



**Consumer
Focus**
Campaigning for a fair deal

the digital

divide

Universal service and broadband

A series of four horizontal lines in blue, yellow, pink, and green, stacked vertically and slightly offset to the right.

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About Consumer Focus

Consumer Focus is an executive non-Departmental Public Body of the Department for Business, Enterprise & Regulatory Reform (BERR), created by the Consumers Estate Agents and Redress Act 2007. The organisation’s statutory name is the National Consumer Council.

Consumer Focus was formed through the merger of three organisations – energywatch, Postwatch and the National Consumer Council (including the Scottish and Welsh Consumer Councils). The organisation works for the interests of consumers across England, Wales, Scotland, and, for post, Northern Ireland, and has offices in London, Glasgow, Cardiff and Belfast.

Consumer Focus started operations on 1 October 2008, and works with and on behalf of consumers across England, Wales, Scotland, and, for post, Northern Ireland. Through campaigning, advocacy and research, Consumer Focus works for consumers in private and public sectors. Consumer Focus has a commitment to work on behalf of vulnerable consumers, including taking up energy and postal complaints on their behalf, and a statutory duty to work on issues of sustainable development.

www.consumerfocus.org.uk

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The digital divide

Executive summary and recommendations

Broadband is fast turning into an essential tool for modern life but there is an enormous risk that the benefits of this new 'utility' will not be available to everyone who wants to use it.

The Government recognises that broadband access is already a boundary point of the divide from social exclusion and is exploring how to develop a new Universal Service Commitment for broadband. Although this is welcome, much of its focus has been on delivery networks and speeds, which are just one part of the picture.

Simply concentrating on the physical connectivity is to ignore the reality for consumers; if broadband equipment and services are not affordable, there can be no universal service. If these products or services are marketed in confusing or misleading ways, or the quality of service is poor, there is not only consumer disadvantage but a serious obstacle to universal service. If products or services are badly designed and difficult to use, consumers are disadvantaged and the goal of universal access and use is undermined.

Consumer Focus wants to see a new Universal Service framework for the digital age that recognises these realities and concentrates on consumers' needs. To make this happen, an imaginative and co-ordinated approach will be required at national and local levels, across government departments and public and private sectors. The aim must be to ensure that everyone has access to affordable, reliable and usable broadband services and equipment at home, backed up by an extensive network of public internet access and free Wi-Fi.

A reality check

Consumer Focus calls for a Universal Service Framework for Action which encompasses the reality of what consumers need to access and use broadband-based services. *The Digital Britain Interim Report* (the interim report thereafter) proposes a 'Universal Service Commitment' by 2012. This commitment is welcome but does not go far enough and fails to present a clear vision and strategy.

In terms of broadband delivery, it is doubtful that universal access can be achieved within this proposed timescale if it is left to market forces and to disparate and unconnected local or regional initiatives.

Assuming that physical delivery of broadband can be achieved on a universal basis, there are a number of identifiable issues for consumers that demand attention. A significant issue for consumers is the affordability – or otherwise – of the various products and services they have to employ in order to use broadband. These include everything from the cost of subscriptions to internet service providers (ISPs), to laptops or desktops, printers (and ink cartridges) and the cost of troubleshooting support. For many low-income consumers, mobile broadband access does not necessarily offer a more affordable solution.

In addition, the industry continues to pay scant attention to the ease-of-use of products, not only of mobile phones but also in setting up and connecting equipment, and the usability of navigational tools and interfaces. These barriers can affect many disabled people and can also make usability a problem for many other consumers.

For there to be a truly universal service framework, the importance of trustworthy and affordable advice and support must be recognised. People who use Information Communication Technology (ICT) at work can easily overlook how this platform can present problems for consumers at home, especially when things go wrong.

The importance of affordability and usability also has an impact on consumers who solely or mainly use public internet access. A Universal Service Framework must embrace the role of public internet access and ensure that it is available to the majority of people. It also needs to be affordable, delivered in user-friendly surroundings and must include the availability of free wi-fi in non-commercial settings.

'An imaginative approach could offer an opportunity for local authorities to pursue sustainability objectives by organising 'recycling' schemes where individuals and organisations can donate used products for reconditioning'

There are various factors which can lead to digital exclusion. Lack of money is a contributory factor and one that affects many disadvantaged consumers. It is important not to make assumptions about who is at risk of being digitally excluded and to avoid making people feel they are being left behind or left out.

The potential benefits of broadband-related services are of particular importance to people living in vulnerable circumstances. Recognising the importance of broadband access inside and outside the school in the education of children needs to be matched by measures to ensure that no child is excluded for reasons of lack of connection, affordability or usability.

Recommendations

Recommendation 1

The Government needs to show leadership and state clearly what a new Universal Service Commitment or Framework is intended to do and ensure that this covers all the realities of broadband access for consumers, including affordability, fairness and access.

Recommendation 2

In the interests of coherence and a comprehensive framework, the Digital Britain and digital inclusion programmes should be brought together and placed in the hands of one Government body. This together with Ofcom's review of the existing USO must be integrated into a co-ordinated development and delivery strategy. Recognition of the distinct and overlapping roles of the devolved nations and learning from past initiatives across the UK and in other countries should be an integral part of this strategy.

Recommendation 3

The Government needs to map out and identify those areas which are currently under-served or not served by broadband. Consumers should not be denied their choice of network operator or ISP, unless there is a compelling reason. The Government should explore opportunities for providing broadband to the whole population, for example, looking into the potential for linking it to developments such as the roll-out of smart-meters.

Recommendation 4

The Government together with Ofcom, should establish practical options for achieving universal and affordable broadband access. This should require the network operators and ISPs to offer a social tariff on a mandatory basis with minimum standards and common eligibility criteria to be set by Government. It is essential whatever action is taken, it does not result in restricted or inadequate schemes for those on low incomes.

Recommendation 5

There is an urgent need for the Government as well as national and local agencies to act imaginatively to improve access to broadband. This could include, for example, the re-use of equipment to make it available at a more affordable price. We encourage companies, as part of their corporate social responsibility mandate, to provide charitable organisations with free hardware and software and to improve the availability and access to the internet in public places.

Recommendation 6

The Government should adopt the Digital Rights Charter established by Trans Atlantic Dialogue Consumer Dialogue (TACD). This proposed charter could form the basis for a regulatory framework to help to bring consumer protection in line with the digital age.

The Digital Rights Charter

- Right to access neutral networks
- Right to access digital media and information
- Right to access secure networks and services
- Right to privacy and data protection
- Right to software and inter-operability
- Right to barrier-free access and equality
- Right to pluralistic media

(TACD Charter of Consumer Rights in the Digital World, March 2008)

Recommendation 7

The Government should review the current uneven provision of skills training in information communications technology. A comprehensive plan must be developed to ensure that basic training is widely available free of charge or at a nominal cost to all sectors of the population. By working with voluntary and community organizations, local government can promote peer-to-peer training and support as an affordable option for those on low incomes.

1) Universal Service Reality Check

“Fairness and access for all: universal availability coupled with the skills and digital literacy to enable near-universal participation in the digital economy and digital society.”

Digital Britain Interim Report, DCMS and BERR, 2008.

The nuts and bolts of broadband access

Near-universal participation in the digital economy and digital society cannot be achieved unless the Government focuses on what is required for domestic consumers to have meaningful access to broadband. Physical access to the broadband connection is vital but is only one aspect. The reality is that, to make use of the connection, consumers have to be able to afford and engage with equipment and software, and usually to have an arrangement with a service provider.

In practical terms for consumers, it means:

- Having broadband access in their area
- Choosing a PC or laptop and/or 3G mobile phone
- Making sure the equipment and software are usable and suits their needs
- Choosing a service package
- Having a contract with a service provider
- Deciding whether they need a printer
- Connecting and setting up the equipment and services
- Finding trustworthy and affordable help or support if things go wrong
- Having the necessary understanding of how it all works
- Being able to afford the equipment and ongoing costs

Access to the connection

Until we see the outcome of the Digital Britain review, it is unclear how the question of ensuring universal high-speed broadband connection will be resolved. At present, the private sector looks unlikely to reach more than 50 to 60 per cent of the UK population.

Lack of broadband availability is a problem for consumers in certain rural areas. As Consumer Focus Scotland has highlighted, the availability of the two main technologies used to supply broadband services in Britain – digital subscriber line (DSL) and cable modem technology – is lower in Scottish rural areas than in other parts of the UK. Cable modem broadband was available in only 15 per cent of rural households in Scotland by the end of 2007, compared with a UK-wide average of 49 per cent. There are also coverage and signal problems for mobile phones in rural parts of Scotland with large areas of the Highlands and Islands having no network coverage or only one operator.

Broadband unavailability is not simply a rural/urban issue. According to Ofcom (*Access and Inclusion, 2009*), gaps arise because of a combination of factors such as the topography of a particular area as well as the structure and quality of historic network investments. Low population densities also mean that areas are commercially unattractive to suppliers.

Mobile broadband can provide a partial answer but it does not yet offer universal coverage. For example, 3G mobile services in Scotland are only available in the central belt, Dundee and Aberdeen, leaving most of the country uncovered. It can be expensive and the reliability of the connection can be poor (see for example, *Which? Computing, March 2009*).

Affordable use

If broadband access is available, consumers need equipment to make use of it and have to decide whether they want (and can afford) a desktop PC, Apple Mac or laptop. Choice can be limited by household circumstances: those living in bedsits or in sheltered flats, for example, might not have room for PC equipment.

On top of the initial cost of the equipment, ongoing charges may present barriers for many consumers. Broadband access involves having a financial arrangement with an internet service provider (ISP), either through a fixed-term contract or a pay-as-you-go (PAYG) scheme. Although some ISPs offer 'free' or discounted broadband deals, this often involves signing up for a bundle of services, including phone and digital TV. Comparing the cost and quality of different bundles or offers isn't an easy task for many.

Consumers can be locked into lengthy contracts, for 12 to 18 months, and then find the service is unsatisfactory or they can't afford the subscription. A recent *Which?* survey on broadband ISPs found that three-quarters of respondents had experienced frustration with their service, with the most common complaints relating to connection, speed, cost or customer support (*Which? Computing, March 2009*). Consumers can also find that they are locked into particular products and software because of lack of inter-operability.

Although it's possible to have a pay-as-you-go (PAYG) deal for mobile broadband access, mobile speeds and internet usage caps can be comparatively low compared with fixed-line access. Exceeding these limits can be disproportionately expensive. Mobile broadband access may suit people in certain circumstances but many consumers still require internet access via a desktop or laptop for ease and cost of downloading, and to read material on a larger screen.

Printers are another piece of equipment that consumers may have to buy. Despite the wonders of paperless technology, people may need printed copies of contracts, invoices and other material. Some people simply prefer to read printed material. But printers require ink cartridges, which impose a substantial additional regular cost on the user. A wireless router may also be required, particularly if more than one person in a household uses the internet. Costs can further mount with the need for specialist software, for instance if they have sensory impairment.

Ease of use

As much as consumers need the skills and confidence to become 'media literate', the equipment and software should be designed for ease-of-use. Poor interface technology and handset design, screens that are difficult to read and sub-standard navigation tools are barriers which prevent people from benefiting from digital technologies.

Setting up and connecting the equipment can be a daunting task, especially as the accompanying information is often complex. While some might get informal help from relatives or friends, this does not release industry from an obligation to improve usability and provide clearer information.

Support and advice

When things go wrong, consumers need access to trustworthy and affordable support at home. Although some ISPs offer free online support, companies' help lines can be costly and force consumers to run up high phone bills. Consumers may need help from an IT specialist if it is not clear what is causing the problem. This can put them in a vulnerable position, especially if they cannot afford the charges or do not know where to go for reliable, affordable information communication technology support.

Call-out rates for information communication technology support can vary considerably. For example, a press article found that rates charged ranged from £70 in total (technician did not solve all the problems), £70 for the first hour and £35 for subsequent half-hours, to £130 in total. There were four problems on the computer that were not difficult to solve; some technicians could not solve all of them or gave the wrong advice. *Sunday Times, "System down: send in the geeks", 17 June 2007.*

Case Study

John's son-in-law and his family moved to the Far East. Before they left they bought John, who is 72, a desktop PC and arranged for broadband service; they also installed word processing and other programmes. The main aim was so that John could keep in touch with them and, hopefully, to keep him occupied. John, now retired, has been depressed and lonely since his wife died.

He had some help from his local Age Concern and used a couple of guides to develop his skills. But, after the PC was out of the guarantee period, it began to slow down and freeze. John, who is on Pension Credit of £124 a week and has only modest savings, was worried about the expense of buying another computer. His son-in-law advised him to hire a computer engineer to put things right. John looked through Yellow Pages and phoned some at random. They all said he would have to pay a call-out fee for the first 30 minutes or so of help, then additional fees if the job took longer. He wasn't sure if the rates were reasonable or that he could rely on the quality of service.

Can a new universal service framework ensure that domestic consumers have access to affordable and trustworthy help and support when they need it?

Access in public spaces

Public internet access offers a solution to consumers who can't afford access at home or only need occasional use. It should be located in places that are easily accessible and should be free of charge or low cost. Other factors for consideration include whether the time allowed is sufficient for people's needs, how long they have to wait to use a computer and whether they can also use printers and at what cost. In addition, overly-rigid acceptable use policies exist in places such as public libraries.

While internet cafés are an established feature in many areas, especially in urban settings, people who don't have much money or are not confident with the technology are unlikely to use them. Although there are a number of public internet access projects across the country, many consumers are excluded because of where they live. For instance, only 54 per cent of rural households are within two kilometres of a public internet access point, compared with about 90 per cent of those in urban areas, according to the Commission for Rural Communities.

Public internet access should be located in places where people feel welcome. Young people not in education, employment or training need a variety of places offering free access to the internet, such as care homes, youth clubs, and support organisations (*Citizens Online and National Centre for Social Research, 2008*). Similar research among people with mental health problems showed that some internet access was available in places such as hostels, psychiatric care homes and day centres, but there were examples of computer clubs in day centres closing down due to lack of funding.

Related focus group research with ex-offenders found that library computers were commonly used as access was easy, cheap or free (*Citizens Online and National Centre for Social Research, 2008*). However, some of those with reading difficulties said that going into a library made them feel ashamed of their literacy problems and so they avoided using them. Library access was also seen as restrictive because of time limits, computers being in use and basic software which didn't support much of the web's content. Another factor was that travel to the library could be expensive.

There are many welcome public internet access initiatives. Projects such as those run by Citizens Online, libraries and community centres provide a valuable social service but can suffer

from a lack of resources, have time restrictions or be confined to certain areas. A universal service framework needs to consider the role of public internet access and access at home, how it can be rolled out in a comprehensive way and what lessons can be shared from current initiatives.

There also needs to be a coherent examination of how to expand the availability of Wi-Fi in public or community places. Some commercial premises offer free Wi-Fi access but people may not want to sit, for example, in fast-food restaurants in order to access the internet, or want their children to do so. Instead, free Wi-Fi access needs to be made available on a comprehensive basis in non-commercial public places such as council offices, libraries etc.

Access for children

Home internet access is increasingly becoming an essential tool for children's school work. However, around 35 per cent of families have no internet access and more than one million children do not have a computer at home, placing them at a disadvantage.

The Computers for Pupils programme ended in 2008 and provided funding for computer equipment on loan to pupils in the 10 per cent most disadvantaged areas (defined by the Index of Multiple Deprivation). But it was restricted to pupils who were eligible for free school meals. This has recently been replaced by the Home Access project aimed at providing computers and broadband internet access to eligible families. The programme is currently being piloted and a wider roll-out is planned for autumn 2009, with the aim of broadband access for all eligible 5 to 19 year-olds by 2011.

While this type of initiative is welcome, there are likely to be families who find it difficult to afford internet access at home for their children but who will not qualify for financial help. Eligibility is limited to families on specific income-related benefits or in receipt of free school meals. This is likely to exclude, for example, families on low wages. If the overall aim is universal access to broadband, imaginative ways need to be found of offering computers and internet access at no or low cost to all children.

An essential utility

So, if universal service for digital communications is to be fit for purpose in the digital age it needs to be more about affordability, usability and consumer protection rather than solely focusing on broadband delivery and speeds. Future digital access for all must take account of consumers' needs and the reality of their circumstances, therefore reducing the digital divide.

Case study

Jimmy's formal education as a child was patchy because he was taken into care and lived in a children's home followed by different foster carers. He's in his forties, having moved around the country in order to pick up a variety of manual jobs. So he hasn't been in contact with public services much as an adult, apart from a few visits to hospitals for work-related injuries.

'So far so good' has been his motto, but recently he's noticed that most of his drinking mates in the local have these really smart phones, and they're sending messages or booking tickets and doing other things on the Internet. Also they're telling him more and more that he needs to catch up. They go on about their computers at home and what they and their kids can do with them. This is getting him down and reminds him that he really should try to make some sort of plan for the future, and maybe get on a proper training course so he can get a better job. But he doesn't know where to begin. He knows that he could see if there's anything in the local library but it's not his sort of place – mainly because he feels embarrassed about not being able to read well. He's worried too about how much it might cost to get a computer, let alone how to use it.

What could the Government do to reach out to him, to make information and training easily accessible in places where Jimmy feels welcome? What help could be offered to help with the cost of internet access and equipment?

2) Who is at risk?

As recent research by the Oxford Internet Institute has found that there is a clear and deepening link between social exclusion and digital exclusion:

'Technology is so tightly woven into the fabric of society today that ICT deprivation can rightly be considered alongside, and strongly linked to, more traditional twentieth century social deprivations, such as low income, unemployment, poor education, ill health and social isolation. To consider ICT deprivation as somehow less important underestimates the pace, depth and scale of technological change, and overlooks the way that different disadvantages can combine to deepen exclusion.'
Oxford Internet Institute, 2008

There are large numbers of people who are at risk of social and economic exclusion in both the short and long term. As the Institute points out, this risk now extends into access and use of ICT, and 'digital exclusion' can exacerbate social and economic exclusion.

Assumptions are often made about who is at risk of digital exclusion. While it is a fact that, for example, just over half of non-Internet users are 65 or older and a little less than half of non-users are in the DE social-economic band, care must be taken not to stereotype 'groups' of people. Almost all of us can be vulnerable at some point during our lives, whether it is a short or long term situation. As a result of the current recession, many consumers are experiencing personal or household difficulties in relation to their finances and employment. They may suddenly find it is a lot harder to afford the ISP subscription or package, or to buy computer equipment.

As well as risk factors relating to consumers' circumstances, suppliers' actions and omissions can disadvantage consumers and put them at risk. For instance, consumers find themselves locked into contracts with poor service; providers make it difficult to compare offers and packages of services; high phone charges are imposed for the use of help lines. Providers and manufacturers also disadvantage consumers when they fail to follow 'design for all' principles. Improved usability would help people to access ICT equipment and services, and to make use of all the features and functions.

This is not, of course, to deny that some consumers are more at risk than others through personal or household circumstances. For example, people on low incomes simply may not be able to afford certain kinds of ICT equipment and broadband packages.

'Only 54 per cent of rural households are within two kilometres of a public internet access point, compared with about 90 per cent of those in urban areas, according to the Commission for Rural Communities'

- 77 per cent of people living in households with an income of more than £30,000 pa have broadband compared with only 28 per cent of people in households with income of up to £11,500 pa.
- 74 per cent of people in AB socio-economic group households have broadband compared with only 36 per cent of people in DE households.

Access and Inclusion, Ofcom, 2009

If they do manage to afford a PC or laptop, people on low incomes are likely to find it difficult to pay for ICT support or for a replacement if a product breaks down. Poorer consumers may not be able to afford better deals because they might be tied to a long-term contract which may not suit their financial situation. Low income working households are among the most likely to suffer from fluctuations in income.

Low income consumers frequently have a limited choice of products and services. *They are also more likely to use PAYG mobile phones, which can be expensive if they are used for internet use and downloading.* Lack of internet access can make it difficult to source and obtain the best deals, or even to bid for social housing which is done online in some areas. The grind of trying to make ends meet can also put people under tremendous pressure and make it difficult to contemplate buying some sophisticated piece of ICT equipment or to go on ICT courses.

Ofcom research on media literacy in 2008 showed that internet use is high among certain black and ethnic minority communities; particularly among people from Indian and Pakistani backgrounds (the research

covered people from Indian, Pakistani, Black Caribbean and Black African backgrounds). Take-up was higher among people in higher income brackets and those aged 45 and younger, underlining the importance of these factors. As Ofcom noted, people from minority ethnic groups tend to be younger than the UK population.

It is important to note that, in general, people in BME households are twice as likely to experience poverty compared to non-BME households, and in-work poverty in particular is a risk factor among Bangladeshi, Pakistani and black African communities.

'35 per cent of families have no internet access and more than one million children do not have a computer at home'

Older people are often viewed as a group whereas the reality is that their experiences, abilities and needs are as diverse as the rest of the population. Nevertheless, there are risk factors that are particularly associated with being older, for example, if people have a long-standing illness or disability (which affects almost half of those who are 75 and older), and/or they are on a low fixed income.

Some 16 per cent of the population are aged 65 or older with this proportion is forecast to increase to 23 per cent by 2031.

Older black and minority ethnic people, who may be put at a disadvantage by age-related difficulties and their experiences of racism and feelings of lack of entitlement, belong to a growing 'group', rising from 175,000 today to nearly 1.8 million by 2016.

There is an understandable reluctance on the part of some older people to engage with digital devices, not least because they have not featured in their previous life experiences. All too frequently older people can be made to feel that society is leaving them behind. This can undermine their confidence and self-esteem, and helps to reinforce digital exclusion.

Sensory impairment and some forms of physical disability have been recognised as potential risk factors for digital exclusion but levels of understanding of people's needs among ICT designers, providers and retailers is often poor. This can lead to uninformed assumptions about what is needed to minimise the risk. For example, some people may require a specialist assistive device and the risk of exclusion would largely disappear if product or service design was better in the first place.

Case study

One of several millions of carers across the UK, sounds as if she's an experienced, sensitive and sensible consumer. She searches for bargains and distinguishes between 'necessities' and 'luxuries' – in this case luxury is tinned soup.

We don't know whether she has a 3G mobile phone or a laptop but it seems likely that unless someone gave her working equipment, along with advice and support, she is 'digitally excluded'. She might not worry about this because she has more than enough to deal with. On the other hand if she was digitally included, it might be easier for her check that she and her husband are receiving all of their social security benefit entitlements; to understand more about her husband's medical condition; to check whether there's a local carers' support group; to see whether there's any possibility of having an affordable week's holiday.

How will the Government ensure that she and other carers (who save the NHS and local councils many billions per year) are digitally included?

Disabled adults of working age are twice as likely as those without a disability to live in income poverty even though the extra costs of disability can be considerable (adding 24 per cent to 35 per cent to household bills according to Leonard Cheshire). Disabled adults are far less likely than others to have savings. Consequently there may well be significant issues around choice, affordability and usability for disabled people that need to be tackled.

There are other 'risk factors' that are likely to lead to disadvantage, including digital exclusion. For example, at any one time there are several million carers in the UK, and one in three of us is likely to become a carer for a relative or friend at some point in our lives. In general carers are more likely than others to suffer from poor physical (and mental) health and it is common for carers to suffer financial hardship. Some have to give up work and may miss out on pension entitlements. Having access to broadband internet services could be useful in finding out about benefits and sourcing advice and services. People may have had to give up a career and might find it difficult to pick it up again; here too access to the internet could be beneficial. These potential benefits from internet access also apply to others, including disabled or older people.

Experiencing a mental health problem can also put people at risk of digital exclusion. One in four adults experience at least one diagnosable mental health problem in any one year. About half of those with a common mental health problem are no longer affected after eighteen months, while others may experience persistent problems or suffer from fluctuating or episodic problems.

Depression affects about 2.5 million people at any one time, with up to 50 per cent of adults experiencing it one or more times during their life. Mixed anxiety-depression affects around 9 per cent of all adults.

It would be wrong to equate poor mental health with poor ICT skills. There is a wide variation in the ability, skills and confidence of mental health service users with respect to ICT, including some who characterise themselves as technophobic. But if there is one relatively widespread risk factor it being able to afford connection and equipment. Another risk is that some people with mental health problems may lose out on ICT training if they do not feel comfortable with 'mainstream' courses.

Interviewer: 'So you're finding you're not getting what you would like to buy?'

Participant: 'No, of course not. Oh no, you've got to go for the bargains, what's the best offer. And if [my husband] has a bit of luxury like tinned soup, which he likes, he has it. And instead of me sharing it with him – because I love it myself – I think to myself, 'No I'll leave it because it'll last a couple of days, he can have it'. It's a bit of luxury for him. So this is it, this is how you exist.'

Female carer, quoted in Necessities of Life: Older people's experiences of poverty, Help the Aged, 2006

Others who may not be comfortable with 'mainstream' courses or public internet access include the one-and-a-half million children and adults with a learning difficulty or disability. Research in this area has shown that the perspectives of people with learning disabilities about computers and the Internet differed, with some describing using them on a daily basis and others using them much more irregularly. Use of ICT can be a particular problem for older people with learning disabilities. Fear of failure was described by professionals involved in the research as a major barrier inhibiting people with learning disabilities from accessing and using ICT (*Citizens Online and National Centre for Social Research, 2008*).

There are many other sources of cognitive impairment. These range from effects of strokes to acquired brain injuries resulting from accidents, to the consequences of substance abuse. This is not an attempt to list all circumstances in which people can be 'digitally excluded' but to illustrate the importance of developing a better understanding of the potential barriers they may face. The need for this is underlined by the fact that some of the people who are in the most vulnerable circumstances are also at most risk of exclusion but who also could gain significant benefits from internet access. For instance it could offer a lifeline for women experiencing domestic violence by giving them access to vital advice and help.

All of this illustrates the need to avoid a narrow, technical, view of universal service and to accept that a new Universal Service framework will need to embrace fundamental notions of consumer protection, social inclusion and equalities and human rights.

'Legacy' technologies

Fixed lines

Conventional fixed line telephony is reducing in importance. The number of lines has declined from 59 lines per 100 people in 2002 to 55 in 2007, though the total number of call-minutes has declined far less, and 88 per cent of households still have a fixed line connection. There are still more than 33 million fixed lines and fixed line telephony looks set to continue to be a key form of communication for the foreseeable future. Even if and when there is an end to 'non spots' in mobile telephony and major reductions in the cost of mobile calls, many consumers may still not wish to 'switch off' from fixed-line.

Fixed-line phones with features including large displays and buttons are important for people with sensory or other impairments, and products such as pendant alarm systems often employ fixed-line systems.

Consequently, the Government's universal service strategy should include a clear acceptance of the continuing need for fixed-line telephony at affordable rates.

2G Mobiles

There are plans in some countries to phase out existing 2G networks. This has not been proposed here as yet and any such consideration by the Government and Regulator must include a full and rigorous analysis of the consequences for consumers. In the meantime it may be necessary for public policy to give consumers an absolute guarantee that 2G will continue to be supported properly.

- Estimates of the number of disabled people range from more than 10 million up to 13 million or more
- Around nine million suffer problems associated with arthritis
- Nearly nine million have significant hearing loss and about two million people have sight problems
- Around 400,000 people have obvious disfigurements or scars, making some feel uncomfortable in social situations
- Every year more than 130,000 people suffer a stroke
- Each year more than a million people attend hospital as a result of an acquired brain injury, of which 100,000 each year are left with a significant disability
- About 10 per cent of the UK population is affected by dyslexia to some extent, of whom 150,000 to 200,000 are affected to a considerable degree
- Dyspraxia, which usually affects dexterity and motor function, speech and language abilities, can affect two per cent of the population

Narrowband Internet

The 2008 Ofcom Communications Market Report found evidence that among over-65s there was a substantial proportion who seem likely to be satisfied with a narrowband service, rather than seeking a faster broadband connection. Future strategy for this 'legacy' product, therefore, should include a full and rigorous analysis of the consequences for consumers of any phasing out. In the meantime a guarantee should be given that narrowband will be supported properly.

3) What needs to happen?

The Government needs to state clearly what a new Universal Service Commitment or framework is intended to do, and ensure that it covers the realities of broadband access for consumers.

The underlying principles for universal service for broadband are analogous to those for the Universal Service Obligation (USO) for fixed-line voice telephony. The technology is more complicated but the key principle is the same: that all consumers, no matter where they live, should have access to affordable services. As Ofcom has recently pointed out, the existing USO benefits public and private sector organisations and government as well as citizens. It provides the opportunity to connect with people, and cheap universal communication tools help to facilitate economic activity (Access and Inclusion, 2009). These benefits apply to broadband services as well. So we need to find ways of re-configuring universal service for the digital age.

It is essential for the Government to forge a comprehensive and co-ordinated development and delivery strategy that includes central and local government, Ofcom, industry and the third sector. This should set out clear timelines, targets and responsibilities, rather than leaving it up to the market or to disparate local projects and initiatives.

The Digital Britain project and the digital inclusion programme should not simply be closely aligned, as proposed in the Interim Report on Digital Britain, but brought together. The co-ordination and monitoring of digital inclusion work should be placed in the hands of one Government body with the ability to direct resources. Baseline measures need to be adopted to monitor progress towards digital inclusion. Means of measuring gaps and obstacles need to be established, as a priority, in order to target excluded areas.

Meanwhile Ofcom is due to carry out a review of the existing USO for fixed line telephony, and it has recognised the need to consider any changes that arise from the Government's Digital Britain review. It is vital that these various developments are well-integrated and offer a coherent and clear approach to ensuring universal service across all aspects of electronic communications, including fixed line phones and broadband services.

'A new Universal Service framework will need to embrace fundamental notions of consumer protection, social inclusion and equalities and human rights'

To inform a national strategy, there is experience from other parts of the world where governments and administrations have tried various ways of rolling out broadband access with a view to tackling digital exclusion.

The Communities@One initiative was set up by the Welsh Assembly Government to help people in the most disadvantaged communities to get access to digital technologies. The scheme was short-listed in 2008 as a finalist in the European e-Inclusion Awards. A team of Community Brokers employed by the Welsh Co-operative Centre worked with community groups to help engage people with ICT. Building on this initiative, in February 2009, the Welsh Assembly Government announced a new digital inclusion programme named Communities 2.0, to provide community groups, social enterprises and individuals with support to use technologies (sources of funding include the European Regional Development Fund). A Digital Inclusion Unit is being established to take forward policy development, co-ordinate digital inclusion activity and oversee the delivery of the programme.

Many projects and initiatives to drive digital inclusion are also taking place at local level. For example, see projects listed on the solutions4inclusion website: <http://www.esd.org.uk/Solutions4Inclusion/AboutUs.aspx>. However, these frequently rely upon the actions of specific local authorities or voluntary organisations and/or on EU funding. Consumers can lose out because projects finish because the funding runs out or because nothing exists in their area. There is also the risk that useful lessons from local projects may be missed.

The Government should ensure that independent and authoritative evaluations are carried out on the many initiatives across the country. The aim would be to analyse the lessons and publish good practice guides, along the lines of the work of the Social Care Institute for Excellence (SCIE) and similar bodies in other sectors.

Meeting consumers' needs

A comprehensive approach to achieve true universal service must address the critical aspects of broadband access for consumers.

Physical access

The private sector alone is unlikely to deliver 90 to 95 per cent of broadband coverage. There are also significant issues about download/upload speeds, bandwidth limits and 'throttling', which should not be left solely to the commercial sector but are matters that affect universal service.

The roll-out of broadband infrastructure requires an imaginative approach that explores the possibility of full inclusion rather than operators and providers cherry-picking lucrative regions. This should include looking at whether the roll-out of broadband networks can be linked to relevant developments in other sectors – such as the rollout of smart metering in energy.

The strategy needs to offer clarity about matters such as '3G and beyond' mobile network capabilities, the uprating of ADSL speeds, the introduction of New Generation Networks, and improvements in, and access to, the cable network. These issues are often confused, and the Government needs to be clearer about what these developments mean for a new Universal Service Commitment. In addition, Consumer Focus is concerned about the adequacy of the 2 Mbps 'benchmark' figure proposed in the Interim Report. The strategy should view this as a floor not a ceiling, and recognise that this issue has to be regularly re-evaluated.

In the interests of fairness and equality, the strategy will need to prioritise ways of delivering reliable broadband to unserved and under-served areas and localities, without the imposition of unfair price penalties. Ofcom stated that in practice it expects that the optimum mix of technologies would be determined via some form of competitive tender (*Access and Inclusion, 2009*). Wherever possible, consumers should not be denied their choice of network or service provider. As we said in our response to the Interim Report, if there is an indication of a potential loss of competition that could be to the detriment of consumers, the Government should only proceed if it is willing to pursue a formal waiver of competition rules in a clear and transparent way.

We agree with the Carter Review that it is not appropriate for the costs of a future universal service commitment to fall solely on BT but, as we make clear in this paper, such a commitment must go beyond issues of connectivity and speed. The feasibility of a Universal Service Fund, involving all broadband operators and ISPs, should be explored as a matter of urgency by the Government in conjunction with Ofcom. One way that the Fund could be used would be to invite tenders to roll out broadband access to areas that would otherwise be left out because they are seen as 'financially unviable'. There are issues that will need to be resolved, including how to avoid the Fund acting as a disincentive to companies to expand their networks or to delay expansion.

Affordability, fairness and equality

It is artificial and unrealistic to draw distinctions between broadband connectivity and other factors that impact on access for consumers, particularly around affordability. This must encompass all of the services and products which are essential for accessing and using broadband. This requires a central role for Ofcom with clear public policy guidance from the Government. This is a complex matter, more so than with fixed line telephony, and there is unlikely to be an easy fix.

Ofcom has recently suggested that it may be appropriate to consider a social tariff for broadband (*Access and Inclusion, 2009*). This is worth exploring but the issue raises important questions about how such a tariff can be made to work without restricting it or excluding people who encounter affordability problems. There should also be an examination of what services it would cover and which company/ies would be required to offer it.

Ofcom will require analytical tools to monitor the affordability of broadband and assess where consumers are put at an unfair disadvantage. Once again this issue demands an imaginative approach that examines the main components of broadband access. This could be along the lines of the Family Budget Unit's analyses of the components of household budgets.

Overall, it seems likely that responsibilities for helping to achieve affordable universal service in broadband will need to be spread across all industry players, including network operators and internet service providers. If the costs are to be spread across the industry, the obligations should be shared as well. Therefore it is logical for all broadband network operators and service providers to have licence conditions which ensure that they bear appropriate responsibilities for the provision of affordable broadband services with specified performance and quality standards.

As this paper has underlined, the Government must ensure that equipment to access broadband can be made available at affordable prices and examine how to improve its usability. Ofcom's recognition of the importance of affordable equipment is welcome, together with the need for access to specialist software for impaired consumers (Access and Inclusion, 2009). This important issue requires imaginative thinking and a clear lead from the Government, rather than leaving it to local initiatives or projects aimed at particular 'groups' or communities.

An imaginative approach could offer an opportunity for local authorities to pursue sustainability objectives by organising 'recycling' schemes where individuals and organisations can donate used products for reconditioning. Another option could be for local authorities to loan equipment at cheap rates, possibly through libraries or other civic organisations. There are likely to be a number of other ways to ensure that affordable equipment is available on a universal basis. This should not be considered in a top-down way but be informed by a wide range of consumers' views and experiences. It is essential that the concept of affordability covers the need for disabled people to have equivalent access to affordable equipment and services.

As poor usability is known to be a barrier for many consumers, the Government and Ofcom should consider what action needs to be taken at national level, and also at EU and other international levels, to improve the situation. Such action could include the development of mandatory standards on ease-of-use, an appropriate labelling scheme on usability features, and possible strengthening of Ofcom's powers.

Consumers also need access to trustworthy and affordable support and advice in buying, setting up and operating broadband equipment and services. This must be regarded as an integral part of the development of a comprehensive universal strategy. For example, there are a number of ICT projects and initiatives around the country which would provide useful lessons and information on how this support could be achieved. These need to be considered by Ofcom or an independent agency analogous to SCIE for this sector.

Finally, the debates about a new framework for universal service must be located in and refer to the range of anti-discrimination, equalities and human rights matters enshrined in law and government policies.

Protecting consumers

Universal service has to incorporate a clear set of consumer protection rights backed up by effective regulation. These include the need for clear information on contract terms and conditions, performance, and for price information to be published in ways that enable consumers to make easy comparisons. Action should be taken by Ofcom and the Office of Fair Trading to put an end to anti-competitive practices that present barriers to consumers, such as high penalties for ending contracts and lack of inter-operability.

Ofcom needs to develop and consult on a new set of consumer rights appropriate to broadband services and the digital age. This should incorporate existing protection and include new rights to take account of technological changes and consumer need, such as security of personal information. As these would form part of the backbone of universal service, these rights should be enshrined in licence conditions for all relevant operators and service providers. Also, a new framework in the UK will need to reflect the requirements that emerge from the current EU review of the directive on universal service and users' rights.

Enabling consumers through skills and knowledge training

The underlying tone of discussion about training people for the 'digital age' can be patronising and there is a danger that people will feel they are being left behind if they don't take up an offer of training or actively seek out training opportunities. So attention needs to be paid to language, not least to avoid making people feel it is their own fault if they haven't the skills or confidence to use ICT services, can't afford to do so, or face barriers resulting from poor design. The important issue of choice must not be allowed to get lost, a point which Consumer Focus has made previously in arguing that public sector and other services must not be delivered solely through some form of on-line/wireless interface.

One of the most important tasks for Government in the short term is to review the current situation, which is characterised by a multitude of basic training courses. These are spread unevenly across the country and hence not accessible to all, some operate for only limited periods and there is a lack of attention paid to variations in the quality of the courses.

A comprehensive review of the patchwork of provision should be used to develop a country-wide strategy which would deliver basic understanding and skills training to all who seek it, and be offered free or at low cost. It should also be used to develop simple guidance about the minimum standards which consumers should have a right to expect. Any such review must include the participation of a substantial number of consumers, including those who have been on courses and those who have not.

While it would not be appropriate to impose any sort of 'heavy-handed' inspection or regulation, some form of monitoring is desirable to ensure minimum quality standards. This could be the task of a lead Government Department (possibly the Department for Innovation, Universities & Skills), backed by a cross-departmental group. Its work should include reviewing the features, advantages and disadvantages of the various forms of funding for training. This could usefully be followed by a consultative process to garner practical ideas about how to forge a more coherent funding framework, perhaps including contributions from a Universal Service Fund.

Above all, such an important initiative should be based on what consumers want and need, and include an evaluation of what works from the consumer standpoint. This could include the types of locations or situations which would be regarded as suitable, the timing of courses, possibilities for distance learning, peer mentoring and arrangements for helping users to up-date skills in order to deal with technological developments.

Public internet access

The availability and ease of public internet access needs to be looked at across the board in a systematic way to establish what gaps exist and what needs to be done. Consumer Focus Scotland has, for example, recommended that it would be beneficial for all local authorities to have a clear, published, written policy on public internet access services alongside an agreed strategy for future service development.

This needs to be backed up by an imaginative approach that looks at all kinds of ways of offering public internet access to meet the variety of people's needs and abilities, including residential homes, day centres and possibly CABs and post offices, as well as libraries and other community facilities.

The digital divide

References

BERR and the Department for Culture, Media and Sport, Digital Britain: The Interim Report (2009).

Caio F, The Next Phase of Broadband UK: Action now for long term competitiveness, Final Report, BERR (2008).

Citizens Online and National Centre for Social Research, Digital Exclusion Profiling of Vulnerable Groups Ex-offenders, Department of Communities and Local Government (2008).

Citizens Online and National Centre for Social Research, Digital Exclusion Profiling of Vulnerable Groups Young People not in Education, Employment or Training, Department of Communities and Local Government (2008).

Citizens Online and National Centre for Social Research, Digital Exclusion Profiling of Vulnerable Groups Adults with Mental Health Problems, Department of Communities and Local Government (2008).

Citizens Online and National Centre for Social Research, Digital Exclusion Profiling of Vulnerable Groups Adults with Learning Disabilities, Department of Communities and Local Government (2008).

Commission for Rural Communities, Our response to `Delivering Digital Inclusion (2008).

Consumer Focus, Response to Digital Britain Interim Report (2009).

Consumer Focus Scotland, Submission to Digital Britain (2009).

Department for Communities and Local Government, Delivering Digital Inclusion An Action Plan for Consultation (2008).

Ofcom, Access and Inclusion, Digital Communications for All, consultation document (2009).

Ofcom, Media Literacy Audit: Report on UK adults from ethnic minority groups (2008).

www.ofcom.org.uk/medi/features/bguidedefb

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