



# **Provision of Consumer Information – Guidelines**

A consultation issued by ICSTIS on 15 March 2005

**Closing date: 6 May 2005**

## How to respond

ICSTIS strongly prefers to receive responses as email attachments, in Microsoft Word format, as this helps us to process the responses quickly and efficiently.

Please send your responses to: Richard Sullivan, External Affairs Manager ([rsullivan@icstis.org.uk](mailto:rsullivan@icstis.org.uk)) marked 'Provision of Consumer Information Guidelines – consultation response'.

Responses can also be posted to:

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Clove Building  
4 Maguire Street  
London SE1 2NQ

To arrange for a discussion on the consultation, please contact the External Affairs Administrator on 020 7940 7415.

All comments will be treated as non-confidential unless respondents specify otherwise. We plan to publish all non-confidential responses with the final statement in due course.

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## **Section One**

### **Executive Summary**

These Guidelines set out the principles that ICSTIS proposes to adhere to when planning and executing its consumer information function in relation to both its reactive handling of consumer enquiries and its more proactive, educational activities.

We would welcome comments from all our stakeholders.

## **Section Two**

### **Background**

The Ofcom report 'The Regulation of Premium Rate Services – An Ofcom Report for DTI' set out the findings of a review of the regulation of premium rate services in the UK, carried out between August and November 2004. The Report recognised the great benefits of PRS, but stressed that these benefits were obscured in 2004 by problems involving the use of PRS to mislead or even defraud consumers. To address these problems the Report outlined an interlinked package of eighteen recommendations designed to improve the effectiveness of PRS regulation.

Recommendation ten confirms that ICSTIS should continue to have a role in the provision of consumer information. The recommendation also states that we should produce a set of guidelines to govern our activities in this area. This consultation document sets out the guidelines we propose to adhere to when planning and executing our consumer information function, in relation to both the reactive handling of consumer enquiries and our more proactive, educational activities.

In developing these guidelines we have had regard to Ofcom's statement on its 'Strategy and Priorities for Promoting Media Literacy' and the section on 'Exercising effective consumer choice' in Ofcom's 'Strategic Review of Telecommunications Phase 2 consultation document'.

The recommendation also asserts that we should consult with industry stakeholders on the draft guidelines, with the aim of ensuring that industry views are properly reflected in their content. Naturally we are also consulting with the full range of our stakeholders, including consumer information and protection bodies and those organisations concerned with child protection. We welcome views from all our stakeholders. Following this consultation exercise we will submit our consumer information principles to Ofcom for approval and then publish them in full.

## **Section Three**

### **Our vision**

As the regulator for premium rate services our vision is that anyone can use these services with absolute confidence.

#### **Consumer information**

ICSTIS sees consumer information as key to the successful development of digital Britain. The rapid development and deployment of new technologies and the convergence between previously distinct (or entirely discrete) communications media is something to be celebrated, but it must be recognised that consumers need to have the tools to engage effectively with this rapid change and protect themselves or their family members from unwanted cost, content and contact.

We believe that where technological development outstrips consumer understanding there is a very real risk of consumer harm. ICSTIS sees it as a duty to work with its stakeholders, or by itself where necessary, to provide consumers with the tools they need to be protected from harm. In particular we will want to work in partnership with those such as telecoms companies, media owners and broadcasters that have a pre-existing relationship with consumers which can be leveraged to enhance consumer awareness about PRS in terms of both the benefits and potential downside risks with certain services.

#### **Principles into actions**

ICSTIS sets out in detail and consults on its activities in its annual Activity Plan and Budget and it is this document that turns the principles set out here into concrete activities. The Plan and Budget sets out our activities in complaint handling and prior permission, in our contact centre and in our policy, consumer information and external affairs work.

## Section Four

### ICSTIS' principles on consumer information

ICSTIS' proposed principles are explicitly modelled on Ofcom's principles on consumer information, as set out in its 'Strategic Review of Telecommunications – Phase two consultation document'.

Where ICSTIS considers that there is clear evidence that people need objective and reliable information on communications issues falling within its remit, ICSTIS will:

- \* Encourage ICSTIS' stakeholders to provide timely, objective and reliable information, with the possibility of regulatory intervention where appropriate and where within remit to do so.
- \* Consider whether there are operational benefits to ICSTIS in providing the consumer information itself.
- \* Provide people with timely, objective and reliable information where it is not possible or appropriate to rely upon ICSTIS' stakeholders to provide such information and:
  - the possible harm is serious, in terms of both numbers of consumers affected and the nature of the harm, particularly where:
    - there is a degree of urgency;
    - consumers are at risk of being deliberately misled or 'scammed'; or
    - vulnerable consumers, e.g. children, are at particular risk of acute detriment;or
  - Ofcom or the Government has imposed a change upon the market;
- \* Communicate in plain English, using language understood by all;
- \* Use the most appropriate communications channel – whether this is online, on air or in print – for the relevant audience;
- \* Take into account the interests of people with visual and hearing impairments and other disabilities;
- \* Consider the needs of people who do not speak English as a first language;
- \* Consult relevant stakeholders where appropriate;
- \* Review its information regularly to assess its impact.
- \* We will also pay due notice to any obligations placed on us by the communications regulator, Ofcom, consistent with its duties and obligations in the Communications Act 2003 and consistent with any media literacy strategies that it develops.

*QUESTION 1: Do you agree with these principles?*

*QUESTION 2: Are there other principles which you think we need to observe? If so, what are they?*

## Section Five

# ICSTIS' consumer information services

### 1. Contact centre

Our freephone contact centre is usually the first point of call for consumers with complaints about services or questions about charges that appear on their phone bills and is our route into a public looking for help and for answers.

The contact centre team works hard to assist consumers, listening to individual cases and tailoring responses to provide the right level of advice. Consumers' knowledge of premium rate services (and technologies such as interactive TV, SMS and diallers) varies hugely, and much of our contact centre operators' time is spent explaining new technologies and how they work.

The role combines empathy as well as a high level of technical expertise, together with detailed knowledge of our powers and responsibilities – that being said, we help all callers and, if out of our remit, we will advise where they can get help.

*QUESTION 3: Do you agree that our contact centre should provide advice and assistance to consumers where this is requested? If not, how else, or who else, might fulfil this role?*

### 2. Website

Our website is a key information resource for consumers, and indeed all our stakeholders, for all ICSTIS activities, from educating consumers about premium rate numbers to ICSTIS' press, political, policy and other externally-facing activities.

The website is more than simply a repository in the virtual space for all our hard-copy resources and information. We take advantage of the on-line medium to provide interactive lookups which provide up-to-date and timely information so that the website works as a virtual one-stop shop for consumers, providing the latest information concerning complaints, useful links and consumer education.

It also allows complaints to be made 24 hours a day and is now undergoing development work to make it more consumer friendly (for example it will shortly allow users to track the progress of their complaints).

*QUESTION 4: What thoughts or suggestions do you have on how the website could be a better consumer-facing interface?*

### 3. Proactive consumer information

We plan, prioritise and deliver a programme of work designed to support consumer information and education. We:

- identify the bodies and media best placed, best resourced and best skilled to deliver key consumer messages
- ensure that the needs of consumers are addressed in our research activity and resultant messages from that research are followed up

- ensure that consumer representative, consumer protection, child protection and other relevant agencies understand our role and remit and, where appropriate, have the guidance, advice and material from us necessary to advance consumer literacy and protection relating to premium rate services
- plan the most effective programme of consumer-related activities possible, consistent with budgetary constraints, to influence agendas wherever possible and worthwhile
- keep our consumer information programme and partnership arrangements under continual review looking, as necessary, to develop new products, literature, web-based and other content to meet general or target audience needs
- use targeted consumer research wherever possible to ensure that consumers receive the right information, in the right way, at the right time and that we have an evidence-base from which to identify proportionate and effective consumer information strategies
- will work with phone companies (Originating Communications Providers – OCPs) to provide concise information to the consumer via their hard copy bills or their web-based bills to help empower consumers to recognise and have a basic understanding of premium rate numbers – and to know whom to approach in the event of a complaint

*QUESTION 5: Do you agree with the ICSTIS' proposed proactive work to support consumer information and education?*

*QUESTION 6: Specifically, do you agree that basic information about ICSTIS' role and remit should appear on telephone bills and/or be communicated to consumers by OCPs?*

#### 4. Press office

ICSTIS provides the media with information and assistance in a positive, useable and timely fashion

ICSTIS uses media reporting to advance consumer information and education goals both through case-based material and pro-active initiatives. We work to ensure that the needs of parents and children specifically are addressed, especially in relation to Internet and visual content services, interactive TV applications, chat and other mobile services.

Press office operation:

- We acknowledge all media enquiries within 24 hours of them being received
- We record and summarise all media enquiries in both hard and soft copy formats
- We inform enquirers of our role and remit, and explain how premium rate charging works
- We inform all those who enquire about a particular service of all those in the value chain of PRS, whether delivered by fixed or mobile
- We inform enquirers of the sanctions available to us, and the factors that the Committee takes into account when deciding whether to impose a sanction
- Although the vast majority of all enquiries concern complaints and alleged bad practice by service providers, we always set levels of complaints and consumer harm in their proper

context in terms of the size and diversity of the industry, the total number of services available and the number of service providers operating

- We add enquirers to either our e-mail notification database or literature mailing list

*QUESTION 7: What thoughts do you have on the best media to use to inform consumers about premium rate services?*

*QUESTION 8: What thoughts do you have on how we might enhance our media reporting operation?*

## **Section Five**

### **Summary questions**

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*QUESTION 2: Are there other principles which you think we need to observe? If so, what are they?*

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