



## Australian Communications Consumer Action Network

### Members Advisory Forum (MAF)

### Meeting Report

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**Monday, 1 June 2015 11.00am – 3.00pm**

**PRESENT:** Johanna Plante (Chair)  
Nigel Waters, Australian Privacy Foundation  
Jo Benvenuti, Consumers' Federation of Australia  
Sue McGrath, Council on the Ageing Australia  
Fiona Guthrie, Financial Counselling Australia  
Joanna Gibson, Isolated Children's Parents' Association  
Aaron Davis, Indigenous Consumers Assistance Network  
George Fong, Internet Society of Australia  
Annie Kiefer, National Council of Women of Australia  
Mathew Keeley, National Children's and Youth Law Centre

**APOLOGIES:** Matthew Wright, Australian Federation of Disability Organisations  
Gulnara Abbasova, Federation of Ethnic Communities Councils of Australia

**ACCAN STAFF:** Teresa Corbin, CEO  
Narelle Clark, Deputy CEO  
Una Lawrence, Director of Policy  
Xavier O'Halloran, Policy Officer  
Rachel Thomas, Policy Officer  
Katerina Pavlidis, Grants and Research Officer

The purpose of the Member's Advisory Forum 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 work priorities for the 2015-16 year.

The following meeting report provides an overview of the main issues raised and discussed. Advisory Forum participants are encouraged to use this document in reporting back to their organisations. A copy of this report will also be provided to the representatives who sent apologies.

## ACCAN future policy direction 2015/16

### **Environmental scan**

The ACCAN Environmental Scan circulated prior to the meeting aimed to capture the issues ACCAN is currently working on, and to identify the known priorities of our stakeholders so that we can map the year ahead. It was the baseline document for discussion at the meeting. Attendees at the Members Advisory Forum had also been asked to come prepared with suggestions of areas for future policy priorities.

ACCAN staff provided a brief outline of several major work areas outlined in the Environmental Scan. There are a number of known areas of work that ACCAN will continue to respond to over the next year. These include:

#### **Regional telecommunications**

The Regional Telecommunications Review Committee is currently conducting consultations on telecommunications issues in rural areas. The Committee's final report will be tabled in Parliament on 23 August. It will be finalised and reviewed by the Minister for Communications before this date.

#### **Mobile services**

The Government will announce funded mobile towers under the Mobile Black Spot Programme before the end of this financial year. The funding available falls considerably short of the cost to meet the demand for new towers and coverage. The government might announce further funding to coincide with the announcement of the outcome of tender process. ACCAN will be encouraging the government to provide longer term funding of the program.

#### **Satellite internet services**

Satellite internet services are currently inadequate and oversubscribed. ACCAN will continue to focus on the long-term satellite proposal and cross-subsidy funding arrangements.

#### **Deregulation**

The Coalition Government's deregulation agenda continues to be a key focus for ACCAN. The telecommunications industry has proposed further reforms to the Government, and ACCAN will need to ensure that adequate consumer protection remains in place.

The four main current consumer protection regulations under consideration for deregulation reforms are the Telecommunications Consumer Protections (TCP) Code, the Customer Service Guarantee (CSG), the International Mobile Roaming Standard, and Telstra's Network Reliability Framework.

The CSG is an obligation on standard telephone services, which mandates a number of requirements that providers must adhere to, such as appointment keeping times, and connection and fault repair timeframes. Telstra has proposed changes to reduce these obligations and ACCAN has provided feedback on the proposals and we are yet to hear a response from Telstra. The CSG currently has flaws - for example, as the Universal Service Provider, Telstra is unable to waive the CSG, but other standard telephone service providers may. In fact, most other providers comply with the CSG. TPG is the only major provider to waive it. ACCAN members have told us that the CSG as it currently exists is important to them both as residential and small business customers.

The *International Mobile Roaming Standard* includes a number of provisions, such as for providers to send a text message to their customers when a customer is overseas, to inform them about charges while roaming. The industry wants to reduce these requirements. The Department of Communications is releasing a discussion paper on the Standard, which ACCAN will be responding to.

The *Network Reliability Framework* imposes an obligation on Telstra to maintain its copper network to a particular standard. Telstra has proposed changes to the framework to lessen its obligations, and ACCAN has responded to the Government setting out concerns regarding the consumer impact.

### **NBN issues**

The rollout of the NBN has been complicated by the change of policy and the multi-technology model that has now been introduced. The Telecommunications Industry Ombudsman (TIO) has seen a decrease in the levels of NBN-related complaints proportionate to the number of people now active on the network. The Fibre to the Node (FTTN) and hybrid fibre-coaxial (HFC) models will begin to be rolled out in 2016. The long term satellite service will be commercially active in 2016. ACCAN is examining how mobility issues (for example consumers who might move houses more often than most - . tenants, social housing residents, Indigenous consumers) might impact on the NBN delivery.

### ***Equity in the NBN rollout***

While the declared Government policy is to roll out NBN first to areas with poor broadband, it was noted that lower socioeconomic areas in Cairns, which are generally in the inner-city and have large Indigenous populations, have been neglected in the NBN rollout so far.

### **Affordability**

Affordability is the focus of ACCAN's National Conference to be held in September this year. We will be taking affordability proposals to the major political parties in the lead up to the next election, likely to be held in 2016. ACCAN members have asked for a package of low income measures for mobile and internet, similar to those that apply to fixed line services. The Government's 'digital first strategy' means services will be increasingly provided solely online. This has implications for the affordability of services as universal access to broadband will become even more crucial to participation.

## Policy priorities for 2015

**Key challenge:** ACCAN is dealing with a huge agenda of consumer concerns, and one of the difficulties is deciding how wide or in-depth our work will be on different issues.

After an open discussion, MAF attendees identified the following communications priority issues for their constituents in the year ahead:

- Affordability needs to remain a significant area of focus with broadband affordability of particular importance. People cannot be left unable to access government services because internet access is unaffordable.
  
- For older people, there are a series of complex factors impacting on internet use (see report [\*E-Government and Older People in Ireland North and South\*](#), CARDI Oct 2013).
  - Online safety and older people is a significant concern. Older people are very vulnerable to scammers, both online and via telemarketing. There is scope for ACCAN to do more work in this space.
  - Affordability, accessibility and complexity are the three areas most affecting older consumers. Many retirees have low fixed incomes, and many also have hearing and sight loss which impacts on the accessibility of technology. Some products, such as bundled goods, are complex and confusing for older people who are unfamiliar with technology.
  - Landlines continue to be very important for this demographic. Automated phone call queuing or Interactive Voice Responses (IVR) telephone systems are also problematic for older people who may not be able to use this method of communication. Personal interaction in customer service is also preferable and highly valued.
  
- ACCAN needs to keep across the government's responses to the Harper Review and its recommendations for future competition policy settings. This may result in the separation of the ACCC's competition and consumer functions.
  
- Key topics for children and communications are safety and health, security, consumer protections (privacy and copyright), skills and competencies, the need for learning and development about safe online behaviour, significant online gender violence, online criminal activity, online health, healthy consumption of communications and the inconsistent laws across State jurisdictions which can result in the criminalisation of children, for example when they send sexting messages. The Office of the Children's eSafety Commissioner will be established in July, and this will have impact and bring improvements, however, the challenge for ACCAN is to focus less on consumer education because there are many other organisations running awareness programs. ACCAN needs to focus in on providing leadership on specific areas of law reform where no-one is focusing at present.

- Security of personal information is another issue. There are many public messages about being careful with personal information. On the other hand, there are a number of government services that require consumers to provide a considerable amount of private personal information, which increases security risks. Mobile commerce and contactless payments may also present future safety and security challenges. A significant privacy issue in the year ahead will be the Government's steps to introduce a national online identity. ACCAN needs to keep involved in this area of policy development.
- Suitable communications models are needed for delivery of remote education, and current barriers need to be addressed. Current services are inadequate, and are exacerbated by fair use policies which have lowered data limits, unsuitable peak and off peak plans, and network congestion. Specially allocated education services need to be developed on the NBN Long Term Satellite Service to address remote education needs.
- Mobile coverage in non-metro areas must be improved – the Mobile Black Spots Programme is a positive step, however, it needs to be expanded and more long term funding allocated to really make a difference. The inadequacies of mobile broadband should be addressed as consumers face slow speeds and services that are too costly.
- To ensure consumer protections, the CSG should be extended to internet services provided over the NBN.
- Consumers making choices based on customer information in the market place remains a concern. Customer information should be informed by behavioural economics, and simplified so consumers can be better informed before they make decisions that lock them into contracts. Simpler products and plans can also assist consumers before they sign up. There is a great need to understand consumer behaviour and decision-making from an evidence-based perspective. ACCAN has commissioned research on consumer-decision making with Dr Paul Harrison, from Deakin University to gain further insights in this area. This research will be a significant contribution for consumer behaviour and decision-making in general and not just for communications consumers.
- ACCAN needs to consider market place issues for particular sectors, such as low income and disability sectors, with a focus on appropriate regulatory protections that may be required.
- Issues identified by the financial counselling sector are:
  - Telecommunications hardship practices; these continue to be challenging for financial counsellors and low income consumers and improvements are needed in order to get more positive outcomes.
  - 1800 numbers are generally free from mobiles now, but 1300 numbers remain a problem. Until the charging is changed, service providers such as Centrelink should switch to 1800 numbers or other affordable contact methods.
  - Scams in Indigenous communities continue to cause problems.

- In rural areas there needs to be a greater focus on reliable services. Recently, the Country Women's Association conducted a survey that asked people whether they would prefer a cheaper service or a more reliable service. The majority said they would prefer a more reliable service and would be prepared to pay a bit extra if it guaranteed reliability. ACCAN has requested a copy of these survey results.
- Complaints and deep dive analysis to look beyond TIO statistics to examine the underlying causes of reduced complaints. Is it a result of other, more complex issues, at play rather than due to increased satisfaction?

## **Suggestions for strategic approaches**

Meeting attendees made the following observations and suggestions regarding ACCAN's approach to particular areas of work.

### **Industry**

#### *Communications Alliance*

Communications Alliance (CA) is the peak body for the telecommunications industry. CA started as a multi-stakeholder consultative forum but has now become an industry peak body and lobbyist. A conflict of interest now exists considering that CA is still responsible for regulatory activities, such as developing codes, while also trying to advancing the interests of industry. When interacting with CA, ACCAN needs to understand that the organisation's focus is on what it can offer to its members in a rapidly changing telecommunications environment where its relevance as an organisation is constantly being challenged.

#### *Individual telecommunications providers*

Further collaboration with smaller internet service provider (ISPs) would be beneficial to ACCAN, depending on resourcing limitations. Much can be achieved by direct engagement with service providers. ACCAN should engage with high level representatives, such as CEOs and deputy CEOs, as it is these executives that lead the way for reform.

#### *ACCAN as a bridge between industry and consumers*

ACCAN could consider playing a broker role with industry, so that the industry can engage more with community organisations. ACCAN needs to present itself as an essential organisation with the expertise to advise consumers on the direction of the industry.

#### *Framing of issues*

Changing the approach to how issues are framed can have a positive impact on negotiations between two parties that have very different views. This is particularly relevant at the moment when so many policy issues are framed within the context of deregulation and 'red tape' reductions or tax payer savings.

## Consumer organisations

### *Building alliances with consumer based organisations*

ACCAN should continue to liaise with influential consumer organisations, for example the Country Women's Association and the National Farmers' Federation on issues related to rural and remote consumers for maximum impact.

The Department of Social Services has approached ACCAN for feedback on the affordability of different contact methods. ACCAN and Financial Counselling Australia could jointly approach Centrelink to resolve this issue, with a view to getting the Department to switch from 1300 to 1800 numbers, or using other affordable alternatives.

## Government

Increased relationship building with government will benefit ACCAN. Working more closely with individual local councils, Regional Development Australia (RDA) and the Australian Local Government Association (ALGA) will help strengthen ACCAN's influence.

## Use resources more strategically

- ACCAN's National Conference should be utilised to promote key strategic issues. Imposing strict time limits on speakers to give short and passionate speeches allows attendees to understand the core issues more clearly and creates a more dynamic conference.
- Link key overarching issues to the specific policy submissions ACCAN makes to maximise impact.
- Take advantage of initiatives such as Scam Awareness Week, and evaluate their effectiveness as a means of promoting consumer awareness and education for ACCAN.

## Research

MAF attendees were asked to give feedback on ACCAN's future research priorities. Next year ACCAN will have a research budget of \$85,000. This budget is outside of the ACCAN Grants Scheme. Possible areas for research flagged by members were:

- Research into what communication services are now being used by consumers over VoIP (Voice of Internet Protocol – or data based telephony). This would complement ACCAN's work on the Universal Service Obligation (USO).
- Use 'heat map' methodology research to measure geographic areas that have the highest to lowest levels of dissatisfaction with certain products and services. These studies are helpful when measuring changing consumer sentiments.
- Research on the different levels of competition and access in apartment buildings to broadband and telephony services. The Consumer Utilities Advocacy Centre (CUAC) conducted such research and found that people in high rise buildings were getting a more limited selection of energy retailers.

Ideally, the Grants Scheme should be positioned to fit with ACCAN's strategic goals in order to attract experts interested in certain issues, rather than continue to have applicants applying for a whole variety of projects that don't relate well to ACCAN's policy priorities. ACCAN will consider options for this in future.

## **Conclusion**

The feedback and suggestions made today will be used to finalise ACCAN's policy priorities, operations plan and research activity plan. Once these have been finalised they will be circulated to MAF attendees.

It was also noted that ACCAN will be going through a review of its Strategic Plan over the next 12 months and a contract review with the Department of Communications.

ACCAN CEO, Teresa Corbin, thanked the participants of the inaugural MAF, for both their time and excellent contributions.