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SAMARITANS

**Elizabeth Greenberg
Ofcom
Riverside House
2A Southwark Bridge Road
London
SE1 9HA**

9th December 2008

Dear Ms Greenberg,

Samaritans are pleased to respond to Ofcom's consultation on the proposed allocation and charging arrangements for 116 numbers in the UK as follows:

Question 1: Do you agree that communications provider / single or multiple service provider partnerships are the most appropriate parties to apply for allocation?

We share Ofcom's concerns about the model outlined under Option 1 (use by any communications provider without application to Ofcom) which we believe would lead to a deeply flawed service due to the inconsistency that would inevitably result. We also agree with Ofcom's analysis that Option 2 (allocation to a communications provider following an application to Ofcom) would present problems because of the lack of involvement of the actual service provider in the application process and the insecurity that would result from the communication provider's ability to change service provider without involving Ofcom. We feel that service providers are more likely to be fully committed towards enhancing the social value of the 116 range with the ownership, security and engagement that would be associated with Option 3 (allocation to a communications provider/single service provider following an application to Ofcom) or Option 4 (allocation to a communications provider/single or multiple service provider following an application to Ofcom).

In terms of which the most suitable model is between Option 3 or Option 4, while we have no objection in principle to the concept of multiple service providers submitting a joint application in conjunction with their chosen communications provider across the 116 range in general, we feel that in the case of the 116123 emotional support line, this approach would lead to a less effective service for a number of reasons.

Our experience strongly suggests that a caller in need, contacting a service, wants as few barriers between them and their support mechanism as possible. A triage system, which could be necessary to direct callers to the appropriate service under a multiple service provider model is one such barrier. Another would be a system of recorded messages resulting from one or more of these service providers being unavailable at certain times of the day. Each of these could deter a vulnerable caller from completing their objective. Though there is an argument that the provision

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of a 116 number to a single provider will restrict options we feel that it is important to realise that in a time of crisis the caller needs access to support rather than choice.

Samaritans recognises that work is underway across government to make best use of helpline resources, including those in the third sector, to deliver services. We support this work through a number of developing partnerships including the Mental Health Helplines Partnership (MHHP) but there are some drawbacks to this multi-agency model. Firstly, there are no systems currently in place within these partnerships capable of delivering the objective of the 116123 emotional support line as quickly or effectively as Samaritans currently does. In addition, the existing partnerships are comprised of a collection of different helplines which are of varying size, quality and expertise but also have differing missions, visions and values. They therefore cannot deliver "same number – same service" as set out in the Commission's Service Description. There are also geographic issues as no UK wide multi-agency model currently exists. The MHHP partners, for example, are based wholly within England and most do not offer a 24/7 service, instead choosing to provide an out-of-hours recorded announcement which gives the national telephone number for Samaritans. The devolved areas of the UK have differing structures for delivering emotional support services via telephone.

We note Ofcom's observation in paragraph 4.27 of the consultation that *"individual service providers may only offer service in particular geographic areas or during limited times of the day"* with the implication that a multiple service provider partnership might overcome such limitations. However, this would clearly not be applicable when compared to a single service provider application from Samaritans which already delivers full UK wide coverage 24 hours a day, 7 days a week, 365 days a year. The quickest way for someone experiencing distress or suicidal feelings to make telephone contact with an appropriate support service, as described in the Commission's Service Description, is to call Samaritans. This is because in over fifty years of delivering the service, we have established a brand identity that makes us a market leader for suicide prevention and we have invested in an infrastructure and developed a network of over 14,000 active trained volunteers which is capable of handling large call volumes. In 2007, Samaritans received over five million telephone contacts of which 2.55 million were "snap" or silent contacts and 2.48 million were dialogue contacts. Our national 08457 90 90 90 number is underpinned by an 'intelligent platform' supported by BT, which delivers a process in which the caller is quickly routed through a chain of branches, geographically linked. If one branch is engaged or closed, the call trips through to the next branch on the chain. The entire process appears instantaneous to the caller and aims to ensure that the caller gets the service they need with the least likelihood of hearing an engaged tone.

We believe that possession of a 116 number would give the service provider a competitive advantage. As by far the UK's largest (by call numbers, trained volunteers and geographic reach of centres) provider of emotional support services with a focus on suicide prevention we are concerned that if Samaritans did not hold the 116123 number that our service would be jeopardised. Given our strong market position and the universality of our existing service we feel that we would be better placed to deliver the service than a multiple provider partnership and therefore assert that a single communications provider-single service provider model based on Samaritans is the best option for the 116123 number. We recognise however that this model may not necessarily be the most appropriate with respect to other 116 numbers in the range which might benefit from a single communications provider-multiple service model and fully acknowledge that the flexibility offered by Option 4 has the potential to add social value in such circumstances.

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Question 2: Do you agree that a comparative selection process is the most appropriate way of determining applications for 116 numbers?

We agree with Ofcom's conclusion that a "first come first served" approach or a competitive selection process involving lotteries or auctions would be entirely inappropriate methods for allocating 116 numbers given that the primary goal of this process must be to identify the application most likely to maximise the social value of the service that is eventually provided to the public. A comparative selective process that closely examines the benefits to the service user offered by each applicant would therefore appear to be the fairest of the three options outlined in the consultation for the allocation of numbers in the 116 range. Nevertheless, the detail of how this will work in practice remains to be seen, not least because of the fact that much of this process seems likely to be delegated to the Cabinet Office, and we would therefore suggest that the methodology be seen as a 'pilot' at this stage with its effectiveness in enhancing the social value of the services being carefully scrutinised and kept under review.

With regards to the methodology, the criteria that are to be used for assessment are based, in the main, on the Commission's Service Description and if any modification is to be made it should be with the aim of enhancing the description, for example by giving credit to organisations exceeding the Commission's Service Description. It seems unclear why the Commission has decided to apply a specific requirement to deliver 24-hour coverage to 116000 but not to 116111 or 116123. This appears to be out of step with Ofcom's view outlined in paragraph 5.41 that "*services of 'extreme social value' will generally meet a vital and/or extremely urgent need at a time of emotional distress or threat to welfare*" from which it could reasonably be inferred that the service should be available to the public at all times. We feel that the service providers for each of the three "pioneer" 116 numbers, classified as being of "extreme social value", should aim to exceed the standard criteria and be available to provide the full service 24-hours a day.

Question 3: Do you have any comments on the proposal for a 'call for interest' period? Do you think that six weeks allows sufficient time to make a submission of interest?

Again, we would agree in principle with the "call for interest" proposals as they currently stand but suggest that the process be kept under review as the allocation of 116 numbers is rolled out more widely. We believe that the majority of potential service providers for the first three 116 numbers currently set aside in the Commission's Decision will already know about the process and so will be minded to any formal announcement. However this may not necessarily be the case when further 116 numbers are made available and assuming that a comparative selection process is adopted, we believe it is crucial that all potential service providers are given the opportunity to submit a comprehensive service description. Therefore rather than a period of six weeks being definitively regarded as the appropriate length of time for all future "calls to interest" following this consultation, we would suggest that the process be continuously monitored as more numbers in the 116 range become available. We would suggest that scope be allowed to implement changes in the length of the "call for interest" period if it was found that organisations which might be capable of adding social value to the 116 range were found to be struggling to meet the submission deadlines. We feel that the risk of such problems are greatly reduced when organisations are aware in advance that 116 numbers are due to become available and are able to anticipate a "call for interest" period and plan accordingly. We would therefore consider that the process is more likely to run smoothly if future allocations of numbers are effectively publicised in

a variety of ways and that the proactive engagement of potential service providers would be a welcome part of that process.

Question 4: Do you have any comments on the proposal for Government coordinated advisory committees to assist Ofcom with the 116 number allocation process? Do you have any views on the possible membership of the advisory committees?

We would expect the appointment procedure for the advisory committees to be fair, open and transparent and that the guidelines used to address potential conflicts of interest in the usual course of other public appointment procedures to be rigorously applied throughout this process. We would submit that the independence of the advisory committees should be of paramount importance and that it would be inappropriate for anyone with personal connections to any of the applicants to be part of its membership.

While the membership of the Contact Council clearly offers a considerable source of expertise that should be drawn upon when appointing the advisory committee to consider the allocation of the 116123 emotional support line, we would urge the Cabinet Office to also ensure that a wider range of potential candidates with relevant expertise and experience are given careful consideration. In particular we feel that candidates with detailed knowledge of the third sector and of emotional support helplines should be made a high priority for membership.

Question 5: Do you have any comments on Ofcom's assessment of the three charging options for 116 numbers?

Please refer to our response to Question 6 for our comments.

Question 6: Do you agree with Ofcom's conclusion that Charging option 3 - 116 numbers are either 'freephone' or 'free to caller' on an individual basis is the most appropriate option?

While the concern about potential market confusion resulting from different charging arrangements being implemented across the 116 range as outlined under Charging Option 3 is a valid one, we believe that the case for such differentiation is convincing. As previously mentioned, our experience strongly suggests that a caller in need wants as few barriers between them and their support mechanism as possible. Given that the use of a mobile phone may sometimes be the only means by which a caller can contact the 116123 emotional support line and that some mobile phone users may have the length of their call restricted by limited "pay as you go" credit then clearly the provision of a "free to caller" service would be highly desirable in contributing towards achieving the aim of minimising such barriers.

However, it would be difficult to justify regulatory action to impose 'free to caller' charging arrangements across the entire 116 range which will inevitably include services intended for convenience rather than to meet an extreme social need. We therefore conclude that Ofcom's suggested approach of distinguishing between services of 'social value' and services of 'extreme social value' to establish when such regulatory action would be appropriate is the best way forward. While Ofcom acknowledges in paragraph A5.74 that "it may still be challenging to determine how (a set) of factors should be applied to each service reserved a 116 number" we do

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not believe that such a challenge is insurmountable provided that the set of factors set out by Ofcom have clarity and that advisory committees are used to adjudicate where appropriate. Approaches to minimise any confusion to callers caused by varying charging arrangements could include the continuation of the practice of pre-call announcements for 'freephone' numbers and the provision of clear advice about specific charging arrangements on the advertising and publicity released by service providers.

Question 7: Do you agree with the suggested factors for deciding whether a service should be 'freephone' or 'free to caller'? Do you think any other factors should be taken into account?

We agree that the summary of factors to be taken into account when determining charging arrangements as set out in the table in paragraph 5.56 are appropriate and we do not suggest that these be amended in any significant way.

Question 8: Do you agree that the initial three 116 services (116000 hotline for missing children, 116111 child helplines, 116123 emotional support helplines) should be 'free to caller'? If not, please give your reasons.

We agree that Charging Option 3 is the most appropriate way forward for the reasons given in our answer to Question 6 and that it is highly desirable for the initial three 116 services to be 'free to caller'. However, we note that although mindful of the financial burden that a 'free to caller' charging arrangement could potentially impose on service providers likely to include charities with limited budgets, Ofcom appears to have made no commitment towards resolving this situation beyond "*encouraging communications providers to work with 116 service providers*" (paragraph 5.29) to help alleviate the costs of receiving calls.

Ofcom categorises the 116123 emotional support helpline as being a service of "*extreme social value*" and acknowledges in paragraph 6.27 that the service would provide "*a genuine lifeline to persons at a time of emotional distress or despair*" and that "*contact with the emotional support helpline may be essential for the caller's wellbeing*". We welcome the recognition of the importance of this helpline. However, if support from communications providers as recommended by Ofcom turns out not to be forthcoming then a very significant risk remains that the service provider could be left with unsustainable and ongoing costs which could jeopardise its ability to provide the service.

If call volumes increase under a 'freephone' or 'free to caller' system then so do the associated costs to the service providers. It is also important to acknowledge that due to the nature of the service offered, a very small minority of callers could incur excessive costs through repeated inappropriate use or deliberate misuse of the service. Samaritans has experienced problems with a caller who made over 28,000 calls with a total call duration of at least 30,600 minutes within a 6 month period. BT (currently Samaritans communications provider) supply Samaritans with the technology to manage this issue, but there are still significant risks associated with this when moving towards a 'freephone' or 'free to caller' model. Without the benefit of support from communications providers it will be extremely challenging for service providers to manage the costs that may be accrued through misuse of service.

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We consider this potentially unlimited financial burden to be the most problematic aspect of establishing the 116123 emotional support line. We are therefore of the opinion that if solutions to the funding gap cannot be resolved in partnership with the communications providers then Ofcom should be prepared to consider undertaking further regulatory action through the full use of its powers under the Communications Act 2003 to ensure that the level of service provision of helplines deemed to be of “extreme social value” is not compromised by the financial implications of the ‘free to caller’ charging arrangement.

Question 9: Do you have any comments on the Impact Assessment on the options for allocation of 116 numbers and charging arrangements? Do you agree with Ofcom’s conclusions?

We do not have anything else to add further to our responses to Questions 1 to 8.

Question 10: Do you have any specific comments on the proposed modifications to the Numbering Plan, Numbering Condition and/or the access code application form as set out in Annexes 11 to 13?

We have no specific comments to make on the proposed modifications.

Yours sincerely,

Dominic O’Brien
Parliamentary & Public Affairs Officer