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Which? response to Ofcom's consultation on end-of-contract and annual best tariff notifications and proposed scope for a review of pricing practices in fixed broadband

Which? welcomes the opportunity to respond to Ofcom's consultation on end-of-contract and annual best tariff notifications. We are pleased to see Ofcom taking action to encourage consumer engagement across the communications sector. We continue to believe that the proposed introduction of end-of-contract and annual best tariff notifications are an important step in helping to encourage consumer engagement.

We are supportive of Ofcom's strengthened measures for consumers set out in the consultation. In particular, we consider that the inclusion of clear best tariff advice and the requirement to send the end-of-contract notification between 10 and 40 days before the end of the fixed commitment period are adjustments that could further help consumers to engage, based on the findings from Ofcom's own research. However, we are unclear why Ofcom is proposing to remove its original proposed requirement for providers to provide these notifications using the consumer's preferred method of contact. We note that Ofcom does not offer any detailed reasoning to support its change in approach and we consider that consumers would be most likely to engage with these notifications if they received them through their preferred method of contact.

We are pleased that Ofcom has taken account of our earlier consultation response¹ on end-of-contract notifications in relation to monitoring and evaluating the success of this intervention. We are supportive of the planned approach set out in this consultation. In particular we are glad to see that Ofcom will be exploring the potential to conduct a randomised control trial to assess the effectiveness of the notifications. We consider that if providers are not happy to do this voluntarily, Ofcom should look for other ways to run such trials. Testing end-of-contract and annual best tariff notifications will ensure that the most relevant information is included and that they have the effect that Ofcom intends.

Given the experience from other sectors in this area, we continue to believe that Ofcom should also consider how it will review compliance with these proposals if they are implemented, and the action it will take if companies are not adhering to them.

For further information please contact Colum McGuire, External Affairs Manager, Which? at colum.mcguire@which.co.uk. February 2019.

¹ <https://about-which.s3.amazonaws.com/policy/media/documents/5bc755cd154e7-Ofcom%20-%20Response%20to%20end-of-contract%20and%20out-of-contract%20notification%20consultation-%2017102018.pdf>