

About ISPA

The Internet Services Providers' Association is the trade association for the Internet industry in the UK. ISPA has over 200 members from across the sector, including a large number of access provider ISPs from small to large, content platforms, hosting providers, and others. Our membership consists of ISPs rolling out and operating networks on a national and local scale utilising a variety of technologies, to those that resell wholesale services or a combination of both.

Summary

Our members endorse Ofcom's preferred option of gaining provider led (GPL) switching, as this will bring all consumer broadband providers under the same system and result in a more efficient process. We want as level a playing field as possible, and believe that the current system, in which some providers are subject to different procedures during the switching process, is not an environment that encourages competition, and we believe this move could help rectify this situation. However, the switching must take into account the complexity of the broadband market and our members have expressed certain concerns that we would like to see addressed before this policy is implemented.

Most notably, our members would like to see more evidence to prove that GPL benefits consumers and that Ofcom have taken into account lessons learnt and prior experiences from implementation, along with more concrete plans on the detail of how this process will be implemented. We have laid out a number of other concerns in the sections below, however, we would reiterate that overall we support this measure, we simply want to see it implemented in a way that appreciates the complexity of the broadband market and does not negatively impact upon our members.

Evidence

Throughout the consultation Ofcom stress that changing the switching process will benefit consumers. Whilst ISPA supports this move, our members would like to see more evidence from previous implementation that the move has in fact benefitted consumers, and evidence that previous experience has shaped this planned implementation. Whilst we do see merit in reforming switching processes so that they are uniform across the market, our members want proof that this is an evidence based policy which has taken into account, and been adapted to deal with, the complexities of the

broadband market. Thus, we would suggest that before Ofcom move forward with this change they produce a detailed evidence base which sets out how this process has benefitted the consumer and any pitfalls they have faced in previous implementations that have been successfully rectified.

We would also highlight that Ofcom need to bring forward more detailed guidance so that our members have a clear idea of what will be expected of them. For example, it is not clear in the consultation how a new provider will know that the old provider has completely ceased services across different platforms. We do not want to see a situation where the onus is placed on industry to work out exactly how this will work in practice.

Business Providers

Another key concern for our members is that the implementation of GPL may have unintended consequences on business providers. Whilst the consultation refers only to consumers, our members are concerned that there will be ramifications felt by business providers, especially in terms of number porting, which could cause serious delays. This new switching process will have an impact on number porting, not just in the residential market but also in the business market, as both will continue to work off the same system despite the changes in the residential market. This needs to be taken account of, as delays in number porting may cause consumers to lose their phone service. We would suggest that number porting may need to be redesigned so that the delays can be absorbed by both business and residential customers, and we would ask Ofcom to provide an explanation of how this will work in practice as not to unduly impact on business providers.

Reactive Save

Whilst it has previously been the Ofcom position to oppose reactive save, our members are concerned that this consultation seems to be moving away from this viewpoint. The reviewing of the condition which specifically prohibits reactive save has worried our members who want as level a playing field as possible and do not want to see the switching process giving providers one last chance to save customers who are planning to switch. We would also highlight that by relaxing rules around reactive save, ultimately consumers are harmed as it is only those who switch or threaten to switch that receive

the best deals. We would thus ask Ofcom to take this into account when moving forward with reviewing the general conditions around reactive save.

Quad Play

Whilst this consultation applies to cross platform switching, our members have highlighted that the omission of mobile services is an oversight by Ofcom. It is very common in the current market that a consumer may get broadband, phone, TV, and mobile services from one provider, or receive discounts on mobile services as part of a bundle. This is something which has not been taken account of during this consultation, and we would ask Ofcom to look again at this issue and clarify how it will work in practice for our members.

Time Frame

The consultation proposes a ten-day transfer period in which the switching process should take place. Whilst this is achievable for some of our members, for others, who may end up dealing with a larger amount of these requests, we would suggest that ten days may be too tight to get everything properly in order and carry out the switch, especially as currently many of the details of how the process will work are not entirely clear. We would thus suggest that the transfer period is extended by several days so that our members have the resources to carry out the switch effectively.