



 **Join the conversation using #PPPforum**

Wireless username: CCTV-BANK

Wireless password: connect@cctv

# Welcome

speaker:

**David Edmonds CBE**, Chairman, PhonepayPlus

# **PhonepayPlus**

## **regulatory developments**

speaker:

**Jo Prowse**, Chief Executive, PhonepayPlus

panel:

**David Edmonds CBE**, Chairman, PhonepayPlus

**Peter Barker**, Director of Corporate Services and Operations, PhonepayPlus



**Looking forward**

**Our vision is that anyone can use  
PRS with absolute confidence  
in a healthy and innovative market**



Right Touch

# Right Touch

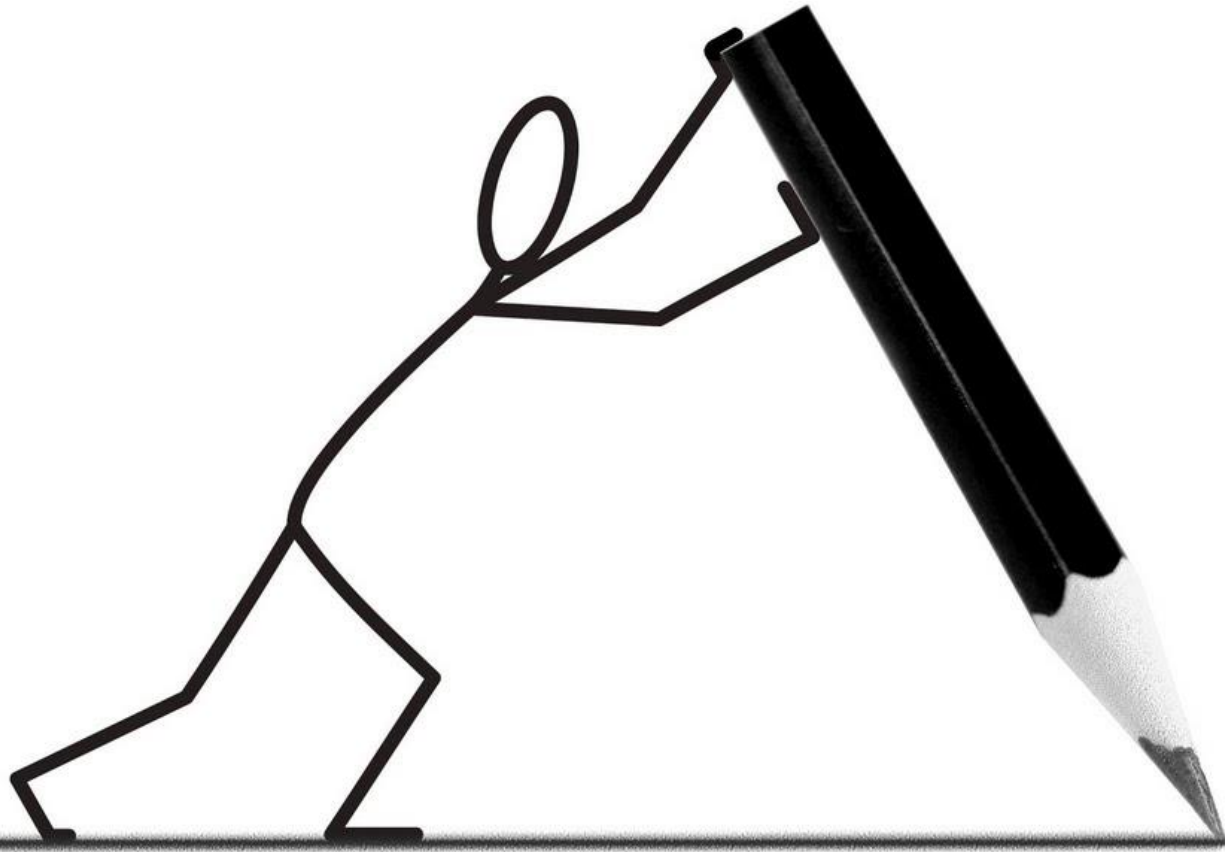
Fair & Proportionate

Effective

Flexible  
&  
Enabling

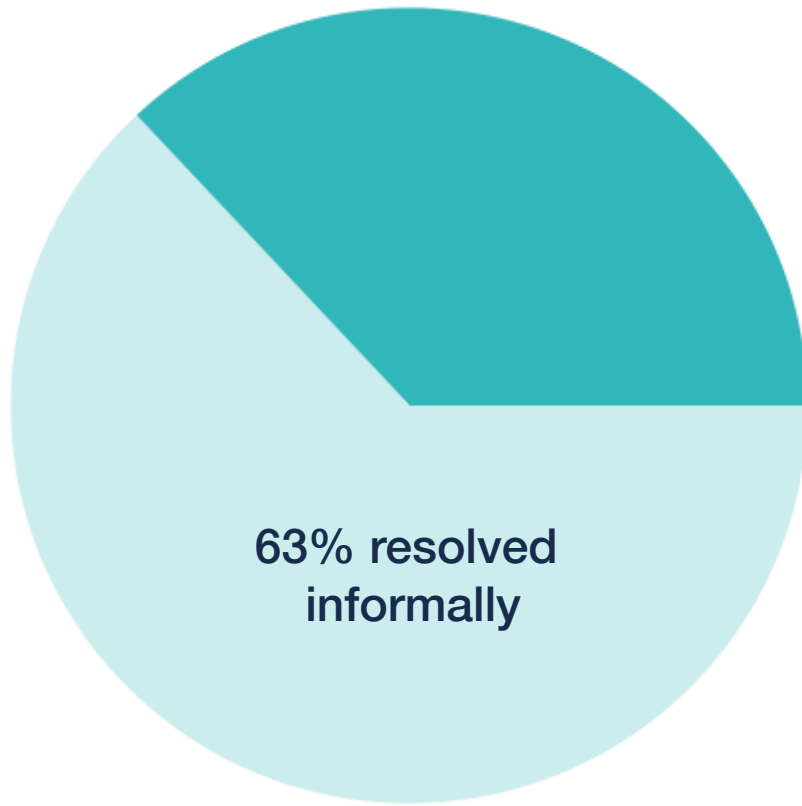
Responsive  
&  
Accessible

Collaboration

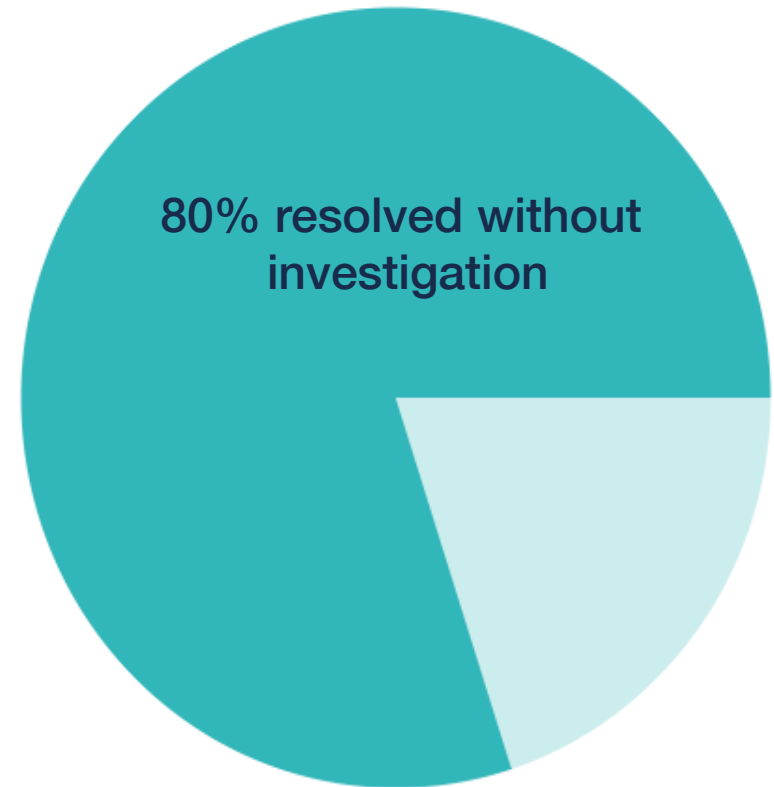


Fair & Proportionate

# Cases

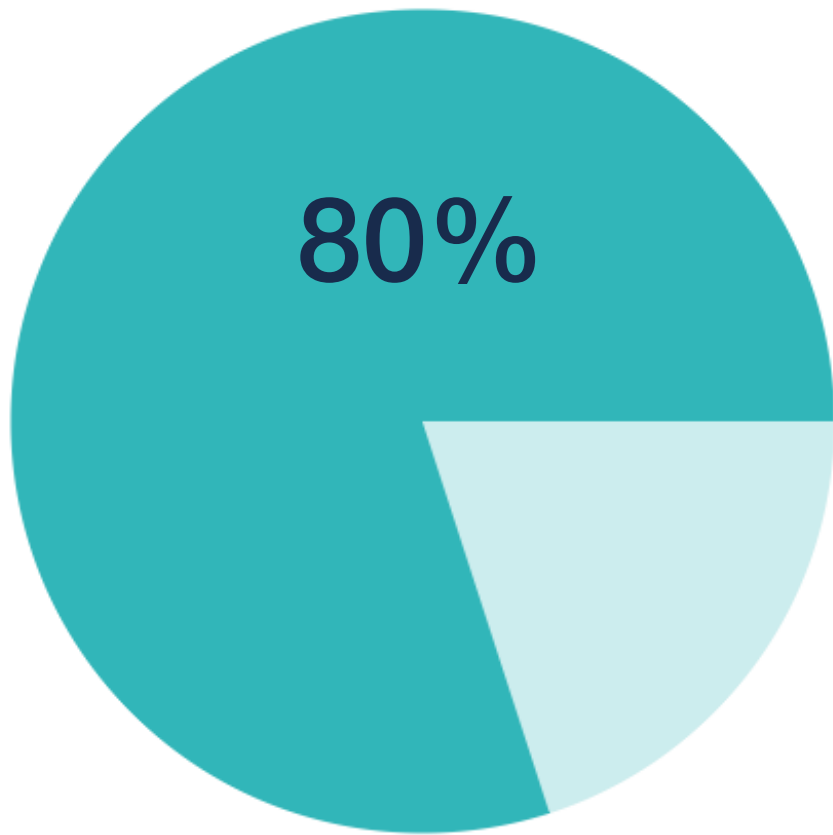


# Complaints





# Joint industry and PhonepayPlus **Rapid Response Team**

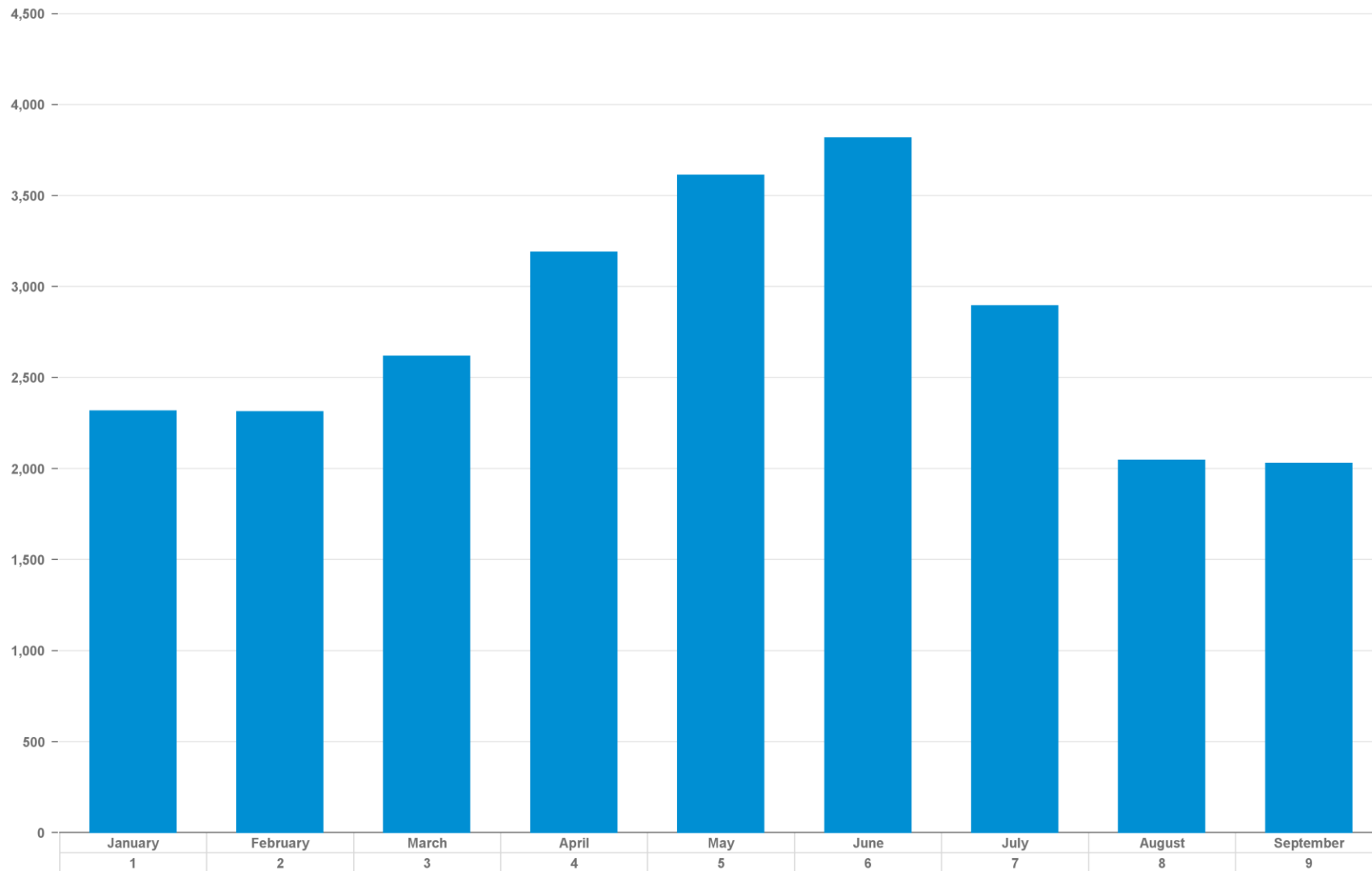


Complaints on online competitions and adult services



Complaints on other services

Effective in stamping out harm



# Complaints

**It's working!**



- ❑ 13<sup>th</sup> Code of Practice
- ❑ Part 4 review
- ❑ Consulting on updated guidance

Flexible & Enabling

Code of Practice

# Clearer communications and industry reputation management

- ❑ New PhonepayPlus website
- ❑ Email and social channels
- ❑ Solutions Centre
- ❑ PhoneBrain 2015 campaign (cont'd)



## #NumberChecker

Not sure about a number that's on your bill? Check it out here and see what to do next...

Check it!

## How we can help

Offering advice, dealing with your enquiry and what consumers we've helped are saying about us



## What are premium rate services?

Quizzes & competitions



Voting (TV & web)



Charity donations



Digital content



Directory enquiries (118 numbers)



## Latest blog posts

■ #GetSafeOnline week

■ Consumer Rights Act 2015

■ New office, new Chairman and upcoming work

■ Industry seminars series on Code 13 now finished

# Collaboration





New Industry Liaison Panel chair,  
**Ann Cook**

Relaunch of the ILP

Responsive & Accessible

# Board changes



David Edmonds



Steve Ricketts



Kevin Brown



Hugh Griffiths



Howard Webber





# **culture shift**

**A MORE TRANSPARENT AND  
RESPONSIVE REGULATOR**

# Efficiencies

smarter working, forward looking and outward facing

- ❑ New office location in Canary Wharf
- ❑ Business Plan and Budget consultation



# Funding

**2016/2017  
budget**



**levy**



**2015/2016  
fines**



**levy**



**2016/2017  
market**

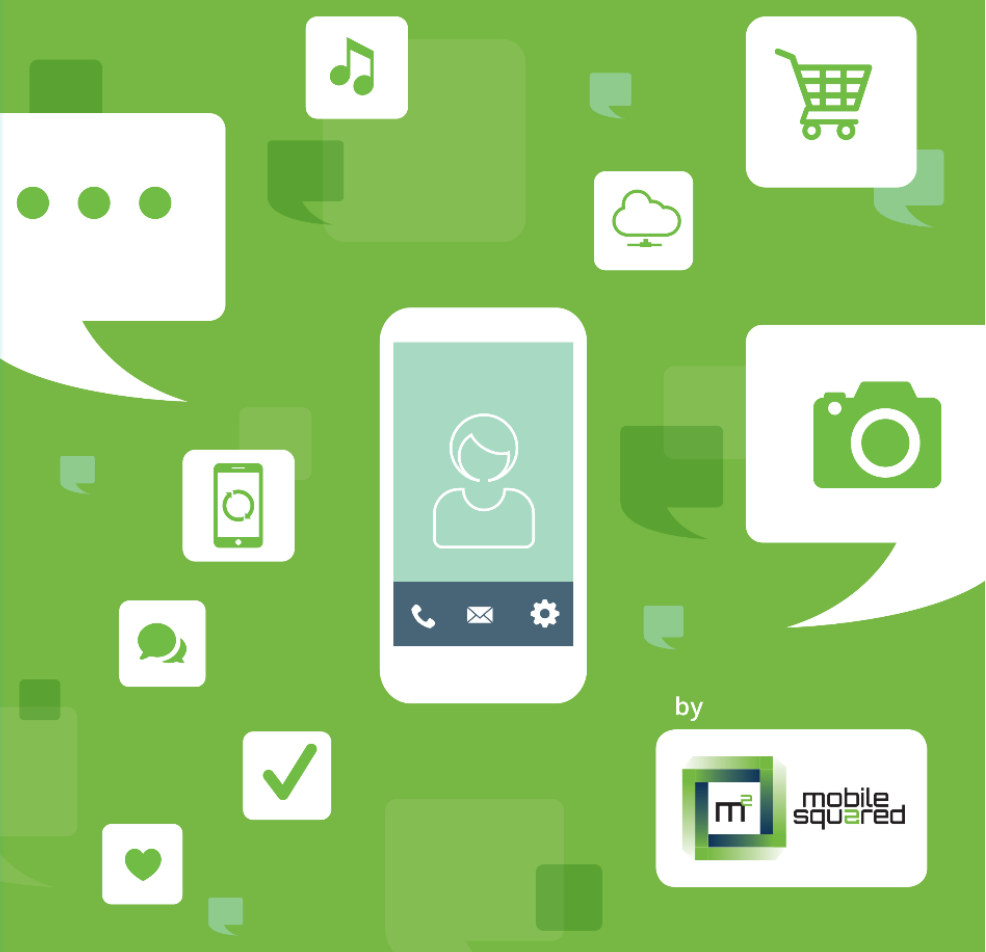


**levy**

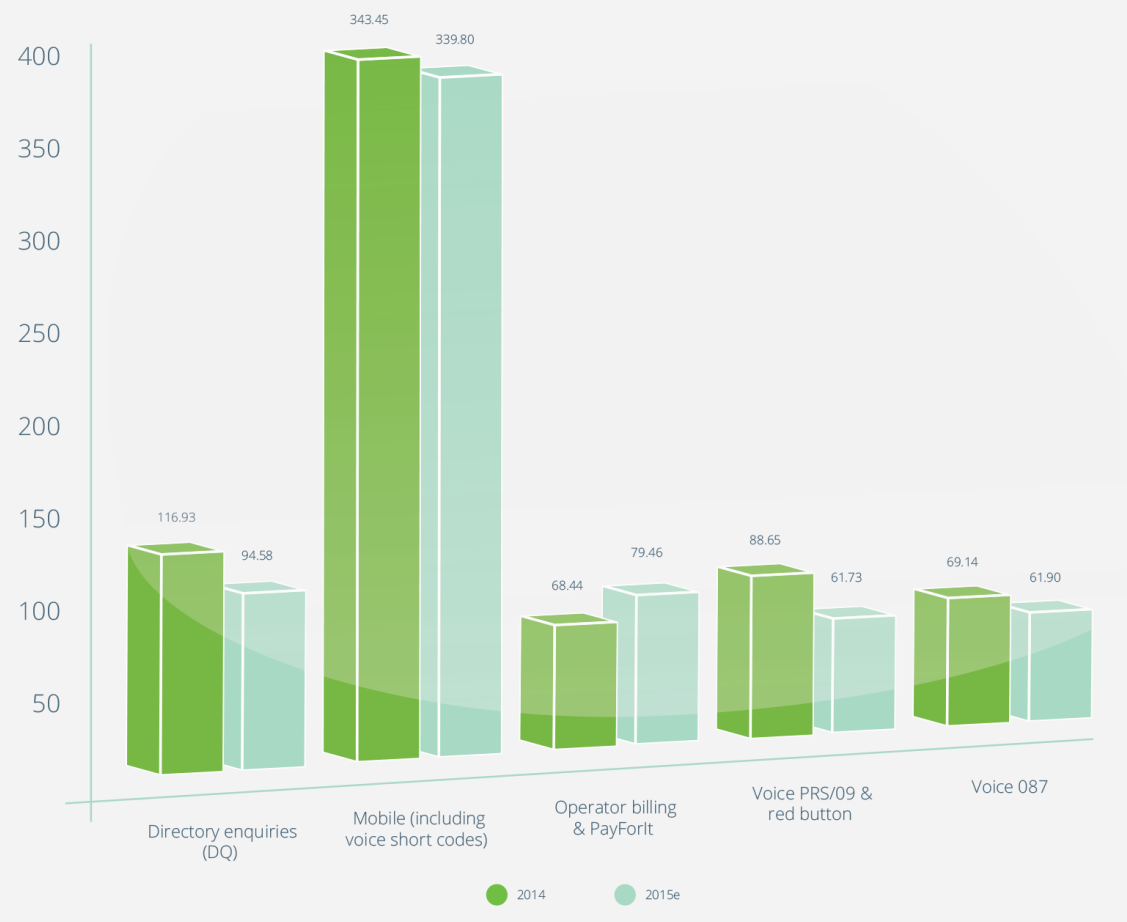


# ANNUAL MARKET REVIEW 2014

PRS market outlook 2015



PRS revenues by payment type, 2014-2015e (£m excl VAT)



January 2014  
**19.3 million**



January 2015  
**16.5 million**

# Legislative work

PSDii

Framework reviews

EU developments

UK developments

Digital single market

Possible Communications Bill

A close-up photograph of two hands holding mobile phones. The left hand holds a silver flip phone, and the right hand holds a black smartphone. The background is a soft, out-of-focus grey. The text is overlaid on the image.

# **Vulnerability**

**A PhonepayPlus Discussion Document**

July 2015

A solid teal horizontal bar at the bottom of the page.

# Research & intelligence

- Early Warning System
- Rapid Response Team
- New research into consumer behaviour



# **Thank you**



**Next up:**

**Q&A session**



**Q&A**

# Industry developments

panel discussion

**Ann Cook**, Director of Interactive, ITV and Managing Director of ITL and  
Chair of the Industry Liaison Panel (ILP)

**Rob Weisz**, Chief Executive, Fonix

**Eric Feltin**, Chief Operating Officer, Safari Mobile

**Hamish MacLeod**, Chair, Mobile Broadband Group

# **Investigations, sanctions and procedures**

## part 4 review update

**Peter Hinchcliffe**, Deputy Chairman, PhonepayPlus Board

**Steve Ricketts**, Member, PhonepayPlus Board

**Simon Towler**, Director of Policy and External Relations, PhonepayPlus

**Ayo Omideyi**, General Counsel, PhonepayPlus

# Review of part 4 of the Code of Practice

PhonepayPlus Industry Forum  
4 November 2015

# Approach to the Review

Review announced April/May 2015

In the published Terms of Reference we said that the focus of the project team would be on the following core areas:

- i. Independence
- ii. Transparency and certainty
- iii. Fairness
- iv. Proportionality and consistency

## Annex to Terms of Reference/Success criteria

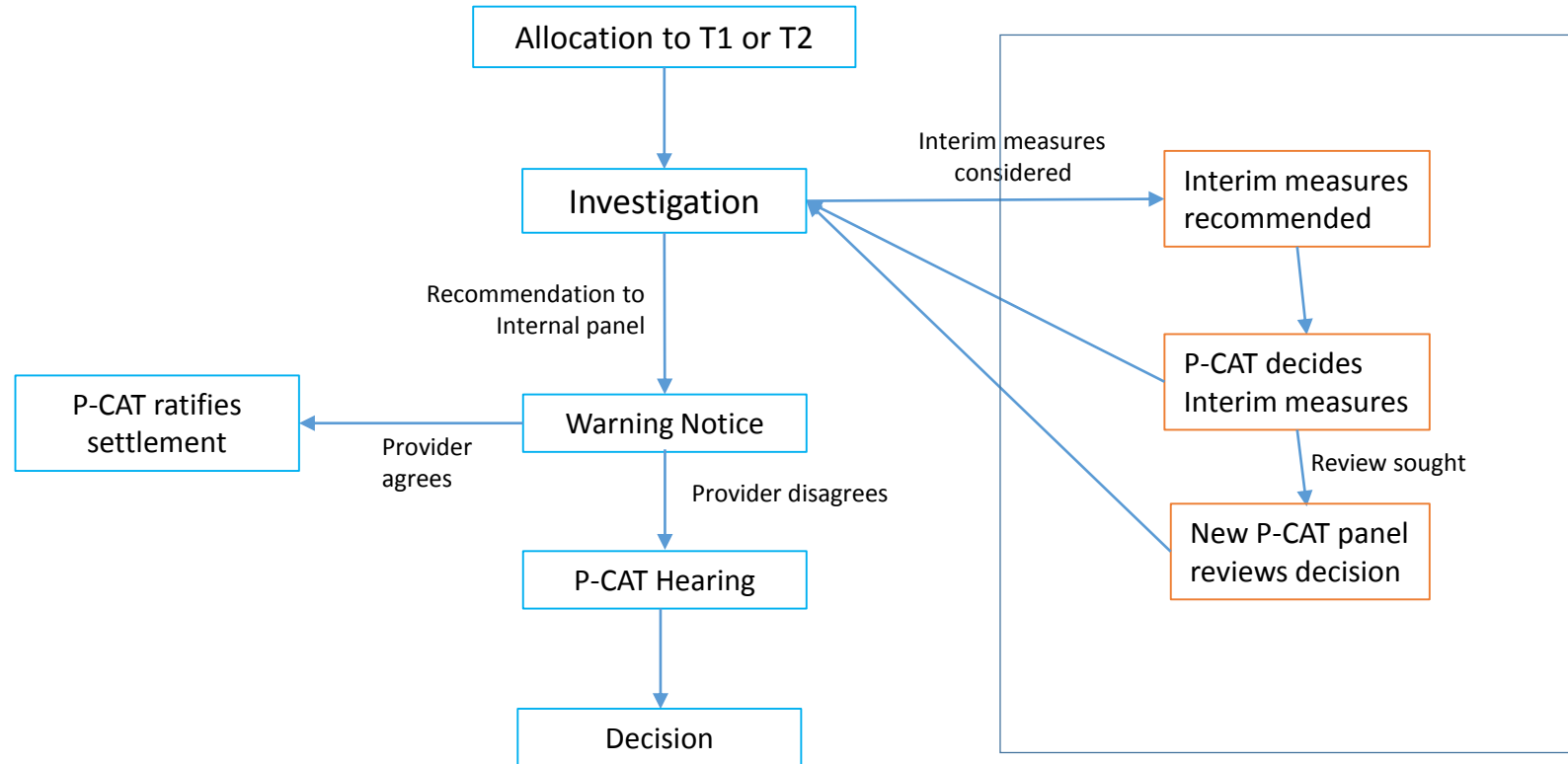
The outputs of the Part 4 review are expected to be:

1. A revision of the Code of Practice which incorporates a new and updated Part 4 of the Code.
2. Associated PhonepayPlus procedures on the operation of Part 4

The Review will have been successful if the following criteria are met:

1. The revised Code and procedures have addressed concerns raised in the O&O judicial review and by industry and are now robust enough to stand the test of a legal challenge in that they are lawful, sound, fair and proportionate (as far as can reasonably be judged in the absence of a challenge). The revised Code and procedures will have regard to principles of good regulation (proportionality, accountability, consistency, transparency, targeting)
2. Ofcom will be able to approve the Code and procedures with reasonable confidence that it will lead to regulatory and enforcement outcomes that offer effective consumer protection, but without being unduly restrictive or burdensome on industry.
3. Industry will have had sufficient opportunity to provide evidence and views and will as a result be able to be reasonably confident that these have been taken into account and that when implemented, the new Part 4 and procedures will lead to regulatory and enforcement outcomes that are fair and transparent.

# High level overview of proposed process



# What's not changing

The process will be familiar in many ways:

- We will still have Track 1 and Track 2 procedures
- We expect that most cases will still be Track 1 cases
- It is currently possible to settle a case before reaching a Tribunal and will remain so
- We will still have a body whose role is to adjudicate independently on breaches of the Code and on any sanctions



# Key changes 1

But we are introducing some critical procedural changes which streamline the process and provide further opportunities for earlier resolution of cases:

- ❑ There will be separation of roles throughout the process. An investigation will be carried out by the PhonepayPlus investigations team. The results will be evaluated by executives and non-executives not involved in the investigation.
- ❑ The Code Adjudication Tribunal will decide cases. Board members will not sit on the new Code Adjudication Tribunals.
- ❑ A “Warning notice” will be issued before any decision setting out a clear and detailed statement of a case against a provider and any proposed sanctions. This is intended to give a clearer basis on which a provider may decide to accept or challenge the case against them.
- ❑ The process for providers to present their case to the Code Adjudication Tribunals will be made more flexible so providers can decide how much time and money to spend.
- ❑ We think that the improvements in the process will increase confidence in decision-making and adjudication and we will propose in the consultation that the Independent Appeals Board be abolished.

# Key changes 2

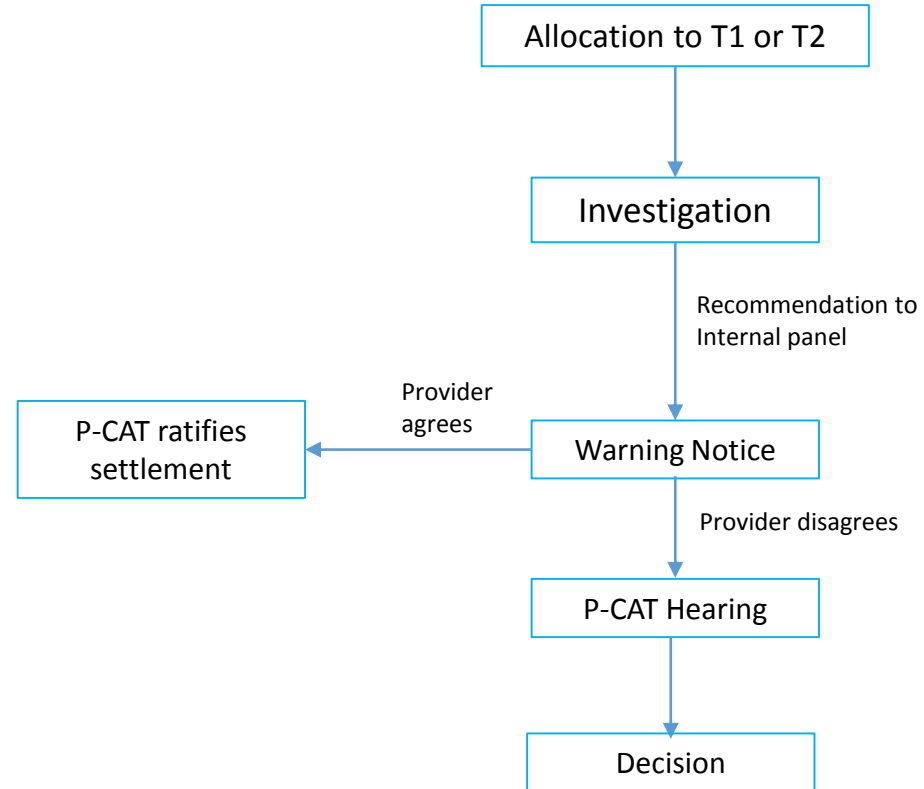
We think that we can provide equally effective consumer protection without the current Emergency Procedure

- The new process provides for interim measures such as withholds and suspensions to be considered automatically in every case against fixed criteria

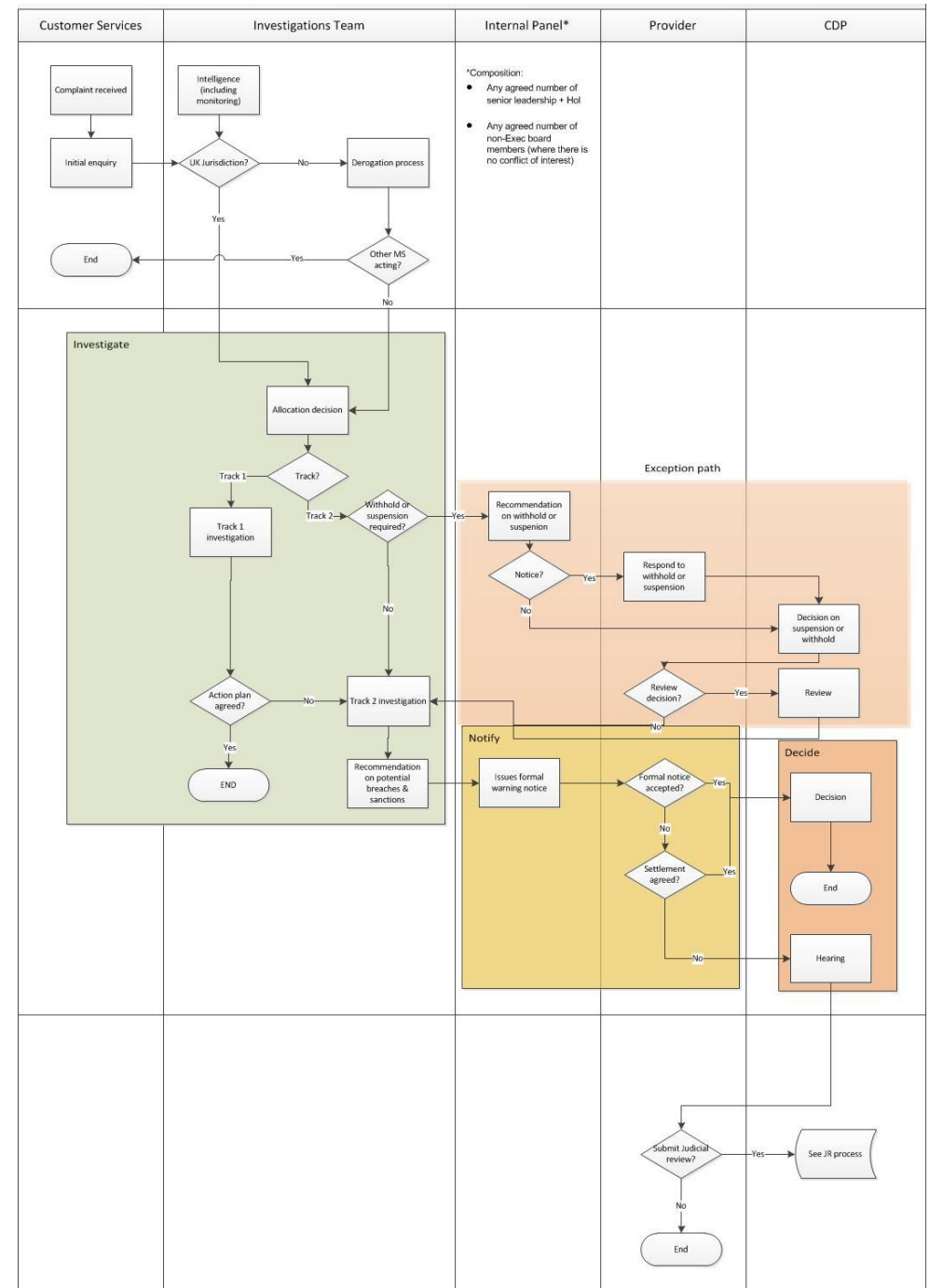
We expect that withholds and suspensions will continue to be rarely used.

- This review will initially take place at the start of an investigation
- The investigation team can recommend that interim measures are imposed. The proposed new Code Adjudication Tribunal would make the decision
- If a provider sought review of a decision to impose interim measures, a different group of Code Adjudication Tribunals members would consider the review
- Greater flexibility in the amount or form of withholds is envisaged
- We consider that this new procedure allows us to act quickly to protect the interests of consumers or to ensure that possible fines can be paid
- In these circumstances we are consulting on abolishing the current Emergency procedure.

# High level overview of proposed process



# New Process in Detail



# Timetable/next steps

Publication of consultation document	Nov 2015
Industry seminar	Dec 2015
Consultation closes	Jan/Feb 2016
Draft Supporting procedures published	Jan 2016
Ofcom consults	Spring 2016
EU standstill period	Spring 2016
Implementation of new Code	by Sept 2016



# Thank you

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**Next up:**

**networking drinks**