

Consultation response form

Consultation on Code 15 amendments to Requirement 3.2.10 and Annex 1: Specified service charges and durations of calls

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, c/o Ofcom, Riverside House, 24 Southwark Bridge Road, London, SE1 9HA.

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|----------------------|----------------------|
| Full name | Lawrence Bingham |
| Contact phone number | ██████████ |
| Representing | Organisation |
| Organisation name | A2B Telecom 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](#).

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

Your response

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

Note on Timing

As PSA has now requested further up-to-date information and data from ICSS providers, as was requested in the Thematic review into ICSS, which involves significant time and resource expense to both PSA and Industry, it would make sense that the ICSS consultation be postponed until such a time as this data has been collated and assessed. This will allow PSA, and Industry if the results were published, to be better informed regarding the state of the market now, compared to 1+ years ago, and provide more relevant observations and comment as part of the consultation.

| Consultation questions | Your response |
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| Q1. Do you agree with our proposal to require a positive opt-in prior to connection by the ICSS provider to the sought organisation? | Confidential? No No, as the user is charged on connection a positive opt-in would not prevent the caller from being charged. The caller has already been given all the important information, by staying on the line they have shown consent to the charge. If they have not heard or understood the important information, they would also not |

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| | <p>understand what they are being asked to opt-in to.</p> <p>The opt-in doesn't provide any benefit to the consumer, however it may provide some benefit to the provider's complaint handling process if the call logs are able to identify and report on the opt-in.</p> |
| <p>Q2. Do you agree with the information that we propose be required to be included in the consumer alert prior to opt-in to ensure transparency and consumer awareness?</p> | <p>Confidential? No</p> <p><i>"i) state that the organisation to which the service connects can be contacted directly for no or lower cost and provide the organisation's direct contact number"</i></p> <p>This information and a link to the organisation's web page is already required on the promotional material. Requiring this to be repeated in the consumer alert only makes the other elements of the important information stand out less,</p> <p>The provider has a responsibility to inform the caller of all important information which may affect their decision to continue the call. The contact details for an organisation are not part of any important information about the service.</p> <p>Requiring an ICSS provider to provide the direct contact number of the organisation is contrary to the nature of the service, and harmful to the basic nature of the provider's business.</p> <p>The provider is under no obligation to carry out a service for the caller without charge. Providing the contact details for an organisation to a caller constitutes provision of a service, and the provider is entitled to decide whether it wishes to provide such a service, and where it does it is entitled to charge for it. Where it does provide this service the charge for that provision may be separate to, or combined with, a charge for providing a connection service.</p> <p><i>"ii) state the maximum call charge"</i></p> <p>Providing any maximum call charge information within the consumer alert</p> |

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| | <p>would be confusing to the caller. Any information regarding a maximum call charge and associated forced termination would be more appropriate within the promotional material itself.</p> <p>“1.13 At the beginning of a call and before connection to another organisation consumers must be informed that the call will be terminated once the maximum Service Charge of £40 (inclusive of VAT) is reached.”</p> <p>It would make sense to inform the caller if their call will be disconnected, however this would ideally be set out on the promotional material rather than the consumer alert so that the caller has this knowledge before making the call. The provision of this information within the promotional material should be sufficient and leaves the intro to clearly reiterate the most important information, namely the cost and nature of the service.</p> |
| <p>Q3. Do you have any information that would inform our assessment of the impact and especially the financial costs and benefits of our proposals in relation to Requirement 3.2.10?</p> | <p>Confidential? No</p> <p>None</p> |
| <p>Q4. We welcome input on whether there are any other measures that could support consumer understanding of ICSS. We would like to understand if all network operators are able to provide free pre-call announcements and whether these can be applied to specific service types. It would also be helpful to understand what other technology is available to support free alerts upon connection to ICSS.</p> | <p>Confidential? No</p> <p>We do not have any understanding or information whether free alerts will be an option in the future. However it should be noted that not all service types bundled under “ICSS” are identical, and if a free alert was possible it may not be relevant or appropriate to all types of ICSS.</p> <p>There is significant disparity in promotional material, and unequal levels of compliance amongst ICSS providers. We believe that this causes confusion not just for consumers, but also for ICSS providers too. Where a provider sees other operators using certain wording and layouts in others’ promotional material for months, if not years, it may lead them to believe that PSA is satisfied with the compliance of those</p> |

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| | <p>promotions, when in fact they are likely to be non-compliant in many cases.</p> <p>Reintroducing a Prior Permission requirement for those providers wishing to operate ICSS services would result in a better level of access and control, a pre-emptive approach would help to weed out the worst cases before they even go live, provide a more uniform, understandable level of service across the board, and give PSA more immediate control and insight of the market and any potential issues.</p> |
| <p>Q5. Do you agree with us that it is appropriate and proportionate to cap the service charge of all ICSS calls at £40? Should a lower figure be considered?</p> | <p>Confidential? No</p> <p>No, in our experience a cap could do more harm than good, and for many years PSA has been of the same opinion. We have raised this matter with PSA multiple times and each time we have been advised that a call cap would be unhelpful and likely to cause increased detriment.</p> <p>However we do think there may be a better solution. If icss services were limited to operating on a lower max tariff (e.g. £2 per minute) almost all calls would reach a natural conclusion before any £40 forced disconnect would happen</p> <p>A max tariff cap, rather than a max spend cap, would more precisely serve to target the problem areas, reduce detriment and result in an overall better value proposition to ICSS consumers as a whole.</p> |
| <p>Q6. Do you agree that consumers should be informed before onward connection that calls will be terminated once a maximum charge of £40 (inclusive of VAT) is reached?</p> | <p>Confidential? No</p> <p>No, we think that a call cap would not be helpful as while it may seem that it could solve some issues it would at the same time create others.</p> <p>If there was a call cap and forced termination then this information should be provided within the promotional material so as not to obfuscate the consumer alert.</p> |
| <p>Q7. Do you have any information that would further inform our analysis of the</p> | <p>Confidential? No</p> <p>None</p> |

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| costs and benefits of our proposals in respect of caps on service charges? | |
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Submit your response

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