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Dear James

### **Ofcom's consultation on mobile number portability**

The Communications Consumer Panel welcomes Ofcom's intention to improve the system of mobile number portability (MNP), which enables consumers to keep their mobile numbers when switching service provider. This letter sets out the Panel's response to Ofcom's recent consultation document on this issue.

### **A switching process that delivers consistency across all communication products**

Ofcom's research shows that at the end of Q1 2009, 46 per cent of UK homes bought communications services in bundles – up by seven percentage points since Q1 2008.<sup>1</sup> The majority of these bundles included fixed line products, but it is likely that mobile services will become an increasingly significant part of service bundles.

In our June response to Ofcom's consultation document *Protecting consumers from mis-selling of the fixed line telecoms services*, we said that:

*"We would like to see Ofcom develop a strategy to move to a single switching process for all communications services as soon as possible... The strategy should also show how the different processes that exist at the moment (for switching fixed line, mobile and broadband services) will converge."*<sup>2</sup>

As Ofcom develops its plans to improve the systems of MNP, we think it is important to consider how this will tie in with plans to develop a more unified switching process for communications services. As a general principle, the Panel thinks that the switching processes for communications services and the process of porting mobile numbers should be consistent and, as far as possible, require the limited involvement of consumers.

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<sup>1</sup> Ofcom Communications Market Report 2009

<sup>2</sup> We published the response on the Panel's website:

<http://www.communicationsconsumerpanel.org.uk/090630%20Mis-selling%20letter.pdf>

## **Consumer protection and information**

We note that the consultation looks at how other countries deliver MNP. For example, the system in France enables consumers to receive the code that they need in order to switch by text from an automated database. This process ensures that consumers do not have to communicate with the losing or gaining provider. The text also helpfully informs the consumer how long their current mobile contract has left to run, or whether they are out of contract. At the moment we have not taken a view as to whether this process should be adopted in the UK, but we do look to Ofcom to ensure that international examples are considered carefully.

We also ask Ofcom to ensure that simplifying or quickening the process does not unintentionally cause a rise in consumer harm. In particular, if Ofcom decides to introduce a process led by the gaining provider, it will need to ensure that there are appropriate safeguards. We would not want it to become easier for consumers to be transferred to a new provider without their consent. Also, before consumers decide to switch, they should be given the information that they need in order to make an informed decision. In particular, it would be helpful for consumers to know whether they are still subject to a contract with their current provider and, if they are, what would be the consequences of switching to a new provider before the contract has come to an end. Therefore, the French system mentioned above may have some useful lessons for Ofcom to draw upon.

## **Further engagement**

We look forward to engaging with Ofcom further on this issue as you develop your thinking about the different options for improving mobile number portability.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Anna Bradley', with a stylized flourish at the end.

Anna Bradley  
Chair