



# **Providing citizens and consumers with improved information about NTS and PRS**

A response by ICSTIS

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## Section One – General overview

ICSTIS welcomes Ofcom bringing forward this consultation which in part arises from the outcome of the Review of Premium Rate Services conducted by Ofcom in 2004 and issued by Ofcom on 9 December 2004.

The relevant recommendation concerned the arrangements for dealing with consumer enquiries regarding PRS which, in Ofcom's view, were no longer sustainable, and did not provide an adequate basis for consumer protection. The recommendation made by Ofcom is quoted in full below:

- Recommendation 11: OCPs should take on more responsibility for handling general PRS enquiries and for dealing with number check queries. This should be achieved by amending the obligations on OCPs under Ofcom's General Condition 14 and related guidance to require Communications Providers to produce a code of practice which would include the provision of practical information relating to the nature of PRS, and their costs and availability to consumers, e.g., information regarding call barring facilities, number checking etc.

It should be noted that since the Ofcom Review report was issued, a number of measures have, or are, being put in place both by industry, the regulators and DTI which are already having a considerable impact on the consumer harm and detriment that arises from the use, or misuse, of PRS. To that end it must be recognised that many UK networks, either as Originating Communications Providers (OCPs) or Terminating Communication Providers (TCPs) have collaborated closely amongst themselves and with us to try and minimise the consumer harm that can arise and so generate complaints and mistrust in PRS. This is to be welcomed. There are currently a number of other measures under way as a consequence of the Ofcom Review, which when taken together with the next ICSTIS Code of Practice, will tighten further the regulatory regime, protect consumers better and hopefully over time improve and restore trust in PRS.

## Section Two – Specific answers

**Question 1:** In general we would agree that OCPs should be in a position to provide to their customers the information set out in bullet form in paragraph 3.21 of the consultation paper. We would however observe that insofar as Ofcom is being prescriptive about the provision of information about internet diallers, which we welcome, we believe that the provision should go wider and needs to be future-proof. This is in order to include an obligation about other types of PRS service where it is becoming evident from enquiries and complaints that there is a general consumer misunderstanding or a lack of awareness about how a service works. This should assist in future-proofing the provision.

**Question 2:** Whilst not a specific area that ICSTIS currently regulates, as a consumer protection body, we would support reasonable measures designed to better inform consumers about the price of NTS services.

**Question 3:** ICSTIS supports Option 2 and sees this as a proportionate response to an area that has led to consumer detriment and harm for which an evidence base clearly exists.

**Question 4:** ICSTIS is supportive of the proposals and is not aware of any other alternative.

**Question 5:** ICSTIS agrees that the Code of Practice should be made available upon request to consumers. Some OCPs may choose to go further

**Question 6:** In broad terms we agree that the proposed modification to GC 14 and associated guidelines are sufficient to address the issue relating to NTS and PRS. However, we would like to qualify this with one important caveat. In Annex 1 to the Schedule to the consultation paper the draft guidelines for codes of practice for handling customer enquiries and complaints about PRS mandates at 3.1 that:

*3.1 Originating Communications Providers to provide the following information and advice to their Customers:*

- (i) Information about the role of Originating Communications Providers in relation to:*
  - a. general PRS enquiries and requests for number checks via the number checker facilities provided by the Independent Committee for the Supervision of Standards of Telephone Information Services (“ICSTIS”) on the ICSTIS website ([www.icstis.org.uk](http://www.icstis.org.uk))*
  - b. dealing with formal complaints about abuses of service content, the ICSTIS code of practice and scams.*

This draft guideline provision is ambiguous and accordingly needs to be re-worded. The objective of the provision should be that the onus is on the OCP to provide general information to their customers in response to requests for number checks which are made available centrally via the ICSTIS website. Whilst ICSTIS facilitates that service, in the first instance the customer experience will be better and more seamless if the enquiry/number check is provided to the customer by the OCPs customer service representative, not by ICSTIS.

Finally, in respect of the proposed Notification schedule, the definitions at 14.8 on pages 31 to 33 of the consultation document, would benefit from including a “call”