

Consultation response form

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| Consultation title | Consultation: Modifications of the USP Access Condition for regulating access to Royal Mail's postal network |
| Full name | Andrew Fraser |
| Contact phone number | [X] |
| Representing (delete as appropriate) | Organisation |
| Organisation name | Citizen Advice Scotland |
| Email address | [X] |

Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how Ofcom handles your personal information and your corresponding rights, see [Ofcom's General Privacy Statement](#).

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| Your details: We will keep your contact number and email address confidential. Is there anything else you want to keep confidential? Delete as appropriate. | Nothing |
| Your response: Please indicate how much of your response you want to keep confidential. Delete as appropriate. | None |
| For confidential responses, can Ofcom publish a reference to the contents of your response? | NA |

Your response

| Question | Your response |
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| Question 1: Do you agree with our proposal to extend the USPA condition to the new D+5 Letters access services? | Citizen Advice Scotland has a role as the consumer advocate for postal consumers in Scotland at both a local and national level. We welcome the opportunity to respond to this consultation on potential modifications of the USP Access Condition for regulating access to Royal Mail's postal network. |

CAS agrees with Ofcom that if these new services are to be introduced then they should be subject to regulation. We note Ofcom's view that a material proportion of access volume mail will move outside the current regulated access regime once the new services become operational. We therefore agree with the proposal to extend the USPA condition to the new D+5 Letters access services.

We note Ofcom's view that, in the context of declining mail volumes, the ability to consolidate mail, while still delivering according to the product specification, could have a positive impact on operational efficiency in the long-term by reducing the number of path walks per day.

CAS's main concern with the new service relates to transactional mail. We understand that bulk mailers anticipate using post less in future, but for now, other forms of communication are not a complete substitute and some customers still prefer to receive bills and statements by post.

We note from the consultation that previous PostComm work has found that D+2 and D+2 and later services are effectively within the same economic market and that operators may switch between these services in response to relative price changes. As transactional mail these services may include financial documentation (such as bank statements and utilities) and health appointments, there is concern that such documents may not reach their delivery addresses in time for the consumer to reply within the required timeframe. This is a particular concern in relation to vulnerable consumers and those living in remote rural areas (some of which may already be exempt from QoS standards in relation to delivery times).

We note the comments made within the consultation document at 5.18:

In contrast, customers whom depend on services which are time sensitive (and for which a faster and/or day-certain delivery are important) are able – and indeed are expected – to stay on the existing D+2 access service.

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| | <p>It is not clear to us how this will be monitored, and who will be responsible for determining whether postal items are classed as time sensitive, in order to ensure consumers are not negatively impacted when it comes to time sensitive material. CAS would request that this be clarified before any new service is introduced.</p> <p>CAS anticipates that this service may be of interest to financial institutions and potentially to debt management companies. CAS notes that under the FCA's PRIN 2.1 Principles <i>A firm must pay due regard to the information needs of its clients, and communicate information to them in a way which is clear, fair and not misleading.</i></p> <p>Before this service is made available for purchase, there should be clear guidelines in place to explain to companies/ organisations in the financial services sector that using the D+5 service for time-sensitive communications can have negative ramifications and that they must keep within FCA's principles on communications.</p> <p>It would be helpful if these guidelines were flagged in relevant communications on Royal mail's website, social media and in operational statements to large business consumers and transactional mail users.</p> |
| <p>Question 2: Do you agree with our proposal to include Royal Mail's new retail economy Mailmark Letter services and their access equivalent services in the margin squeeze control?</p> | <p>CAS has no comments on this proposal.</p> |
| <p>Question 3: Do you agree that, if adopted, the proposed changes to the USPA condition should become effective from the date of Ofcom's statement? For example, do you foresee any practical issues, or otherwise, with making the changes effective on the date of Ofcom's statement?</p> | <p>CAS has no comments on this.</p> |
| <p>Question 4: Do you have any other comments on our proposals as set out above or our</p> | <p>CAS has no comments on this.</p> |

proposed amendments to our legal instrument (USPA condition)? Please provide your reasons.

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