

Phone-paid Services Authority Consumer Panel

Meeting Four – 13 September 2019

13:00 – 16:00

Panel Attendees

Louise Baxter
Patrick Bligh-Cheesman
Paul Eaves
Rhian Johns
Nicola Wilson

Apologies

Laura Demorais

Executive Attendees

Simon Towler
Jonathan Levack
Emma Bailey
Rebecca Charikar (Minutes)
Alex Littlemore (Agenda item 2.4)

External Attendee

Imogen Willdigg, Cancer Research UK (Agenda item 2.1)

Minutes

Standing Items

1. Apologies

- 1.1 Laura Demorais has resigned from the Panel. The Chair noted the Panel and Executive's thanks for her contribution and has sent her best wishes for the future.

2. Minutes of the Last Meeting

- 2.1 The Panel noted the discussion of the Refund process recorded at 7.3 of the Minutes that: "... a more regulated refunds process would provide certainty for consumers ..." and asked if "more consistent" would be a better reflection of the discussion. The Executive noted this comment and agreed to update the Minutes accordingly.
- 2.2 The Minutes were approved.

3. Action Log

- 3.1 The Panel noted with approval the inclusion of additional comments in the Action Log to provide a more fulsome record.

4. Executive Update

Subscriptions Review

- 4.1 The Executive reported that it had held implementation workshops with industry ahead of the changes to the regulation of subscription services coming into force on 1 November. A request from industry coming from the workshops was that the Panel might offer views on possible wording for receipts to help ensure that they are sufficiently clear. The Panel was happy to be consulted. The Executive noted that it planned to produce guidance on the new regulation and the Panel agreed that guidance would be helpful.
- 4.2 The Panel agreed that the changes are positive from a consumer perspective.
- 4.3 The Executive noted that it will be monitoring the impact of the changes and will report back to the Panel.

Annual Market Review

- 4.4 The Panel noted the changes over the past year and indications that this is a maturing market.

Level1 Due Diligence Case

- 4.5 The Executive noted the conclusion of a 'due diligence' case that was published on 12 September 2019. PSA vs Veoo Ltd. is a landmark case for the organisation and the industry. Veoo Ltd. has been fined £600,000, has been banned from the market for 2 years and is subject to a compliance order if they re-enter the market.
- 4.6 The Executive provided the Panel with an overview of the case and findings and noted that the decision has been covered on the BBC News website.

Code 15

- 4.7 The Executive is reviewing the current Code of Practice. The Executive will present a proposal and its initial thinking on the approach to the review to the Board soon. The Executive will seek the Panel's input at the next stage of this work. The Panel looked forward to the opportunity to do so.

ICSS

- 4.8 The Executive noted that PSA is soon to publish a Statement following its consultation on revised Special Conditions to apply to ICSS.

5. Panel Update

- 5.1 The Panel is nearing the end of its one-year pilot period. The Executive and Panel Chair will discuss their perspectives of the pilot with the PSA Board in November. This presents an opportunity to discuss any changes to the Terms of Reference that would help their ongoing work and to provide input and reflections on the Panel's first year. Members were asked to consider feedback and to provide this to the Chair via email, who will represent the Panel at the Board meeting in November.
- 5.2 The Panel discussed options for recruiting one or more new members and ways in which the inclusion of additional members could build on the Panel's knowledge and expertise. The Chair suggested that the Panel continue this discussion via email.

Items for discussion

6. Presentation from Cancer Research UK

- 6.1 Imogen Willdigg from Cancer Research UK presented at the Panel on charity donations, including providing information about opportunities and challenges in the market.
- 6.2 The Panel thanked Imogen for her interesting and thought-provoking presentation and discussion of the use of PRS in fundraising.

7. Vulnerability

- 7.1 The Executive noted that it is commencing a project looking at vulnerability, which it last reviewed in 2015/16. The Executive asked the Panel for comment to inform its approach to the project, based on their experiences, including of other organisations. The Panel noted that rather than labelling certain consumers as 'vulnerable', it is useful to consider vulnerability as situational.
- 7.2 The Panel discussed their experiences from other organisations and noted that there is no ombudsman in the PRS sector which makes it different from others. The Panel suggested that it would be useful for the Executive to think about what the particular vulnerabilities are in this market, and how it can set clear expectations for industry around those.
- 7.3 Members commented that they had picked up on the vulnerability of some callers while listening to calls at the PSA and there was discussion of how the PSA could ensure that its contact centre staff have the expertise to identify where consumers are vulnerable.
- 7.4 There was also discussion on what the PSA's role is in supporting those consumers that are identified as vulnerable or at risk, and whether or what role the PSA should have in referring vulnerable consumers to other organisations for support, noting the possible impact of GDPR.
- 7.5 It was suggested that the PSA could consider asking a consumer who calls the PSA to restate the advice they have been given, to demonstrate their understanding.
- 7.6 The Panel noted that the PSA might benefit from discussing these issues with a parallel organisation. The Panel commented on the way HMRC conducts investigations into complaints and that they can allow someone else to advocate for or represent an individual taxpayer. This could provide a model for the PSA.
- 7.7 The Panel asked PSA to consider what it might consider to be a successful outcome of a consumer complaint: perhaps that they were refunded their money and/or that they felt confident to access the PRS market again.
- 7.8 The Panel discussed situations that might render a consumer vulnerable, but noted that this list is not exhaustive:
 - have not noticed they have been charged wrongly
 - do not know whom to ask to resolve this
 - unaware of the PSA
 - unable to contact the PSA
 - unable to follow actions suggested by PSA.

8. Consumer Priorities

- 8.1 The Panel noted the paper and that these priorities could feed into discussions about the review of the Code of Practice. The Panel discussed that part of the PSA's role in communicating effectively with consumers could include a responsibility to educate consumers on how to avoid scams and how to contact the PSA.
- 8.2 The Panel discussed the possibility of framing a new focus on allowing consumers to access the PRS market and take advantage of the opportunities it provides, in the context of a growing and innovative market.

9. Service checker

- 9.1 The Executive requested the Panel's insight to support the upgrade of its Service Checker tool.
- 9.2 The Panel noted that it had been difficult to locate PSA Service Checker on Google, which listed other sites and services ahead of PSA and asked the Executive to consider opportunities to work with other organisations such as Citizen's Advice to promote the service more widely. The Executive noted that MNO customer service centres are using Service Checker.
- 9.3 The Panel noted the 'results' page of Service Checker appears rather technical and contains information that a general Consumer would not need. The Panel asked if the Executive could consider revising this.
- 9.4 The Panel noted that the current reporting functionality is not clear and that it would be useful for the new Service Checker to do two things: assist consumers to contact the service provider directly and seamlessly and allow consumers to report an issue to the PSA clearly.

Any other business

10. Next meeting agenda items

- 10.1 The meeting on 11 December 2019 may be held in the morning.
- 10.2 Possible items for discussion:
1. Code 15
 2. Consumer communications
 3. Complaints
 4. SMS receipts
 5. End of year 'wash-up'
 6. Guest Speaker
- 10.3 The Chair thanked the Panel and Executive for their participation.