



Consumer Focus Scotland's response to the consultation on Local Authority Public Information Notices (Electronic Publication) (Scotland) Order 2010

February 2010

About Consumer Focus Scotland

Consumer Focus Scotland started work on 1 October 2008. Consumer Focus Scotland was formed through the merger of three organisations – the Scottish Consumer Council, energywatch Scotland, and Postwatch Scotland.

Consumer Focus Scotland works to secure a fair deal for consumers in both private markets and public services, by promoting fairer markets, greater value for money, and improved customer service. While producers of goods and services are usually well-organised and articulate when protecting their own interests, individual consumers very often are not. The people whose interests we represent are consumers of all kinds: they may be patients, tenants, parents, solicitors' clients, public transport users, or shoppers in a supermarket.

We have a commitment to work on behalf of vulnerable consumers, particularly in the energy and post sectors, and a duty to work on issues of sustainable development.

The Local Authority Public Information Notices (Electronic Publication) (Scotland) Order 2010

Introduction

Consumer Focus Scotland welcomes the opportunity to respond to the Scottish Government consultation on Local Authority Public Information Notices (Electronic Publication) (Scotland) Order 2010. The proposed order would allow Local Authorities to use electronic publication as an alternative to printed media when publishing public information notices.

We understand that the rationale for the proposals is to reduce the amount of money Scotland's councils spend on advertising public notices. While we appreciate the need for public money to be spent efficiently, we have concerns over the way these proposals will impact on consumers, in particular disadvantaged consumers.

An online resource which acts as a 'one stop shop' for local authorities across Scotland may have advantages for some consumers. It may create a useful portal for those consumers who wish to access this type of information online. However, Consumer Focus Scotland does not support electronic publication as the **only** method of informing the public about statutory or public notices.

Reduced transparency

The purpose of a Local Authority Public Information Notice is to notify the public of any service changes or provide notification of intended action. The existing legislation places a duty on councils to place adverts in newspapers.

The proposed change in legislation will provide Local Authorities with the freedom to choose how public information notices should be published. It removes the obligation on councils to publish information in newspapers.

It has been well documented that Local Authorities face increased financial constraints. There is a possibility that some councils will choose to minimise advertising costs and avoid placing public information notices in newspapers, fulfilling their requirement to publish information using the electronic portal only.

In the 2007 Scottish Household Survey, just 48% of Scottish adults surveyed agreed that their Local Authority was good at communicating about services. Only 20% believed they could influence decisions made by their council, while almost four in ten adults wanted greater involvement in council decisions¹. We believe an online public information portal may further reduce the perceived openness and transparency of councils.

¹ Scotland's People Annual Report: Results from 2007 Scottish Household Survey, National Statistics Publication, August 2009.

The change in practice from newspaper adverts to electronic publication will shift the onus onto consumers to actively seek out information about their local area. While we understand consumers will be able to receive text message and e-mail notifications about changes in their local areas, consumers must register for this service.

The consultation paper notes that this proposal follows the success of myjobscotland, the recruitment portal. However there is a significant difference between online information on jobs which people will actively seek out and expecting members of the public to proactively search for possible service changes or intended actions.

It is worth noting that the UK Government recently decided not to remove the statutory requirement on local authorities in England to publish planning applications in newspapers. The Government found that some members of the public and community groups relied on the notices to find out about planning applications.² We believe the same argument applies to the Scottish Government proposals.

Reduced accessibility

An online information portal may be useful for consumers who are able to access the internet. However, a recent Ofcom report highlights that availability and take-up of broadband in Scotland is generally lower than in the UK as a whole³:

- 65% of households in Scotland have a PC (compared with 74% UK wide); and
- 60% of households have broadband (compared with 68% UK wide).

The Ofcom report also identifies particular issues to be considered in urban areas of Scotland. For example, in Glasgow only 39% of consumers have broadband, a figure which Ofcom has said is linked to low income and low PC ownership⁴.

Meanwhile in rural areas of Scotland cable broadband – often the fastest and most reliable type of broadband - is available to only 15% of households (compared to 49% of all households across the UK)⁵.

Consumers are increasingly accessing the internet via their mobile phones. In Scotland, only 39% of postcode districts have 3G mobile coverage compared with 75% across the UK⁶.

This evidence suggests that a significant number of consumers would have to actively seek out access to broadband to access the public information portal. In

² Publicity for planning applications, Department for Communities and Local Government, December 2009.

³ The Communications Market: Nations and Regions 2008 Scotland, Ofcom, 2009.

⁴ See footnote 3.

⁵ See footnote 3.

⁶ A postcode district is defined as having 3G access if it has at least 90% area coverage.

the interest of transparency, Local Authorities should have an obligation to ensure essential information is accessible to all consumers.

Impact on disadvantaged consumers

Consumer Focus Scotland has a commitment to protect disadvantaged consumers.

Allowing councils to publish electronic information only will restrict the access of hard to reach consumers to local information. Groups who may be adversely affected include those living in remote rural areas without access to reliable, fast broadband and low income consumers who cannot afford broadband services.

The Improvement Service has found that the current style, type size and language used in public information notices, significantly limits their accessibility⁷. It suggests that existing public information notices are accessible to a very limited number of consumers.

We believe this highlights the need to examine the content and style of public information notices to ensure they are accessible for all. We do not believe that it demonstrates that notices need not be published in printed media at all.

Impact on the newspaper industry and what this means for consumers

A cross section of newspaper representatives from local and national titles have reported that the withdrawal of Local Authority job advertising had a detrimental impact on the industry, with the loss of some local titles. They have made similar predictions should Local Authorities withdraw the revenue provided through the advertising of public information notices⁸.

Consumers value their local printed media. In a recent report by Ofcom, when asked to rate the importance of their local newspaper out of 10, 49% of consumers rated their local free newspaper as 7 or higher, while 68% rated their paid for local newspaper as 7 or higher⁹.

The report also found that 24% of adults cited newspapers as their main source of news and information about their local area, as opposed to 4% who used the internet.

Newspapers have a critical role to play in informing people in Scotland about key Scottish policy debates; it is essential that Scottish consumers can access a variety of sources of news and information on these issues.

Should the industry lose the public information revenue stream from councils, there is a possibility that some local newspapers could close, to the detriment of consumers who rely on these publications for news and information.

⁷ Public Information Notices (PINs) – What is it? Improvement Service, 2009.

⁸ Evidence provided to Education, Lifelong Learning and Culture Committee, Scottish Newspaper Industry, First Meeting, 13 January 2010.

⁹ Local and Regional Media in the UK, Ofcom, 2009

In addition, local newspapers play a particular role in local government by providing independent information about the activities of the council. The loss of these titles would reduce consumer choice, resulting in people having to rely on national media, with limited local news and information, rather than local sources.

Alternative solutions

The consultation focuses on the local authority's requirement to publish information – either via the internet or printed media. It does not explore how consumers prefer to receive local information. We believe local authorities should consult with consumers to ascertain their preferred method of communication. We would suggest there may be a role here for the Improvement Service in developing good practice and sharing it across local authorities.

Research by Consumer Focus Scotland examining Best Value 2 found that consumers want information to be available at locations which they visit regularly, such as GP surgeries; libraries; community centres; leisure centres; bus and railway stations; and post offices¹⁰.

For example, 82% of consumers in Scotland use a post office once a month or more¹¹. Scotland has a network of over 1400 post office branches; by displaying public information notices at post offices councils have the potential to make information accessible to a wide range of consumers.

Consumer Focus Scotland would like to see Local Authorities adopt a more innovative approach to raising awareness amongst consumers by using a variety of media, in addition to newspapers, to make information more widely accessible than at present.

Conclusion

We welcome the new electronic portal, which will allow consumers to access public information notices online. However, we do not believe the online portal is an adequate substitute for public information notices in printed media.

However, we do believe that changes should be made to the practice of public information notices to ensure they are accessible to consumers and we recommend that Local Authorities be more innovative in their approach to raising awareness amongst consumers.

For the reasons we have outlined above, Consumer Focus Scotland opposes the proposed legislative change. We firmly believe that Local Authorities should continue to publish public information notices in printed media and that there should be a requirement to make these notices more accessible to the public.

¹⁰ Consumer Focus Scotland (Forthcoming) Best Value In Scottish Local Government: Consumer Views On Reporting Mechanisms

¹¹ Consumer Focus Scotland (Forthcoming) Survey of Postal Consumers in Scotland.

Consumer Focus Scotland
Royal Exchange House
100 Queen Street
Glasgow G1 3DN

Telephone 0141 226 5261
Facsimile 0141 221 9695

www.consumerfocus-scotland.org.uk

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