



22 November 2019

BY EMAIL ONLY TO: [REDACTED]

Dear Sir or Madam

Re: Treating vulnerable consumers fairly. A proposed guide for phone, broadband and pay-TV providers (the “Consultation”).

Thank you for giving giffgaff Limited the opportunity to review the Consultation in relation to the above, which we have done.

The Consultation requests comments to two questions, namely:

1. on Ofcom’s proposal to publish a guide to help providers treat vulnerable customers fairly; and
2. on the suggested measures set out in sections 3-7 (asking for comments on each section to be set out separately).

Ofcom’s proposal to publish a guide

We are pleased that Ofcom has recognised the need to augment the provisions set out in GC C5.1-C5.5 on vulnerable customers that were introduced into Ofcom’s General Conditions of Entitlement on 1 October 2018.

Like Ofcom, we favour the publishing of a guide on treating vulnerable consumers fairly as we believe imposing further prescriptive requirements on providers would be inappropriate in view of the complex and unique issues that often surround vulnerable consumers. A “one size fits all” regulation-based approach is unlikely to be workable.

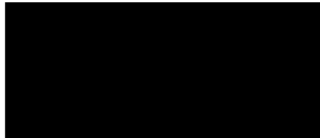
We firmly share Ofcom’s view that vulnerable people should be treated fairly and given the help, support and services they need. We welcome the opportunity to continue to assist Ofcom in its production of a guide that benefits providers and consumers alike.

The suggested measures

As mentioned above, treating vulnerable consumers fairly is not without complexity and we do have comments on some of the suggested measures set out by Ofcom. For ease we have set these out in tabular form in an Annex to this letter. Should Ofcom require us to elaborate in relation to any of the points raised, we would be more than happy to do so in follow up correspondence or a meeting.

Ofcom will note that many of our comments relate to concerns around how the measures that Ofcom would like to impose on providers, interact with the GDPR and Data Protection law. We would urge Ofcom to collaborate with the Information Commissioner's Office ("ICO") and/or seek its own guidance from ICO on those measures where there could be an impact to data subject rights. Such guidance could then be circulated to all providers, and a consistent and compliant approach adopted across the industry. In short, we would welcome further clearer guidance around this issue more generally.

Yours sincerely,

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