is one considered against the editorial. We build competitions and votes to meet the editorial needs, then match to the technology, not the other way around.</p> <p>We would prefer 3.13.3 to read:</p> <p><i>“All valid responses for entry into a competition or vote that are received by the provider within the timeframe set out in the promotional material must be entered and afforded sufficient time to be given full and equal consideration.”</i></p>
<p>Q 2. Do you agree that the proposed amendment to Requirement 3.13.5 clearly sets out when an entry to a competition must be considered invalid and what providers must do to inform consumers? If not, please give your reasons.</p>	<p>Confidential? <b>No</b></p> <p>We understand that it had been verbally agreed by the PSA that informing consumers consumers about late entries that have not been included could be done in the Terms and Conditions, but this is not reflected in the Consultation. We would hope that on air announcements of open and close points would also be sufficient. However this is not clear from the revised Requirements. The absence of a guidance note in an area previously covered only diminishes the clarity further.</p> <p>These services cause negligible numbers of complaints: there is no harm here. Broadcasters should be able to use their discretion to decide how to advise consumers on this matter.</p>
<p>Q 3. Do you agree that the proposed deletion of Requirements 3.13.11, 3.13.12, 3.13.13 and 3.13.15 remove unnecessary duplication? If not, please give your reasons.</p>	<p>Confidential? <b>No</b></p> <p>We do not. The removal of 3.13.13 causes us concern as this risk does still exist, albeit not often. An example of this would be where lines are opened for testing - which is a fundamental part of running broadcast competitions and votes – and a few entries or votes are received during that time from numbers we have not identified as testers. At that point their vote would be charged, as the service is open and must be set to the same operational level as it would be when it</p>

	<p>is live to test all elements of it (including that it is being charged at the correct amount).</p> <p>We are confident that generally a provider's platforms and services only charge for valid entries / votes but in those few scenarios where invalid entries are charged for under the new Requirements we would need to identify those callers and refund. This adds cost to a process we feel is understood by consumers and robust. Our on air calls to action are clear, we take special care with repeats / on-demand content so we do not believe there are any consumers calling outside of the announced windows thinking they are entering or voting (for example when we are testing).</p>
Q 4. Do you agree that the amended Requirements 3.13.3 and 3.13.5 are sufficiently clear that a guidance note is not required? If not please give your reasons.	<p>Confidential? <b>No</b></p> <p>We do not, at present. We appreciate, having attended several webinars, that in many areas the PSA sees no practical change in the way promotions occur ("business as usual") but with redefined Requirements and the reduction / absence of guidance notes there is a lack of clarity which is uncomfortable.</p>
Q 5. Do you agree that the proposed revised Requirements in section 3.13 could be implemented by the industry by 2 May 2022? If not, please propose an alternative date setting out your reasons.	<p>Confidential? <b>No</b></p> <p>We agree that if feedback given is considered and implemented then the 2<sup>nd</sup> May is a realistic timeframe for this process.</p>

### Submit your response

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