

Consultation response form

Please complete this form in full and return via email to broadband.speeds@ofcom.org.uk or by post to:

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Ofcom
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London SE1 9HA

Consultation title	Broadband Speeds Code of Practice
Full name	[X]
Contact phone number	[X]
Representing (delete as appropriate)	[X]
Organisation name	[X]
Email address	[X]
We will keep your contact number and email address confidential. Are there any additional details you want to keep confidential? (delete as appropriate)	Organisation name
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes

Your response

<p>1.1 Question 4.7: Do you have any comments on the proposed changes to the codes, as outlined in this consultation document (including Annex 1)? Please provide reasons for your response. In particular:</p> <p style="padding-left: 20px;">a) Do you agree that the codes should require the provision of speed estimates that reflect peak-time network congestion?</p> <p style="padding-left: 20px;">b) Do you agree that the minimum guaranteed speed should always be given to customers</p>	<p>a) Do you agree that the codes should require the provision of speed estimates that reflect peak-time network congestion?</p> <p>This has opportunities for abuse. The measure for this could be taken during a “quiet” peak time (eg over Christmas or bank holiday) once and not show accurate data for the ongoing basis.</p> <p>Congestion will also change over time – how will the ISP’s that invest in their networks, reducing congestion be reflected if the ISP’s that take a single snapshot and don’t update, despite their network becoming more congested.</p> <p>How would this be monitored / policed to ensure that consumers would be shown accurate information? I’m not sure how mystery shopping would provide the necessary insight into compliance on this matter.</p> <p>I’m not sure this is fully understood as to how all the different</p>
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<p>at point of sale?</p> <p>c) Do you agree that, where a customer's speed falls below the minimum guaranteed level, there should be a limit on the length of time providers have to fix the problem before offering the right to exit? Do you agree that the limit should be 30 calendar days?</p> <p>d) Do you agree that the right to exit should also apply to a landline service sold over the same line, and to pay-TV services purchased at the same time, as the broadband service?</p> <p>e) Do you agree that the codes should be capable of being applied in full to all standard fixed broadband technologies, including cable and FTTP?</p> <p>f) How long do you consider that signatories should be given to implement the proposed changes following publication of the final version of the codes?</p>	<p>ISP's will implement and manage this, so until this is refined more I think that this shouldn't be in place.</p> <p>The details on peak time estimated speed calculation and refresh are not clear, and so this should not be part of the code, as there will be significant variation in how the ISP's determine this, how often they refresh it and how the customers will interpret this. This is not a useful measure for the customers, and they should be guided more by the minimum guaranteed speed that the ISP should provide them. This is simpler, easier to understand & something the ISP <i>has</i> to deliver to adhere to the code, and therefore much more transparent for the end customer and a good measure of the level of service they can expect <i>at any time</i>.</p> <p>b) Do you agree that the minimum guaranteed speed should always be given to customers at point of sale?</p> <p>Yes, and that customers not receiving this have the right to cancel.</p> <p>The changes to the code of practice should include upload speeds as well, and the minimum guaranteed upload speed should be shown at this point too. Upload speeds are becoming more important to end users, as more people generate video and image content and need to upload it to social media / backup in the cloud / share with friends. Upload speeds are not well understood by consumers, and including these in the minimum speeds will help educate and inform people.</p> <p>Customers should be shown the minimum upload and download speeds for services prior to placing an order, and that speed should be their contractual right for termination (confirmed in their pre & post sale communications).</p> <p>ISPs need the provision to be able to show the service is connected at a speed above the minimum guaranteed, as consumers are often confused with FTTP services about where the speed drops. For instance, many 1Gb customers see speed tests showing 400Mbps-600Mbps as they are testing over a wireless network, where the speed is limited by the network technology, and the actual service to the home is much faster. Other factors, such as devices, also can reduce the speed shown in a speed test.</p> <p>If an ISP can demonstrate a faster speed than the minimum guaranteed speed, the customer should not have cancellation rights.</p> <p>c) Do you agree that, where a customer's speed falls below the minimum guaranteed level, there should be a limit on the length of time providers have to fix the problem before offering the right to exit? Do you agree that the limit should be 30 calendar days?</p>
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Yes, agree to both these points. 30 days is ample time to investigate and fix a poor connection.

Given that investigation of speeds falling below minimum levels might result in engineer visits to the customers' property, customer challenges on the minimum speed delivered should only be available once every three calendar months. This will minimise the costs for ISP's to manage such complaints from customers, and ensure that prices do not have to change to accommodate this.

d) Do you agree that the right to exit should also apply to a landline service sold over the same line, and to pay-TV services purchased at the same time, as the broadband service?

Yes, all services bundled should be able to be cancelled if the broadband services are not at the minimum guaranteed levels. By not including bundled products, consumers can be financially worse off by trying to cancel just one service, and therefore restricted or discouraged from being able to move to a different ISP that can provide better speeds.

We have seen that customers who have indicated to us that they want to cancel competitor services to move to us have been unable to due to fees or increasing costs for other aspects of their bundle.

e) Do you agree that the codes should be capable of being applied in full to all standard fixed broadband technologies, including cable and FTTP?

Yes

f) How long do you consider that signatories should be given to implement the proposed changes following publication of the final version of the codes?

120 days should be sufficient for companies to implement these changes

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