



5

**Consumer  
Protection**

## 5. Consumer Protection

**5.1** Well-functioning markets should maximise benefits for consumers.<sup>49</sup> However, markets do not always deliver optimal outcomes for consumers. Even in the presence of wholesale regulation, not all consumers in downstream retail markets may be adequately served and protected.

In addition, market failures such as information asymmetries can prevent consumers from making fully informed choices. Issues may also arise when service providers do not uphold consumers' rights or provide inadequate complaints and redress mechanisms to assist consumers.

### Strategic Intent 2:

### Consumers can choose and use communications services with confidence.

### What does this look like?

- Consumers have easy access to the information they need
- Consumers have a choice of service providers but there is at least one provider available for basic (universal) services
- Vulnerable and Disabled end-users are protected
- The sign-up process is transparent and simple yet secure
- Consumers can switch without service disruption, inappropriate penalties or notice periods
- Consumers get the service they sign up for
- Consumers understand their bill and are billed correctly
- Consumers have timely access to customer care and redress

<sup>49</sup> ComReg's consumer role and associated protections, in certain cases, applies to small enterprises or microenterprises, not for profit organisations as well as consumers. Where this chapter uses the term consumer(s), it may also mean other end-users.

**5.2** This Chapter sets out our strategic goals associated with protecting and informing consumers with the high-level objective of ensuring that **consumers can choose and use communications services with confidence**.

**5.3** We describe the consumer navigation of the market, or the “Consumer Journey”, in four broad phases, as set out in paragraph 5.15 below.

**5.4** At each stage of the Consumer Journey, we seek to ensure consumers, including disabled consumers, are adequately informed of their consumer rights, and are equipped with the necessary information to make informed decisions. In addition, the EECC is introducing new measures to enhance consumer protection. Our role also includes consideration of a Universal Service for the ECS sector to ensure consumers have access to certain fixed electronic communication services at an affordable price. Finally, we have a role in consumer redress, complaint handling and an Alternative Dispute Resolution mechanism.

**5.5** In this chapter we set out the range of consumer protection measures and information channels/tools we will be using over the coming period to address consumer harm issues and ensure consumers can choose and use communications services with confidence.

## Consumer Harm

**5.6** ComReg’s consumer role is to protect and inform consumers so that harms are overcome, and they can choose and use communications services with confidence. In this context, our goal is that **ComReg identifies and understands consumer harms**. ComReg has several ways of identifying potential and actual consumer harms which need to be addressed using its consumer protection regulatory toolkit, including:

- Consumer queries and complaints;
- Market Research;
- Advisory Panels and Engagement; and
- Information Gathering, Compliance Monitoring and Investigations.

## Consumer queries and complaints

**5.7** Significant numbers of consumers continue to experience issues when availing of ECN / ECS and PRS. Our analysis of contacts to our Consumer Line highlight some notable trends<sup>50</sup>. Figure 6, below, shows the relative volumes of queries and complaints received over the past 5 years. Figure 7 below, shows the relative breakdown of ECN / ECS complaints by complaint type. Billing, contractual and service issues have been and remain the main ECN / ECS issues raised by consumers, while number portability and switching concerns have increased significantly more recently. Issues with PRS persist in particular in respect of subscribing, representing a significant percentage of total contacts received.

### Goal 2.1

**ComReg identifies and understands consumer harms.**

<sup>50</sup> ComReg reports consumer line statistics on a quarterly basis. Available at: [www.comreg.ie/publications/](http://www.comreg.ie/publications/)

Figure 6: Breakdown of Issues Logged (Queries/Complaints), 2016 - 2020<sup>51</sup>

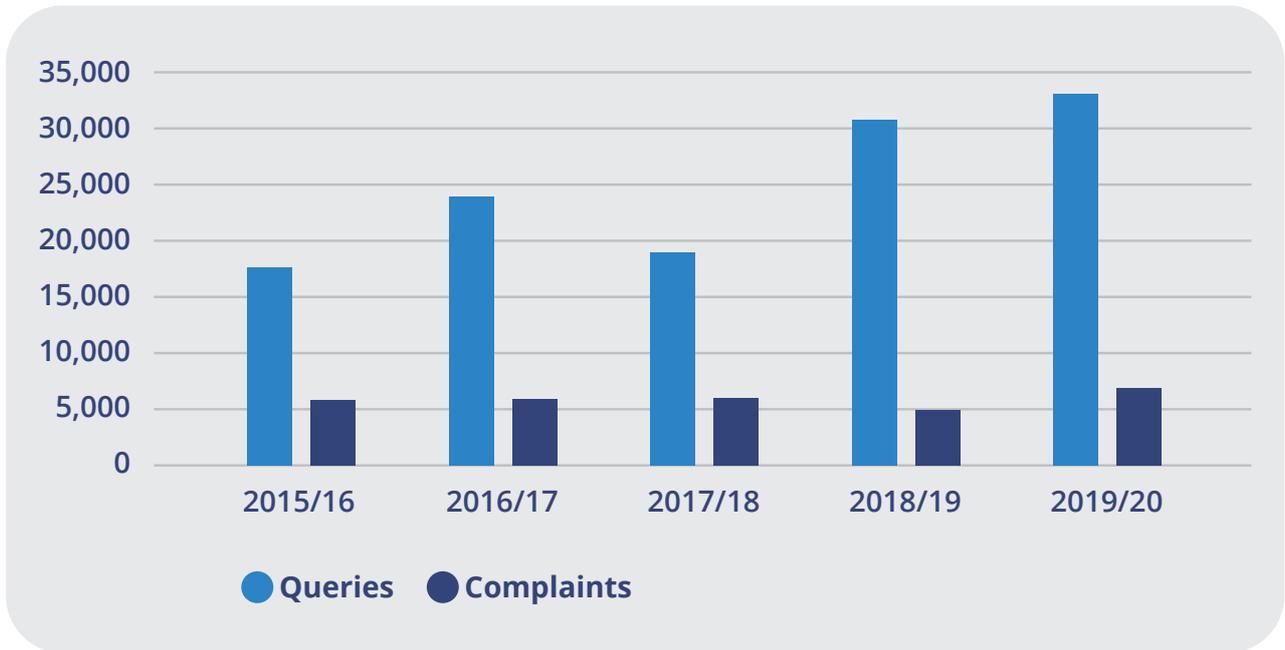
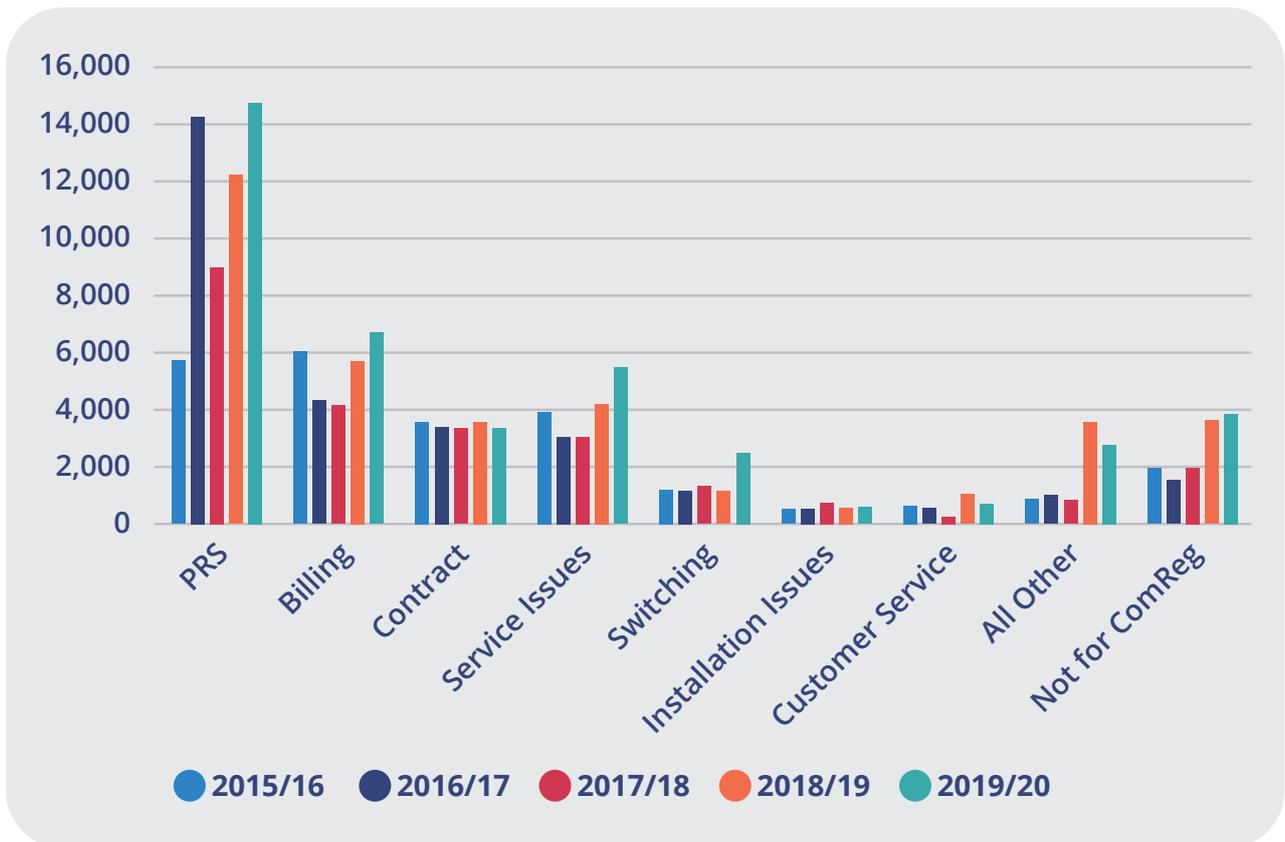


Figure 7: Queries/Complaints Total ECN / ECS and PRS combined, 2016 to 2020<sup>52</sup>



<sup>51</sup> ComReg Consumer Line Statistics

<sup>52</sup> ComReg Consumer Line Statistics

## Research, Market Information and Behavioural Studies

**5.8** Products and services sold in the ECS sector are complex. Rational decision-making in the presence of such complexity can be difficult for some consumers, indicating that markets may not function effectively. In addition, consumer decision-making can sometimes be affected by behavioural bias. Such biases can affect consumer preferences, consumer beliefs and decision making. Service providers frequently use these biases to nudge consumers into behaving in ways that better align with the commercial interests of the service provider (e.g. by moving consumers up the value chain). ComReg conducts regular research to gain insights into consumers' behaviours, preferences, and experiences. Further details are set out in Chapter 8.

## Advisory Panels and Engagement

**5.9** ComReg regularly hosts advisory panels to gain insights into consumer issues, including issues for end-users with accessibility requirements. The Consumer Advisory Panel ('CAP') was established in accordance with Section 12 of the Communications Act 2002<sup>53</sup>. The purpose of the CAP is to advise us on developments, innovations and areas of consumer concern which are relevant to ComReg's role. ComReg also periodically conducts disability workshops to explore specific accessibility topics and issues. This gives us an insight into harms that may be arising from an accessibility point of view that we may have a role in addressing.

**5.10** ComReg also meets consumers and the public and through outreach events and activities and learns about issues and concerns arising through this channel. Further details are set out later in this Chapter.

## Information Gathering, Compliance Monitoring and Investigations

**5.11** ComReg regularly monitors service providers practices (e.g. information they provide to customers; contracts; and business processes) to obtain an understanding of the potential consumer harms that may arise. We achieve this via mystery shopping, information gathered directly from consumers and service providers, and through our compliance monitoring activities and investigations. ComReg is also contacted by service providers who observe practices in the market that may give rise to consumer harm. These insights help inform our information campaigns, policy interventions and enforcement actions.

## Addressing Consumer Harm

**5.12** Over the coming period we will continue to evolve and harness the insights from these sources to deepen our understanding of consumer harms and to design regulatory interventions to mitigate them. We use these insights into consumer harm to help identify groups of consumers who may be vulnerable or need support in ECS markets and to help inform how we deploy our regulatory toolkit to maximise its effectiveness. These vulnerabilities can emerge due to issues such as a lack of access to ECN / ECS, a lack of knowledge or information, personal circumstances, behavioural biases, the presence of market failures, etc.

**5.13** To address any instances of consumer harm, including for vulnerable and disabled end-users, ComReg can use its powers to specify an intervention or a support measure to ensure that markets work effectively for all consumers and that disabled end-users are protected. In this context, it is ComReg's goal that **consumer rights and protections, including for vulnerable and disabled consumers, are adequate to mitigate consumer harm.**

<sup>53</sup> The CAP consists of representatives from the Consumers' Association of Ireland, National Disability Authority, Northern & Western Regional Assembly and Chambers Ireland

**5.14** In the following sections, specific consumer harms are called out at various stages of the Consumer Journey and where appropriate specific actions to mitigate against these harms by ComReg are highlighted. Over the coming period, ComReg will consider whether it is appropriate to implement, enhance or evolve measures to mitigate against consumer harm.

**Goal 2.2**

Consumer rights and protections, including for vulnerable and disabled consumers, are adequate to mitigate consumer harm.

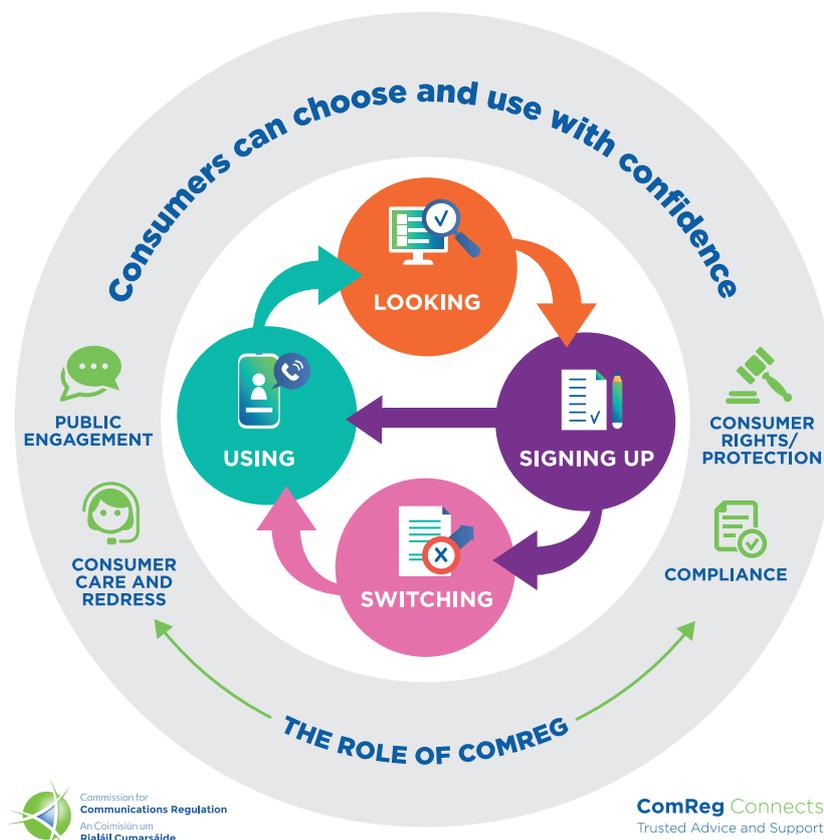
## The Consumer Journey

**5.15** ComReg describes the consumer navigation of the market, or the “Consumer Journey”, in four broad phases, shown in Figure 8 below:

- Looking
- Signing Up
- Using
- Switching

**5.16** ComReg’s objective is to ensure that consumers are protected through every stage of the Consumer Journey and to achieve this ComReg uses its regulatory toolbox to intervene and assist consumers as issues arise and more generally where it identifies actual or potential consumer harm issues. Where relevant, specific consumer harms are highlighted and addressed through ComReg’s various powers and work streams.

Figure 8: The Consumer Journey



## Stage 1 - Looking for a service offer

**5.17** The market for ECN / ECS products and services is complex and the choices available to consumers are wide and varied. Without guidance or support to make an informed choice, some consumers, including disabled consumers, may be unable to make a decision, or they may postpone making a decision, possibly indefinitely. Having guidance and information presented in a manner that is accessible, useful, comparable, and accurately represents the product or service will assist consumers to make informed decisions. In addition, ComReg has powers to set rules regarding the way certain information about products and services is presented to the consumer.

### Goal 2.3

**Consumers, including vulnerable and disabled end-users, are supported by clear, accurate and up to date information throughout the Consumer Journey.**

**5.18** ComReg is committed to providing 'trusted advice and support' to ensure consumers can make informed decisions. We do this through the use of easy to understand language in our engagement with consumers and the public.

ComReg's goal relating to the provision of easily accessible, useful information and guidance is that all **consumers, including vulnerable and disabled end-users, are supported by clear, accurate and up to date information throughout the Consumer Journey.**

**5.19** There are a number of useful information sources available to consumers when making a purchasing decision. Two of these are key sources – (1) Information provided by Service Providers and (2) Information provided by ComReg.

**5.20 Information from Service Providers:** The availability of transparent, accurate and timely information on the switching process should increase consumer confidence in switching and make them more willing to seek out new market offers. In addition, consumers are entitled to receive a Contract Summary, including in an accessible format for disabled end-users, to ensure their access needs are met and in view of the equivalence of access for disabled end-users that is envisaged by the Code<sup>54</sup>. When entering into a contract for both stand-alone and bundled services, the Contract Summary sets out the main terms of the service offer in a clear and understandable form and is intended to enable consumers to more easily compare services offered by different providers. Providers may also include information on switching in the Contract Summary. The Contract Summary also helps consumers to consider offers in their own time and prior to entering into a contract. Over the coming period ComReg will ensure appropriate easily accessible information is provided to consumers, including:

- **Pre-Contractual Information:** ComReg will ensure consumers are provided with Pre-Contractual Information relating to: contract duration, any switching charges, compensation and refund arrangements for delay or abuse of switching, information about how to switch, information on how to obtain a refund of prepaid credit when switching, and details of any early termination fees (including handset unlocking costs).
- **Contract Summary:** Over the coming period we will monitor the market to ensure that Contract Summary information is provided at the appropriate stage to consumers as required and is in an accessible format for disabled end-users.
- **Best Tariff Advice:** For those already in a contract, Best Tariff Advice<sup>55</sup> which is provided by service providers during the contract, will also be a useful tool to assist consumers in their choice of offers available.

<sup>54</sup> Commission Implementing Regulation (EU) 2019/2243 of 17 December 2019

<sup>55</sup> Article 105(3) of the EEC

**5.21 Information from ComReg:** ComReg provides a range of tools and information to assist consumers in their comparison of offers and in enhancing their understanding of ECN / ECS products and their associated rights. Through our consumer engagement channels, discussed later in this chapter, we provide information to consumers on their rights. Over the coming period our work relating to this goal includes the following items:

- **Consumer Care:** Service providers must be able to efficiently address their own customers' queries and issues. We will work to drive service providers to improve the experience they provide to their customers by improving transparency on Quality of Service and ensuring that they are tackling systemic and root cause issues. ComReg's Consumer Line will assist consumers with their queries and complaints, and we will continue to assist consumers who need advice and support.
- **Consumer website:** Through our website we aim to provide consumers with easy to understand information on topical issues which might impact their choice or use of ECN / ECS. We will continue to evolve our ways of communicating information to ensure it is accessible, understandable, and consistent. Our website hosts our Comparison Tools, Outdoor Coverage Map and PRS Service Checker.
- **ComReg Comparison Tools:** Our comparison tool allows consumers to compare costs for mobile phone, home phone, broadband & TV market offers. This comparison tool is available at <https://www.comreg.ie/compare>. Over the coming period we will ensure that the ComReg Comparison tool offers additional features and functionality, including information on attributes such as total cost, contracted speeds, data allowances and other important information consumers need when selecting a service. We also plan to develop an accreditation process, should websites offering commercial comparison tools, who fulfil the necessary requirements, apply to have their comparison tool accredited by ComReg.

- **Outdoor Coverage Map:** We provide an outdoor mobile coverage map on our website (and via an app) to allow consumers to check service providers' outdoor mobile phone coverage predictions at locations throughout the country. This map is available at <https://coveragemap.comreg.ie>. Over the coming period we will publish 5G outdoor mobile coverage maps and will be consulting with industry on the proposed methodology to take account of 5G technologies (e.g. 5G coverage thresholds). We expect to publish these maps, pending industry engagement, in Q4 2021. We also plan to provide further information and guidance on other factors that may be affecting their mobile experience. In addition, we are also considering providing a broadband coverage map on our website for consumers.
- **Premium Rate Service checker:** Our PRS service checker allows consumers to check the name and number of a PRS they intend to use or have been billed for. Available at [servicechecker.comreg.ie](https://servicechecker.comreg.ie)

## Stage 2 - Signing Up for a service

- 5.22** Equipped with relevant information and guidance about the offers available, consumers may decide to sign-up or enter a contract for services with their chosen service provider.
- 5.23** We consider that effective competition in the ECS sector depends on, amongst other things, the ability and willingness of consumers to switch service provider or plan/bundle in response to a better deal in the marketplace. It is therefore our goal that **there are low barriers to consumers exercising their choice when signing up for a service.**

### Goal 2.4

**There are low barriers to consumers exercising their choice when signing up for a service.**

**5.24** Having considered the Contract Summary made available by a service provider and considered all the relevant options and information, a consumer who wishes to switch should contact their new service provider. The new service provider will then arrange the switch and the consumer's existing contract will be terminated. There should be no break in service and phone numbers can be transferred (ported) from one service provider to another.

**5.25** ComReg provides a consumer guide on our website to assist consumers who wish to switch. Based on ComReg's knowledge and experience of consumer harm issues in the market, and additional protections afforded by the EECC, ComReg aims to minimise barriers

to consumers including disabled end-users exercising choice.

In this context, over the coming period, our principal focus in this area will include the following matters:

- Signup;
- Durable Contracts;
- Bundled Offers; and
- Delayed Installations.

**5.26** Further information on these matters is set out in Table 4 below.

## Stage 3 - Using the Service

**Table 4: Areas of focus**

### Signup

We will work to ensure that sign-up processes are easily accessible and consumers have accurate information to fully understand the process and the contract that they are signing up to and that contracts are fair. We have powers in respect of unfair contract terms and have sought to have co-enforcement powers under the Unfair Commercial Practices Directive so that we may play a role in eradicating misleading sales and other unfair commercial practices in our sector.

### Durable Contracts

We will work to ensure that consumers receive their contracts when they sign up and upgrade, in particular over the phone or on-line and that they are afforded their cooling-off rights. We will monitor to ensure that contracts and contract summaries are consistent across service providers and in accordance with the legislation.<sup>57</sup>

### Bundled Offers

Article 107 of the EECC requires service providers extend certain end-user rights provisions to all elements of a bundle<sup>58</sup>. These provisions will help facilitate consumers in switching provider more easily and taking advantage of competitive offers for the entire bundle if it is in their interests to do so. ComReg will monitor compliance with these requirements under the EECC.

### Delayed Installations

ComReg will develop its approach to remedies for missed service and install appointments as provided for under Article 106 of the EECC.

<sup>57</sup> ComReg has published relevant Regulatory Guidance (<https://www.comreg.ie/publication/regulatory-guidance-on-title-iii-end-user-rights-of-the-european-electronic-communications-code-2>).

<sup>58</sup> Including terminal equipment, digital content or digital services and ECN / ECS that are not otherwise directly covered by the scope of those end-user rights provisions.

- 5.27** Having signed up to a service, completed any necessary equipment installation and switched service provider, consumers should now be able to use their service. However, issues may arise at any stage, including while using the service, despite the consumer protections that are in place. In this context, it is ComReg’s goal that **consumer rights throughout their journey are upheld by their service providers.**

**Goal 2.5**

**Consumer rights throughout their journey are upheld by their service providers.**

- 5.28** There is a range of rights and protections relating to a consumers’ use of their ECN / ECS service. At all times, consumers should be treated fairly in accordance with their consumer rights. Where rights are not upheld, service providers risk enforcement action by ComReg. Further details on our enforcement activities are set out in Chapter 7.

- 5.29** Over the coming period, relating to this goal, ComReg will undertake the following activities:

- ◉ **Regulatory Guidance on End-user Rights:** To assist service providers understand the range of end-user rights, in 2020 we published Regulatory Guidance on the End-User Rights of the EECC<sup>59</sup>. Over the coming period we will further consider our approach to this guidance on new rights together with enhanced publication of enforcement actions.
- ◉ **Provisions for Disabled End-Users:** ComReg is currently undertaking a review of existing obligations on Service Providers, including the Irish Text Relay Service, to ensure that the measures put in place for disabled end-users reflect market evolutions and continue to meet consumer needs. ComReg may consult on issues to be addressed as part of its wider

review and in light of provisions in the EECC relating to accessible information. ComReg will ensure that end-user access needs are met and support the equivalence of access provisions for end-users with disabilities envisaged by Article 111 of the EECC.

- ◉ **Premium Rate Services:** ComReg will continue to monitor developments in the PRS markets to ensure that consumers are not incorrectly subscribed and that PRS providers adhere to requirements set out in ComReg’s PRS Code of Practice.

Consumers have the right to block mobile PRS if they do not wish to avail of them and we are considering if further protections related to third-party billing are appropriate.

- ◉ **Net-neutrality monitoring:** ComReg will continue to actively monitor compliance in respect of elements including traffic management practices and consumer contracts as well as monitoring of zero-rated practices.
- ◉ **ECAS:** ComReg will continue its work in the ECAS industry forum to improve location information and to assist where appropriate with new provisions in the EECC. ComReg will enforce compliance with connectivity to the ECAS.
- ◉ **Battery Backup measure:** As the availability of VoIP over broadband networks and OTT services expands across geographical areas (due to the rollout of new VHCN), it is recognised that power outages could have a more pervasive impact. ComReg will consider a review of its 2018 decision on Battery Back-up<sup>60</sup> and any appropriate obligations in respect of vulnerable users.

- 5.30** Notwithstanding the existence of various end-user rights and consumer protection measures highlighted above, there may still be a risk of harm to consumers where these protections may not be sufficient to safeguard consumer interests.

<sup>59</sup> ComReg document 20/111R

<sup>60</sup> ComReg document 18/04 D02/18

## Stage 4 - Leaving the Contract/ Switching

**5.31** Consumers may decide to exit their contract for a variety of reasons, including:

- They have decided they no longer require the service.
- They are dissatisfied with their current service.
- They have come to the end of the contract (minimum term).
- Their service provider has increased the price or altered another part of their contract and they have been given the right to exit and decided to exercise this right.
- They are moving premises.
- They have been given Best Tariff Advice or an upgrade offer and they wish to enter into a new contract with their existing service provider.

**5.32** A fundamental aspect of ensuring that this part of the journey is seamless for consumers is information, including accessible and adequate information on terminal equipment and unlocking costs and procedures, early termination fees, refunds, switching provider, cancelling a contract, ceasing the service, final bill issues and complaint handling.

**5.33** It is critical that this information is provided to consumers at the relevant stages of their Consumer Journey, and should be provided in an accessible format for end-users with disabilities. ComReg considers that misinformation can cause uncertainty for consumers as to what steps they have to take to cancel a contract, what early termination fees might apply, what fees are due for terminal equipment (such as handsets and modems) and the exact date the service will cease. Consumers should also be informed about any remaining standing orders and direct debits, when they can expect their final bill, and any refunds due to the consumer. In addition, any mobile handsets should be unlocked promptly when final balances are paid.

**5.34** In some cases, practices and issues can create barriers to switching by making the process unnecessarily difficult for consumers (e.g. complex switching processes, service or number loss, locked mobile handsets, unissued refunds or lack of an appropriate cooling-off period).

### Goal 2.6

**There are low barriers to consumers exercising their choice when leaving a contract.**

**5.35** ComReg monitors the level of switching in the ECS Markets through the data we gather from industry and market research. Through our compliance and enforcement actions, we ensure consumers are not disadvantaged by unfair or illegal practices that serve to limit consumer switching rights or create disincentives to switching.

**5.36** It is therefore our goal that **there are low barriers to consumers exercising their choice when leaving a contract.**

**5.37** Over the coming period, ComReg will focus on ensuring that accurate, easily accessible information is available to consumers and that cancellation processes (as well as switching processes) are being implemented appropriately by service providers, including through enforcement. Our work will include the following:

- **Contract Change Notification:** ComReg will monitor providers' approaches to issuing Contract Changes Notifications for any changes to terms and conditions they propose, while advising consumers whether or not the right to terminate arises, given the change(s) outlined in the EECC. ComReg may further specify requirements to ensure contract change notifications are made in a clear and comprehensible manner, and on a durable medium.

- **End of Contract Notification and Best Tariff Advice:** Before a contract is automatically prolonged, providers are required to inform a consumer in a prominent, timely manner, and on a durable medium, of the end date of the fixed term contract and how to terminate the contract (the “End of Contract notice”). At the same time, Best Tariff Advice relating to their services should be provided. After a contract has been prolonged and during the prolonged period of the contract, such Best Tariff Advice, should be provided at least annually.

ComReg will monitor providers’ approach to compliance with Regulatory Notifications required to be sent to end-users on foot of Article 105 (3) of the EECC. ComReg has set out its initial policy considerations and views on best practice as regards how to provide Best Tariff Advice and will consider if further intervention is needed to ensure the objectives of the EECC are met.

- **Disincentives to Switch:** ComReg will continue to identify disincentives to switching and will take action to ensure that practices that may be obstacles to consumer switching are removed. We will focus on ensuring industry switching processes are working effectively for consumers.

## Universal Service - Affordable access to basic services

**5.38** Under the EECC, the purpose of Universal Service is to ensure consumers have access at an affordable price to an available adequate broadband internet access service and to voice communications services, including the underlying connection, at a fixed location.

This Universal Service is only required when the market fails to deliver, and relevant public policy interventions have been exhausted. In this context it is our goal that **all end-users have affordable access to adequate broadband and voice services at a fixed location**. Currently, Eircom Ltd is designated as

the Universal Service provider, and provides a voice service at a fixed location that is a safety net ensuring access to basic ECN / ECS.

### Goal 2.7

**All end-users have affordable access to adequate broadband and voice services at a fixed location.**

- 5.39** The Universal Service requirements set out in the EECC reflect advances in technology, with a view to ensuring that the Universal Service Obligation (**‘USO’**) can be adapted to meet the circumstances in Ireland, and to meet future demands for data and voice communication services.
- 5.40** In addition to the above Universal Service, consumers are also entitled to access emergency call answering services. All providers of publicly available ECN / ECS must provide free access and connection to emergency services.
- 5.41** Eircom Ltd, as the designated Universal Service provider has obligations regarding the provision of certain services including:

  - **Provision of a voice connection and service:** Eircom must meet every ‘reasonable’ request for a phone connection at a fixed location. The service provided must be capable of local, national, and international phone calls; fax communications; and data communications at rates that are sufficient to permit functional internet access. Eircom must deliver access at a fixed location at a uniform price and at a specified quality.
  - **Retail price cap:** The existing price cap was imposed on Eircom from October 2007 and provides a safeguard on fixed line rental and connections fees. The price cap ensures that Eircom cannot increase the prices by more than the rate of inflation as published by the Central Statistics Office. The necessity and

appropriateness of this measure is considered as part of the market analysis of the fixed access call origination ('**FACO**') market.

- 5.42** Over the coming period, relating to this goal, ComReg has a number of activities planned:
- **USO QoS:** ComReg will continue to publish information on Eircom's USO Quality of Service ('**QoS**') performance on its website<sup>61</sup>.
  - **USO Funding:** In respect of funding for the universal service, in 2019 Eircom legally challenged ComReg's USO funding application decisions for 2010-2015. Over the coming period ComReg will defend each of these USO funding application decisions. ComReg is also progressing Eircom's 2015-2016 USO funding application.

Eircom has informed ComReg that it reserves its right to make applications for USO funding for the financial periods 2016 to 2020 and for any further funding applications that become due before its appeal of ComReg's decisions in respect of the various funding applications relating to the 2010-2015 period is determined<sup>62</sup>.

- **Adequate Broadband:** ComReg has liaised with DECC in relation to the transposition of the Universal Service Provisions of the Code, and ComReg understands that the definition of adequate broadband ('**ABB**') and the procedure for the imposition of affordability measures will be progressed following transposition. It is anticipated that ComReg will have a role in implementing a USO(s), if appropriate.

We note the requirement under the Code for Member States to ensure access to an available adequate broadband internet access service ('**ABB IAS**') and voice communications services at a fixed location at the quality specified in their territories, including the underlying connection, at a fixed location. The Code requires Member States to ensure that ABB IAS is available through the provision of a USO where this need cannot be ensured under normal commercial circumstances or by other potential public policy tools.

Separately, the NBP is the government's initiative to deliver high speed broadband services to all premises in Ireland. This will be delivered through investment by commercial enterprises coupled with intervention by the State in those parts of the country where private companies have no plans to invest.

Upon completion of rollout of the NBP it is anticipated that all premises in the Intervention Area will have access to high speed broadband. This rollout, coupled with commercial roll out by operators, is expected to reach an overwhelming majority of premises. In this context the need for a USO to provide an adequate broadband connection and service will be assessed following transposition.

## Consumer Complaints and Redress

- 5.43** For consumers to have confidence in choosing and using telecommunications services, they need to have a resolution process that addresses the imbalance in power between that of a service provider and the consumer. In this context it is ComReg's goal that consumers have effective redress mechanisms, **including access to timely query and complaints handling processes.**

### Goal 2.8

**Consumers have effective redress mechanisms, including access to timely query and complaints handling processes.**

<sup>61</sup> Published as Universal Service Requirements – Provision of Access at a Fixed Location (AFL) by Eircom Limited – Quality of Service Performance Data. See ComReg Doc 20/120 for information from Q2 2020 and 2019/2020

<sup>62</sup> High Court Record 2019/167 MCA. ComReg Information notice 21/44.

- 5.44** All ECN / ECS Providers are obliged to have a Code of Practice for Complaints Handling, detailing how they deal with disputes and what steps a consumer must follow. Where a complaint has not been resolved within 10 days, ComReg can intervene to achieve a resolution that we consider acceptable for the consumer.
- 5.45** In addition to our complaint handling service (via the ComReg Consumer Line), in 2018 we introduced Formal Dispute Resolution Procedures for ECN / ECS complaints<sup>63</sup> that have been unresolved for 40 working days after lodging a complaint with a service provider. In this case, a consumer may apply to ComReg to adjudicate on a dispute.
- 5.46** Relating to this goal, over the period our work will include the following:
- **Code of Practice for Complaint Handling:** ComReg considers that consumer complaints should be resolved quickly and effectively. In order to achieve this, over the coming period we plan to undertake the following complementary activities:
    - a** Increase awareness of the Code of Practice for Complaint Handling.
    - b** Monitor compliance with the minimum standards defined for service providers' Code of Practice for Complaint Handling.
    - c** Make the necessary enhancements and interventions in relation to the minimum standards for the Code of Practice for Complaint Handling to improve service provider resolution timeframes and consumers' dispute resolution experiences.
    - d** Seek additional powers where relevant in relation to consumer protections and the enforcement of those protections.
  - **Formal Dispute Resolution:** we plan to continue our work in the area of Formal Dispute Resolution.

## Communication and Engagement

- 5.47** Communication and Engagement with consumers is critical to ensure consumers know their rights at all stages of the Consumer Journey. In this context, we aim to be **an effective advocate for consumers**.
- 5.48** Our communication and engagement activities include direct contact with individual consumers by phone and email, through outreach events, the provision of information on our website and on social media, and indirect engagement through the media. We also engage through contacts with representative bodies, and we gather information about end-user needs through market research. To promote the interests of consumers, we also seek to use our influence with other regulatory bodies and with industry. We keep this mix of engagement channels under review to ensure continuing effectiveness.

### Goal 2.9

**ComReg is an effective advocate for consumers.**

- 5.49** We also engage with representative bodies and relevant public bodies through our Consumer Advisory Panel ('CAP') and our participation in the Mobile Phone and Broadband Taskforce. In addition, we also engage with DECC, other public bodies and sectoral regulators regarding matters relevant to consumers (including vulnerable and disabled consumers) through bilateral meetings and relevant committees.

<sup>63</sup> ComReg document 18/104 D14/18

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- 5.50** In 2020 we introduced our consumer brand, '**ComReg Connects**', to help ensure consumers and the general public can identify ComReg as a brand at the forefront of consumer protection, capturing the essence of who we are and what we stand for.
- 5.51** ComReg is committed to continue to provide 'trusted advice and support'. We will continue to do this through transparent communication that uses easy to understand language throughout our engagement with consumers and the public.
- 5.52** Our consumer website **ComReg.ie/consumer** offers consumer information and news to better inform consumers of issues and developments in the market. Over the coming period we plan to further enhance our website to make it more informative, ensuring that information and guidance is provided in a succinct and consumer friendly manner.
- 5.53** In addition to the information available to consumers on our website, we also offer a variety of consumer tools, including:
- an independent service for consumers to check the outdoor coverage of mobile service providers (**coveragemap.comreg.ie**)
  - a comparison tool to compare prices and other aspects of communication products and offers (**comreg.ie/compare**)
  - a Premium Rate Service checker (**servicechecker.comreg.ie**)
- 5.54** Over the coming period we also intend to undertake initiatives relating to this goal:
- **Consumer Communications strategy:** ComReg takes a strategic approach to communicating with consumers and the public, and uses a range of tools and techniques, including campaigns, that are topic specific, to enhance consumer knowledge and awareness and to address information gaps. ComReg will continue to develop the range of communication channels to meet the changing demands and needs of consumers and the ECS sector. We are cognisant of behavioural bias and other related issues which serve to misinform or lead consumers to make poor decisions. We will use our competency in this area to assist in making the information we provide helpful for consumers.
  - **Consumer Outreach Events:** When it is safe to do, we intend to recommence participating at outreach events and meet consumers face to face, most likely in early 2022. In the meantime, we intend to host webinars that will address consumer topics of interest, building on our webinar held in 2020 on 'The evolving Customer Care Challenge'.
  - **Website:** We will continue to improve **comreg.ie/consumer** and offer a range of tools that offer independent information to users.
  - **Brand Roll out:** We will evolve our communication language and the various consumer tools hosted on our consumer website to reflect our ComReg Connects brand values.