

# Citizens Advice Scotland: Response to Ofcom's proposed Plan of Work 2023/2024

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Scotland's Citizens Advice Network provides an essential community service that empowers people in every corner of Scotland by providing free, confidential, and impartial advice through our local Bureaux and national services. We use evidence about people's real-life experiences to influence policy and drive positive change. We are on the side of people in Scotland who need help, and we change lives for the better.

## Background

At Citizens Advice Scotland (CAS), we understand that telecommunications services are increasingly an essential utility for people in Scotland. As the COVID-19 pandemic particularly highlighted, access to a decent internet connection<sup>1</sup> is now vital for many day-to-day activities including work, learning, staying informed and accessing essential public services.

Over the past year, the Scottish Citizens Advice Network has supported consumers impacted by the cost-of-living crisis; and used evidence and insights from this work to support colleagues across the telecommunications sector to deliver positive outcomes for consumers. Data from Citizens Advice Network has shown that affordability is a top priority for telecommunications consumers; as well as protections for vulnerable consumers; and connectivity resilience and choice for consumers in Scotland's rural and island communities. We have warmly welcomed the significant work undertaken by Ofcom to introduce voluntary measures to support vulnerable consumers, and to encourage more providers to offer and promote social tariffs and we note the significant developments in this market in the past year.

## CAS comments

CAS welcomes the opportunity to respond to Ofcom's proposed plan of work for 2023/2024. Overall, CAS welcomes the consumer outcomes prioritised in this workplan, particularly around "internet we can rely on" and CAS remains well placed to support Ofcom on delivering these outcomes, through the in-depth consumer evidence and insights generated across Scotland's Citizens Advice Network.

### Network resilience

CAS welcomes Ofcom's continued focus on promoting better network resilience, including plans to undertake a strategic assessment of digital infrastructure resilience, particularly where it underpins communication services and other critical industries and applications. We would underline the need for particular attention to be paid to the resilience needs of Scotland's rural and island communities, whom Ofcom will be aware face heightened risk and vulnerability to service outages - with more sparse infrastructure, severe weather, unique and often isolated geography creating complex resilience challenges. CAS understands that Ofcom are aware of the particular risks faced by consumers in rural and island communities as the migration to

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<sup>1</sup> Defined by Ofcom as a download speed of 10 Mbit/s and an upload speed of 1 Mbit/s,

VOIP continues - we would urge Ofcom to monitor these risks and any consumer detriment emerging throughout the migration period.

### **Switching implementation**

CAS completely supports Ofcom's work to ensure that the One Touch Switch process is implemented quickly and successfully. Upon the successful implementation of the process, CAS looks forward to working to make consumers in Scotland aware of the process and will seek to work with Ofcom to that end.

### **Scams**

CAS supports Ofcom's proposed work to consult on potential changes to existing rules on number authentication and options for going further. CAS believes that Ofcom should work with providers and stakeholders to tackle the stigma around being scammed; to encourage victims to report and seek support. CAS further believes that Ofcom should work with colleagues from across the UK Regulators Network to draw upon best practice from various markets and sectors in relation to supporting victims of scams. CAS would remind Ofcom that the Scottish Citizens Advice Network can support consumers in Scotland who are victims of scams.

### **Embedding our consumer protection rules and commitments (monitoring and enforcing compliance)**

CAS strongly supports Ofcom's plans to continue the work that has been done in this area and we are able to support this work through the provision of data and experiences relating to telecommunications consumers in Scotland.

### **Affordability**

CAS welcomes Ofcom's continued work on affordability, which remains a significant and priority issue for consumers in Scotland as the cost of living crisis continues. We are hugely supportive of Ofcom's work to date on this issue, as we welcome the efforts made by Ofcom and providers to offer and promote social tariffs. While uptake and awareness of these offers amongst eligible consumers remains low, CAS has undertaken work to ensure that the Scottish Citizens Advice Network can support consumers who may be eligible and wish to take up a social tariff. Ofcom's commitment to continue monitoring social tariff availability, promotion, and take-up, and help raise awareness is very welcome.

However, CAS remains concerned that the narrow eligibility criteria of many social tariffs currently on the market is creating a barrier to take-up. CAS would request Ofcom to take note that some providers offer social tariffs to a wide range of consumers, such as consumers in receipt of Universal Credit, Pension Credit and Personal Independence Payments etc and some smaller providers have recently offered social tariffs to all consumers. This is in contrast to providers with significant market share, who offer social tariffs only to consumers in receipt of Universal Credit. CAS would urge Ofcom to encourage providers to widen their eligibility criteria to ensure that consumers who would benefit from a social tariff can access them. Likewise, CAS would support work by Ofcom to ensure that consumers can switch to a provider that is offering a social tariff without incurring an Early Termination Charge in the situation where their current provider does not offer a social tariff.

CAS would further encourage Ofcom to consider working with providers to widen the eligibility criteria to include certain vulnerable consumers who may not yet be receiving a qualifying social security benefit. Vulnerable groups who could benefit from accessing a social tariff may include survivors of domestic abuse, consumers who have caring responsibilities and consumers who are care leavers, veterans, those being released from custodial sentences, and those living in sheltered / supported accommodation. Indeed we would encourage consultation as to whether, in the current economic climate, social tariff principles could be extended to charitable organisations providing support to these and other vulnerable groups, as a way to extend accessibility of low cost connectivity to those most in need.

### **Protecting vulnerable customers**

CAS welcomes Ofcom's work to protect vulnerable customers and ensure that they are treated fairly. We particularly welcome Ofcom's plans to work with regulatory colleagues and we would hope that this leads to the sharing of best practice within respective markets. CAS would ask Ofcom to consider analysing the impact of the voluntary guidance issued under the Treating Vulnerable Customers Fairly Guide to establish where providers are successfully implementing policies for vulnerable customers in this area. We would also urge continued engagement with consumer bodies such as CAS and other organisations representing vulnerable groups in order to understand if this guidance is being effectively utilised by providers.

### **Migration from legacy services**

While CAS makes no comment on the justification for the transitions from 2G and 3G services, CAS trusts that Ofcom will work with providers in a similar manner to the migration to VOIP to ensure that vulnerable consumers are protected and the potential for detriment is addressed. CAS would remind Ofcom that disabled consumers may be particularly reliant on 2G and 3G only devices which are built with accessibility in mind and would encourage Ofcom to work with providers to ensure such consumers are supported. CAS would urge Ofcom to encourage providers to undertake an Equality Impact Assessment or similar process to identify and mitigate any detrimental impacts of the 2G and 3G switch off.

CAS would welcome any analysis from Ofcom relating to the impact of the transition away from 2G and 3G on services such as smart meters, with many consumers using smart meters that utilise 2G and 3G networks. We welcome Ofcom's expectation of providers that customers should be treated fairly during this transition, and we would trust that providers would work on this issue in a similar manner to that being adopted on the migration to VOIP to ensure consumers are not subject to detriment as a result.

### **Data reporting and Mobile coverage information**

CAS fully welcomes Ofcom's proposed work to continue reporting on the availability and use of broadband and mobile networks.

CAS similarly welcomes Ofcom's proposed work to improve the accuracy and consistency of available mobile coverage information. CAS believes that it is essential for consumers to have access to information that will assist them in making the choice that is best suited for them. CAS would also hope that such coverage information would be of benefit to consumers in mainland rural and island communities throughout Scotland.

## **Scotland**

As already mentioned, CAS welcomes Ofcom's proposed work to deliver positive outcomes for consumers in Scotland. We welcome Ofcom's understanding of the unique geography of Scottish communities and the impact of this on the networks that they utilise. We welcome plans to work with colleagues within the Scottish Government to strengthen connectivity through the delivery of key infrastructure projects. However, CAS would suggest to Ofcom that to improve uptake and efficacy of these schemes, work is required to ensure that consumers are clearly informed of the range of schemes available and how to access them. CAS would consider that it would be difficult for digitally excluded or vulnerable consumers to navigate these schemes, thereby preventing uptake.

### **Digital Inclusion and Media Literacy**

CAS welcomes Ofcom's recognition that people increasingly live their lives online and that accessing digital services is essential for many day-to-day tasks.

CAS would state that across all markets and services, greater recognition is needed that as essential services become ever more digitised, so too the digital divide becomes increasingly problematic – the risks and negative outcomes are exacerbated for those being left behind i.e. those who are digitally excluded for reasons of affordability, connectivity, or skills and confidence.

As outlined above, CAS warmly welcomes Ofcom's commitment to improving the affordability and resilience of connectivity to ensure consumers in Scotland can get online. We also warmly welcome the proposed Media Literacy programme – and we would underline that consumer needs around digital literacy go beyond online safety, to include the skills, confidence and competencies required to access the increasingly digital world of essential public services. CAS very much welcomes Ofcom's initial investment in media / digital literacy skills, whilst underlining the need for much greater investment, from Ofcom and more widely, in digital skills support, to mitigate impacts on equalities, accessibility and inclusion as more essential services become digital. Many welfare benefits, utilities, financial services, health services, education, and work all increasingly dependent on reliable connectivity that many vulnerable communities do not have whether due to affordability, connectivity or skills and confidence. Therefore, CAS believes that a twin approach is needed in terms of effective resourcing for consumer upskilling, whilst also protecting channel choice to ensure those unable to access digital services are not disadvantaged as a result.