



# 2018 Members Advisory Forum (MAF) Meeting Report

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## Australian Communications Consumer Action Network

Tuesday, 20 March 2018, 11.00am – 3.00pm

<b>PRESENT:</b>	Deirdre O'Donnell	(Chair)
	Paul Brooks	Internet Australia
	Annie Keifer	National Council of Women of Australia and Country Woman's Association of Australia
	Jo Parker	Financial Counsellors Association of NSW
	Janecke Wille	Federation of Ethnic Communities' Council of Australia
	Lauren Solomon	Consumer Policy Research Centre
<b>APOLOGIES:</b>	Wendy Hick	Isolated Children's Parents' Association
	Oliver Derum	Energy Consumers Australia (for CFA)
	Ross Joyce	Australian Federation of Disability Organisations
	Kyle Miers	Deaf Australia
	Sarah Agar	Choice
<b>ACCAN STAFF:</b>	Teresa Corbin, CEO	
	Una Lawrence, Director of Policy	
	Isabel Durie, Policy Officer	
	Jeremy Riddle, Policy Officer	
	Wayne Hawkins, Disability Policy Officer	
	Kelly Lindsay, Consumer Engagement and Membership Officer	

The purpose of the Member's Advisory Forum (MAF) is to discuss the most important issues from the perspective of ACCAN's members and the people they represent, with a view to incorporating these into ACCAN's future policy priorities.

The following meeting report provides an overview of the main issues raised and discussed. MAF participants are welcome to use this document in reporting back to their organisations. This report will also be sent to invited representatives who were unable to attend.

## ACCAN update

ACCAN staff provided a brief outline of several major consumer issues and a summary of ACCAN's outcomes in the past 12 months.

- ACCAN has been granted a new contract since the last MAF – this contract extends ACCAN's activities until early 2022.
- A Universal Service Guarantee (USG) will be replacing the Universal Services Obligation (USO): the aim is to ensure all consumers have access to voice services. The Telco Reform Bill legislative package currently before Federal Parliament will guarantee access to data networks capable of at least 25mbps download and 5 mbps upload speeds. Internet Australia is strongly supportive of USO reform, particularly the recognition of data services .
- The Australian Competition and Consumer Commission (ACCC) published industry guidance on Broadband Speed Claims that aims to drive more consistent and transparent advertising for speeds of retail fixed-line broadband plans
- The ACCC broadband speed monitoring trial commenced, with first results out soon. This will provide consumers with information about speed performance over NBN services.
- The Australian Communications and Media Authority (ACMA) announced a suite of new consumer protection standards and rules that will be implemented from mid-2018. These will drive better industry practice in areas such as complaints-handling, provision of consumer information, and ensuring continuity of service during the rollout of the NBN.
- The Telecommunications Industry Ombudsman (TIO) complaint numbers are up 41% from the previous year. These complaints are not solely attributed to issues relating to the rollout of the NBN as all services and issues have seen an increase in complaints. This illustrates the need to address consumer issues across the whole industry.

## ACCAN draft policy priorities

ACCAN staff gave a brief overview of our draft policy priorities for the current year, and invited MAF participant feedback. The priorities are:

### Improved consumer safeguards

*We will advance protections needed for the delivery of essential communications services to consumers.*

### Better communications for poorly served areas

*We will work closely with communities for improvements in existing services and mobile network expansion, and for a smooth transition to NBN broadband.*

### Empowering consumer decision making

*We will support a competitive market by ensuring consumers are informed and have the tools they need to participate.*

*Affordable communications*

*We will strive to eliminate affordability barriers for all consumers.*

*Improved accessibility*

*We will work with our members for the removal of barriers to access to communications products and services for people with disability.*

*Privacy, security and online safety*

*We will work to maintain and protect consumer privacy, security, and online safety.*

Points that were raised during discussion of ACCAN's policy priorities included:

- Inconsistencies with NBN VoIP services compared with legacy voice services could pose safety issues for consumers.
- Device compatibility over the NBN (fax, EFTPOS, medical and security alarms) – consumers are very concerned about whether devices will work on the new network.
- Increased consumer expenditure on communications - Australians are now spending more on telco services and equipment than energy. This is partly due to communications consumers' increased appetite for and use of data
- nbn co's discounted wholesale pricing for retail service providers has allowed consumers more affordable access to faster speeds. However, mobile plans can still be much cheaper than NBN plans.
- Financial hardship programs in the energy sector are a useful precedent for telco: in energy there are arrangements for those unable to pay back debt within 12 months. ACCAN should assess the definition of hardship used in energy sector for its applicability to telecommunications.
- CPRC has been conducting research on effective consumer engagement, particularly in regards to the consumer experience of switching providers. CPRC can work with ACCAN to make this telco-specific.

ACCAN is working through the issues raised by MAF attendees and will incorporate these into our policy priorities and work plan for the coming year.

## **ACCAN future policy focus 2018-19**

The documents circulated prior to the MAF aimed to capture the issues and priorities ACCAN is currently focusing on. ACCAN staff provided an overview of the major work areas outlined in the meeting papers. These included:

### **Affordability**

A number of issues were raised relating to affordability of telecommunications services:

- There is a cross-sector push for the concept of increasing basic income
- The Centrelink Telecommunications Allowance is outdated and does not meet the needs of today's communications consumers
- The Telstra Pensioner's discount: attendees agreed that it is unlikely that many people could afford to sign up to a service with Telstra to access the discount and that it is possible that awareness of the discount is low. The possibilities for a telecommunications concession rebate and 'social tariff' were discussed
- As a comparison, the energy industry provides some good incentives for consumers to save money and manage their usage. Home electricity efficiency audits are available, and energy industry discounts are not conditional
- Outreach and education are essential to raising consumer awareness of affordable options
- CPRC research on hardship could be useful to ACCAN because:
  - It looked at financial hardship policies/processes across different sectors
  - Identified that the best way to provide concessions is for retailers to ask at point of sale for concession card numbers and then apply the discount when billing. The retailer then sends the bill to the government.
- There should be a % based concession to account for lower income consumers paying proportionately more as an income percentage than the average consumer
- Whether competition is delivering the best outcomes for all consumers – a greater focus on product suitability is needed

## NBN

Attendees agreed that the new ACMA rules were long overdue.

Issues discussed:

- There is a need to have an independent help desk for consumers who require assistance getting and staying connected to the NBN.
- Increased education for consumers regarding the NBN rollout is required.
- The underlying reason nbn co charges a \$300 connection fee in greenfield developments but not brownfields was identified as maintaining current industry wide charging practices

## Regional Communications

Participants agreed that the quality of VoIP over satellite is a key concern for regional and rural consumers who do not see it as providing a reliable voice service compared to legacy services. Concerns were also raised regarding the NBN solution for these communities where the quality and reliability of the service can be severely affected by congestion, weather and other issues specific to regional and rural Australia. Mobile back-up isn't a viable contingency as many areas have patchy or no mobile reception at all.

Issues discussed:

- NBN broadband is the hope for consumers living in mobile black spot areas
- Consider strategies to have the decision-makers visit and use the telecommunications services in these areas so they can understand the impact

## TCP Code Review

ACCAN staff provided an overview of the key issues and priorities that have been identified through member consultation during the review. Key concerns include credit assessment processes and financial hardship protections for consumers; accessibility for people with disability; commission-based selling resulting in consumers being sold services that are not appropriate to their needs and circumstances.

Issues discussed:

- Financial hardship cases are often complex e.g. cases of economic abuse and/or family violence
- Hardship cases can often include multiple issues, often outside of just the telco issue
- People with disability have additional issues:
  - There is a lack of information about products with features that are suitable for people with disability
  - National Relay Service (NRS) changes –telcos are unwilling to provide information / services that the NRS currently provide.

## Renters

ACCAN sees a need for telecommunications to be recognised as an essential service for all consumers. When consumers are cut off from telecommunications services they also lose access to other vital platforms and markets that in many instances can only be reached by using the internet. Currently, each state has a different Rental Tenancy Act with different rules regarding connection of phone and internet.

Issues discussed:

- Often tenants have to pay for the infrastructure required to have an internet connection as there is no obligation for landlords to do so, because telecommunications are not recognised as essential in relevant legislation
- Private network owners can have exclusive rights to provide services in multi-dwelling buildings, leaving residents with no choice of provider.
- Victoria is currently undertaking Rental Tenancy Act reforms that may lead the way to reform in other states.
- Small businesses are also affected but residential tenancy legislation does not apply to them
- Tenants who don't want to pay for infrastructure and connection charges and rely on mobile services often end up with poor internal reception due to concrete walls etc.
- CPRC is creating rental reforms dashboard as a useful tool to track changes

## Privacy

ACCAN staff provided an overview of the issues and submissions it has been working on in the privacy space. Issues discussed:

- Consumer Data Right – the Federal Government is developing a framework for a Consumer Data Right. Consent provisions need to be easy to understand for consumers
- In early 2018 Telstra scrapped its fee for silent lines, a big win for consumers.
- Social media privacy: who is looking out for consumers?
  - [Digital Rights Watch](#) (based in QLD) are actively engaged in this space.
- Digital legacy: what happens to our digital life after we are gone?
  - ACCAN research project 2014 – Death and the internet
  - An international standard is being discussed, with ACCAN's involvement
- Next steps will include:
  - ACCAN meeting the new Privacy Commissioner to seek opportunities to work with the OAIC.
  - Internet Society chapters will be continuing to work on privacy issues
  - Consumer data use – Roy Morgan research is due for release by the end of the month
  - ACCAN will contact Elizabeth Coombes (past NSW Privacy Commissioner) regarding the UN Consultation on big data in Sydney in July.

## Access for people with disability

ACCAN has concerns regarding future funding for the National Relay Service (NRS). Whilst the Government has announced that there will be no reduction in services, there has been a cut in funding. NRS Outreach has been scaled back.

Issues discussed:

- Audio description report has been with the Minister for 3 months, ACCAN will work keep pressuring politicians to deliver better outcomes
- National Disability Telecommunications service (NDTS): funding source is unclear but the need is very clear
- Captioning: improvements are still needed in many areas of TV broadcasting.
- Disability Advisory Forum participants endorsed ACCAN's position to co-ordinate and guide disability organisations in their efforts to be heard on communications issues
- General consumer issues are compounded for People with Disability

## Feedback from Forum participants

Attendees provided feedback on how their members and communities use telecommunications services and the issues they face when doing so. This information will be valuable in ACCAN's engagement with industry and support ACCAN's efforts to improve consumer outcomes.

Issues discussed:

- The USO (or Universal Service Guarantee) reform process by the Department of Communications and the Arts
- The long promised review of consumer safeguards in telecommunications by the Government
- Hardship policies should be consistent across providers and be flexible to account for the range of vulnerable circumstances experienced by consumers
- 2015 Report of Concessions across Australia (Lauren Solomon will forward to participants)
  - Concession models should apply at sign up for those eligible
- The NSW Business Chamber has been working on business experience of telecommunications services. This would be useful for ACCAN to engage with.
- CPRC's Consumer Decision Making research work: ACCAN and CPRC's could work together on initiatives in the telecommunications sector that can support consumer decision making.
- Confidence and trust building could be supported in CALD communities through committees in specific sectors (for example PwD, RRR, small business)
- Poorly serviced areas continue to be a major issue for many consumers
- Smart meters and underlying data connections: consumer issues here include who will pay for the data used for measuring? How will smart meters function in black spots if they rely on mobile data?
- Consumer rights in embedded networks (caravan parks, nursing homes):
  - The overarching management company can act like a retailer in these cases, but it is not clear whether they are liable under regulations such as the TCP Code
  - Lack of competition poses issues for consumers living in embedded networks
  - ACCAN needs to undertake more work in this area and start by conducting a background/environmental check to better understand the issues

## Strategies

MAF attendees discussed the following strategies to achieve the best outcomes for consumers:

- Sharing information and policy approaches across sectors, eg energy and telco, where appropriate
- Undertaking advocacy with politicians in Canberra
- Using the pre-election (state and national) environment to push for better consumer outcomes

- Continue research projects that help drive better consumer outcomes
- Partnering with other consumer organisations working in other utility sectors to lobby on affordability, and push for a concession that is based on income and household expenses

## **Conclusion**

The feedback and suggestions made at the Members Advisory Forum will be used to inform ACCAN's future policy priorities, operations plan and research activity plan. These will be circulated to members of the Forum when finalised.

ACCAN CEO, Teresa Corbin, thanks the MAF attendees for their time and valuable contributions.