



Response to Consultation on proposed changes to Ofcom's General Conditions of Entitlement

1. Introduction

For the past 10 years we have been researching the issue of nuisance calls and campaigning for measures to block them. We have written a number of reports on the subject, and have acted as a consultant to the Telephone Preference Service. We have designed trueCall technology that is protecting over 1 million UK homes and is blocking an estimated 350 million nuisance calls a year. When independently tested, trueCall technology blocks 95%+ of nuisance calls.

2. Response to specific consultation questions

There is only one area of the Review of the General Conditions of Entitlement that we would like to comment upon – Section 10 Calling line identification facilities. We are writing in answer to consultation question 18.

Question 18: Do you agree with the changes we are proposing to make in relation to the provision of calling line identification facilities, including the new requirements we are proposing to add? Please give reasons for your views

We strongly support the proposal to make to the provision of calling line identification facilities free to consumers. We specialise in protecting older and vulnerable consumers from scam calls, and our equipment works best if the calling line identification facilities are enabled. We know that the cost of the service (which may be as high as £27 per year) creates a significant barrier to the adoption of call blocking technology.

In addition, we recommend the following:

1. Caller-ID facilities should be enabled by default

With all the mobile phone you get Caller-ID facilities enabled by default (they are also free from all providers). With landlines subscribers have to ask for the service to be enabled on your line. This means that many vulnerable subscribers won't use the service even if it is free. We suggest that the CPs be required to turn on the service by default for all their subscribers.

2. Block calls purporting to be from a mobile network that clearly are not from a mobile network

We agree with Ofcom that CPs should block calls that are not valid or dialable, but increasingly rogue call centres are spoofing mobile phone numbers. This makes their calls more likely to pick up – consumers are more suspicious of a call from 0800 123 45678 than 07736 1234567.

We propose that CPs be required to block calls that carry a caller-ID that has a mobile number format where it can be established that a call has originated on a landline or VoIP network.

3. Subscriber database

Ofcom say that they want any CLI data provided with or associated with a call to include a valid, diallable telephone number which uniquely identifies the caller. We agree that this is valuable, but Ofcom's proposals don't give consumers the ability to uniquely identify the caller.

Ofcom's policy on persistent misuse says that all marketing calls should come with a returnable caller-ID, but as we understand it, this isn't a priority for Ofcom and it is routinely ignored by call centres. We dialled the top 50 nuisance calling numbers reported by trueCall users during January 2017 and only 19 of them were answered and could be identified (38%).

Results from dialling the top 50 nuisance calling numbers reported by trueCall users during January 2017

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|---|-----|
| Network message saying that the number isn't in service | 36% |
| Answered by an announcement that identified the caller | 32% |
| Ringing with no answer | 14% |
| Unobtainable tone | 14% |
| Answered by a person that identified the caller | 2% |
| Voicemail | 2% |

Test carried out 20/2/17

The Caller ID service would be significantly enhanced if – for calls from a business – the caller's name as well as their number were displayed with their call. This is in theory possible within landline networks (the USA has the CNAM service), but we are not sure whether UK operators have the correct infrastructure. Most likely this would be done by customer premises equipment such as DECT phones or adjunct boxes. On mobile phone networks this could be done using Smartphone apps.

We propose that a database of phone numbers and names is established (possibly managed by TPS Ltd) of company phone numbers and names. Businesses (via their service provider) can choose to put a name onto the database - this is the name that will be displayed with their calls if the network or a third party provider supplies them with a caller-ID name service. The database will be made available free of charge to third party suppliers who can use it to build innovative call filtering services.

For example – consider the scenario where a call arrives on your mobile phone from a company you don't know. You could have an app that displays the company's name, logo, a description of their services, and a link to their web site that you could quickly review before you decide whether to answer their call. We propose that registering with this database is optional for general businesses, but that it is compulsory for those making marketing calls to consumers.

Notes on the subscriber database

Usability for the subscriber

While we agree with Ofcom that the presentation of the caller's caller-ID has proved to be increasingly useful tool for consumers to combat the problems of nuisance calls, it is very limited because it requires the subscriber to make a decision based on an 11 digit number displayed on their phone.

- Should I pick up a call from 01235 530 530? (probably yes - it's Specsavers Opticians, and my glasses are probably ready for collection)
- Should I pick up a call from 01235 654 125 (probably not – it's a number associated with the Microsoft Scam).

Subscribers will recognise a handful of full phone numbers and certain area codes, but that's about it. They don't really have enough information to make a decision at that particular point. Long numbers are better than nothing, but are certainly not user friendly. Would the World Wide Web have taken off if it was necessary to type '212.58.246.90' into your browser to access the BBC web site?

What about the privacy rights of the company?

It may be argued the publication of the calling number of a call centre somehow infringes the privacy of the business. From a formal Data Protection point of view, businesses have different privacy rights from individuals – for example, Ofcom already requires that marketing companies do not withhold their caller ID.

We accept expect people knocking at our front door to carry identification – why not require it for those making phone calls into our homes?

Will the data be reliable?

We accept that if incorrect data is entered into the database, then subscribers could be misled. This is why we propose that CPs are responsible for loading the company data for their subscribers. Their subscribers are their customers, and for billing purposes they will have had to find out their company details.

Note that originating CPs are allowing companies access to the telephone network. It is reasonable to ask the originating CP to take steps to ensure that these companies use the telephone network responsibly. Note also that originating CPs will be earning a significant proportion of the call revenue that their subscribers generate.

Will it be too costly?

The cost of running the register will be very low – it is a simple online database that contains a few fields – for example, a phone number, a name, the CP and the date last amended. The maintenance of the database will be carried out by the CPs using a secure web portal.

Will companies voluntarily register?

We believe that legitimate companies will voluntarily register for the service.

One of the side effects of high levels of nuisance calls is that consumers sometimes choose not to answer calls from legitimate callers. If Specsavers are calling to tell you that your glasses are ready for collection, then it is in their interests to ensure that their name is on the database so that you know that it is them calling and you pick up.