



Mobile Industry Good Practice  
Guide for Service Delivery for  
Disabled and Elderly  
Customers in the UK



# Mobile Industry Good Practice Guide for Service Delivery for Disabled and Elderly Customers in the UK

This good practice guide for service delivery is designed to advise and assist the mobile industry, including network operators, service providers and retailers on how to make their products and services more accessible to the UK's disabled and elderly consumers. It is a response to a challenge by Government and other stakeholders to the mobile telecommunications industry to develop effective approaches for service delivery addressing the needs of UK consumers.

The good practice guide includes four elements reflecting the complexity of regulatory and legislative approaches in this area:

- 1-** general guidance on how the mobile industry should meet the needs of disabled people focussing on the legal requirements of Part 3 of the 1995 Disability Discrimination Act (DDA);
- 2-** text referencing General Condition 15 in the General Conditions of Entitlement which apply to all Communications Providers from the 25<sup>th</sup> of July 2003;
- 3-** additional specific guidance on good practice with respect to a number of key customer segments which have been proposed by consumer and other stakeholders as areas where work should be done on a self-regulatory basis to ensure there is an effective range of mobile products and services meeting disabled customers' needs
- 4-** core text of a customer leaflet which the UK mobile industry can use to raise awareness of this good practice guide and what disabled and elderly customers should expect from their mobile provider.

Mobile industry supporters of this good practice guide believe that competitive services should be created or customised to meet the needs of disabled and elderly customers within a general framework of corporate social responsibility.

The key broad customer segments identified are: customers who are hard of hearing or deaf; customers who are partially sighted or blind; customers with poor grip or who have limited manual dexterity and customers with learning difficulties. These are deliberately broad segments designed to facilitate service development within operators. It is inevitable (and indeed desirable) that mobile operators should offer a range of services which may meet the needs of the range of disabled customers in distinctive ways. Through this mechanism the competitive forces which have provided significant public benefit in other areas of the mobile industry will be brought to bear on mobile provision for disabled customers. Broad segments assist this process.

Individual operators supporting this good practice guide are also free to develop approaches and to provide products and services suitable for the range of disabled and elderly customers' use beyond those identified in this document.

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## **2 Introduction**

This good practice guide for Service Delivery is designed to advise and assist the mobile communications industry, including network operators, service providers and their retail shops, on how to make products and services accessible to the UK's disabled and elderly consumers. It is a response to a challenge by Government and other stakeholders to the mobile industry to develop effective approaches for service delivery to address the needs of UK consumers.

The good practice guide has four components:

- 1-** general guidance on how the mobile industry should meet the needs of disabled people and the requirements of Part 3 of the 1995 Disability Discrimination Act (DDA) – the provision of goods, facilities & services and access to premises, by service providers. The good practice guide is a signpost to both the mobile industry and disabled and elderly consumers on where they are able to find further detailed information regarding the DDA rather than reproduce easily accessible and detailed information elsewhere;
- 2-** text referencing General Condition 15 in the Conditions of Entitlement which applies to all Communications Providers from the 25<sup>th</sup> July 2003;
- 3-** additional specific guidance on good practice with respect to broad customer segments which have been proposed by stakeholders where work should be done on a self-regulatory basis to ensure there is an effective range of mobile products and services meeting disabled customers' needs. These segments are: customers who are hard of hearing or deaf; customers who are partially sighted or blind, customers with poor grip or who have limited manual dexterity and customers with learning disabilities; and
- 4-** the core text of a customer leaflet which the UK mobile industry will use to raise awareness of this good practice guide and what disabled and elderly customers should expect from their mobile service provider.

### **2.1 The Growth of Mobile Telecommunications**

Mobile communications is a significant commercial and public policy success for the UK. Mobile communications has grown from providing niche services to the business and corporate market to being widely used by consumers. At February 2003, Oftel estimated that some 75% adults in the UK owned a mobile telephone and that 83% of households have at least one mobile phone.

Mobile communications have contributed significantly to the take up of telephony among households which were previously unphoned for reasons related to price of connection and the ongoing price of subscription to the traditional fixed telephone network. It has been a significant, although undervalued, UK public policy success that there is no poverty-related social exclusion in mobile.

Competition in the UK mobile telephony market has produced aggregate mobile coverage now covering in excess of 99% of the UK population. This combined geographical availability, plus commercial support by mobile companies of geographically averaged pricing, ensures that the benefits of mobile service competition are also experienced well beyond the urban, intensely populated areas of the UK.

Mobile service providers have an important role in enabling disabled and elderly people unable to use mainstream mobile services or terminal equipment to play a fuller part in society. While many aspects of mobile telephony already offer positive benefits to disabled and elderly people, more needs to be done. This guide sets out how mobile service providers will respond to this challenge.

In this activity many comments have been received with respect to the need for more suitable terminal equipment to meet the needs of disabled customers. This is an area where service providers have influence, but not control. For this reason the approach taken in the good practice guide is primarily one of encouragement of terminal manufacturers, coupled with a commitment to stock equipment produced.

However, this guide is intended to be a living document and one specific possibility for a second edition is to invite terminal manufacturers to participate directly in good practice activity.

A range of key stakeholder groups representing the interests of disabled and elderly consumers have provided input to the approach outlined in this guide. Groups that have been involved in this process included DIEL, Hearing Concern, Mencap, Ofcom, TAG, PhoneAbility, Ricability, the RNIB and the RNID. The mobile industry thanks these groups and the individuals who have represented them for their valuable support.

### **3. The mobile industry's approach to customers and Part III, Disability Discrimination Act (1995)**

Under the Disability Discrimination Act 1995, (the "DDA") all service providers - that is companies who offer services to the general public - their employees, sub-contractors and representatives are required to avoid discriminating against customers on the grounds of disability whether by actual refusal to provide services or by not making reasonable adjustments to their services to facilitate access by disabled customers.

This chapter discusses the requirements of the DDA as they apply to mobile service providers (which by definition include network operators). These are legal requirements and should be met by all Service Providers. Specific examples are marked by a DDA annotation.

A disabled person is defined under the DDA as someone who has a physical or mental impairment with an effect on his or her ability to carry out normal day to day activities which is substantial, adverse and long term. In DDA guides physical or mental impairment includes sensory impairment, whereas in practice most disabled people would make a clear distinction between physical and sensory disability.

Companies in the mobile industry are subject to the requirements of the DDA where their activities include making products and services available to the general public. Mobile network operators, independent service providers and retailers of mobile products and services will fall directly within the definition of service providers established by the DDA. Each service provider is responsible for its own compliance with the DDA - as with other legislation. This guide is not designed to substitute for legal advice which a service provider may obtain.

Disabled consumers are an important group of mobile industry customers who may be subject to a diverse range of impairments. This group includes consumers with hearing, visual, mobility, dexterity and speech impairments, and learning disabilities as well as people with '*hidden*' disabilities, such as individuals with mental health problems.

There are also many elderly people who have become disabled through the ageing process but may not see, or choose to describe, themselves as disabled. Nevertheless their ability to use mainstream mobile products may be reduced. While the take up of mobile services varies by age segment and reflects a range of buying behaviour by customers, existing mobile customers are ageing and have every reason to expect to be able to continue to buy and use mobile products as they age.

#### **3.1 Making reasonable adjustments**

Under the DDA service providers are required to make reasonable adjustments to facilitate access to their products and services by disabled people. Reasonable adjustments are: changing existing policies, procedures and practices, providing ancillary aids and services (so that a disabled person can access a provider's own services) and providing reasonable alternative methods for making services available where physical features make it impossible or unreasonably difficult for disabled customers to use a service.

Discrimination is often unintentional and may stem from a lack of awareness about disability, or from making incorrect assumptions. Service providers should plan for reasonable adjustments to meet the needs of their disabled customers, including both personal users and the employees of business customers. Where necessary and reasonable, service providers are under a legal obligation to adjust the way they provide their services so that disabled people can use them. DDA

Service providers should review the way in which they offer and provide their services to the public, in order to discover whether there are any problems in the way disabled customers might access those services. If the opportunity to review and update is taken as an integral part of product or service design then the costs of '*reasonable adjustment*' can be significantly reduced. DDA

It may not be possible to foresee the individual needs of customers with particular disabilities. However, where possible disabled customers, disability groups and organisations should be consulted to identify difficulties and the possible opportunities to overcome these. This can be done on a local or national basis. DDA

Service providers should take account of new services or developments in technology, and use the opportunity they present to re-evaluate the services they offer, in terms of customer take-up and effectiveness. In developing and using new technology it is important to ensure that accessible services do not become inaccessible because attention is not paid to the needs of disabled people using the products and services on offer. DDA

### **3.2 What are examples of reasonable steps that service providers have to take to make services accessible to disabled customers?**

This will vary depending on a number of factors, including the size of the service provider. The DDA places the duty on the service provider to determine what steps it needs to take. However, generally service providers should consider the following:

- providing a choice of access for hearing impaired customers. Many hearing impaired customers use text messaging, textphones, e-mail and fax as alternative forms of communication and it may be reasonable to offer to communicate with them using these means; DDA
- making information available about products and services offered in a choice of alternative formats such as Braille, audio or large print without charge; and DDA
- being able to e-mail product or service information in an electronic format so that a customer with a visual impairment can use text to speech software. Ensuring web sites are designed to be accessible by text to speech software. DDA

### **3.3 Communicating with customers**

Customers may reasonably be encouraged to inform their service provider of their individual requirements. Where such information is provided by a disabled customer it is good practice to keep records of his or her requirements, but this information should only be recorded with the customer's permission and in accordance with data protection obligations. This might include such information as the format in which they wish to receive billing information, (for example, in

Braille or large print format).

Once a service provider has become aware of the needs of a disabled customer who uses or seeks to use its services, it might then become reasonable to take a particular step to provide an auxiliary aid or service on a regular basis to that customer. In addition, once a service provider has decided to put auxiliary aids, service or other features in place, it is important to draw their existence to the attention of disabled customers. For example, service providers should publicise the fact that they offer Braille or large print bills and other literature rather than leave it to customers to ask.

DDA

The DDA does not prohibit positive action in favour of disabled customers unless this would be unlawful under other legislation. Unlike other anti-discrimination legislation the DDA allows service providers to positively discriminate in favour of disabled customers.

For example, it would be possible for service providers to offer a disabled customer the opportunity to discuss services with them during a particular period of the week when it was possible to provide dedicated staff resources to advise the customer on how their particular requirements could be met. However, it would not be possible under the DDA to require the customer to use this period, if this was not how services were generally provided.

Service providers should consider how a customer is able to contact the service provider on a pre-sales basis to discuss a mobile service, how they will buy the service and how they will obtain support in using the service after purchase. For example, service providers should have facilities which allow hearing impaired customers to discuss their needs effectively in a retail environment. This may be through provision for customers to discuss their requirements in suitably quiet areas of retail premises, a facility for taking and exchanging notes, or through in-shop equipment such as a hearing induction loop.

DDA

Service providers should ensure that disabled customers are offered a range of methods which can be used to communicate effectively with their telesales and customer care functions. These may include: SMS, textphone, e-mail or fax.

Ofcom has also produced a guide "*Communicating with customers who are disabled – a guide for telecoms companies*" published in 2001 which contains suggested guidance on the range of communication approaches which are useful in communicating with disabled customers.

### **3.4 Staff Training**

Not all disabled people classify themselves as disabled, or wish to highlight their disability. Employees and representatives of service providers should therefore exercise a degree of sensitivity, and not readily expect people to be able to immediately articulate their specific needs or to be aware of products which the service provider offers. Where there is doubt, service provider employees should ask disabled customers how best they might be served.

Staff training is an important factor in providing assistance and access to auxiliary aids and services. Service provider staff should generally be aware of the needs of disabled customers who may wish to use auxiliary aids and services and should appreciate how to respond appropriately to requests for such aids or services. They should also know the range of alternative ways in which the mobile services can be made available, and how to use any auxiliary

DDA

aids which the service provider offers.

Service provider staff should be aware of the products and services which the service provider offers to disabled customers and be able to communicate details of these clearly to potential customers.

DDA

### **3.5 What are reasonable steps for a service provider to take in relation to policies, procedures and practices?**

Such changes will often involve little more than an extension of the courtesies, which most service providers already show to their customers. For example, if an service provider has a 'no dogs' policy in its shops, this should be waived where a customer is accompanied by an assistance dog, in order to make its services accessible to disabled people.

The following examples of staff behaviour must be avoided:

- making someone with a disability wait until everyone else has been served;
- restricting a disabled customer's choice of service because of their disability;
- requiring a disabled customer to provide more information than a non-disabled customer in order to obtain a product or service;
- insulting someone because of his or her disability;
- offensive behaviour, such as telling jokes about disabled people;
- humiliating someone because of his or her disability; or
- asking unnecessary personal questions unrelated to the use of telecommunications which the service provider would not ask a customer who is not disabled.

DDA

### **3.6 Retail environment**

Wherever possible, service providers should use internationally recognised disability signage. Examples are the eye symbol to indicate aids are available for blind and partially sighted people, ear symbol with a T to show that an audio induction loop is installed in a retail shop and a wheelchair symbol to indicate that ramped or level access is available at a retail store.

It may also be appropriate for the mobile industry to use appropriate symbols in retail premises, on packaging and in publicity material where products are designed, customised or are otherwise suitable for disabled customers to use. European Telecommunications Standards Institute standards exist for a number of aspects of equipment for use by disabled customers and retail staff should be aware of these. For example, use of the symbols in ETSI Document. 201 379 Human Factors: Framework for the development and selection of symbols to identify telecommunications systems for deaf and hard of hearing customers.

It is important that service providers take a long-term view of the physical adjustments required to make services more accessible to disabled people. Physical alteration to the premises (such as installing a lift) are not always required when minor measures, such as making services available on the ground floor, may be just as effective. However, physical alterations may be the only long

term, satisfactory answer to providing independent access for disabled customers to service provider shops, conference areas etc.

### **3.7 Refusal to serve**

Subject to very limited exceptions the DDA specifically prohibits refusal to serve. Although there is nothing unlawful about genuinely seeking to assist disabled people by informing them where they might get service more suited to their requirements, refusing to serve a disabled person may be unlawful whatever the intention or motive.

DDA

For example, if a disabled person wishes to be served by a particular service provider, it cannot refuse to serve him or her on the ground that another mobile service provider caters better for his or her requirements. Hence, it is not possible for a service provider to avoid the requirements of the DDA by arguing that another service provider is better placed to meet the needs of a particular disabled customer. Each and every service provider must meet their responsibilities under the DDA, although each service provider's response may vary according to the size of the organisation.

For example, a retail service provider shop staff member would be acting unlawfully if he or she refuses to serve a deaf person on the grounds that a shop of a different service provider nearby can communicate with the customer using clear communication techniques such as taking and exchanging notes or the use of British Sign Language and is therefore able to offer a better service.

Spurious reasons cannot be used to refuse to serve a disabled customer. For example, if a particular member of staff usually deals with a customer who has a speech impairment and that member of staff is away on holiday, it would be unlawful to tell the customer that they could not be assisted in his or her absence.

The key comparison is between the way in which a disabled customer is treated compared to the way in which people without disabilities are treated. Legitimate comparison can also be made between the way in which customers with one form of disability are treated compared to the treatment of people with other forms of disability. For example, using a service provider's Internet website may be appropriate for visually impaired customers, or mobility impaired customers unable to visit a shop.

If a demonstration or brochure stand is on the second floor of a retail business centre, the provision of the service by an alternative method might be a member of staff offering to meet and accommodate the customer on the ground floor if that is accessible.

The duty to make reasonable adjustments in relation to physical features does not at present require a service provider to take any action to remove or alter a physical feature or to provide a reasonable means of avoiding the physical feature – these duties come into force on 1 October 2004. However, the duty to provide a reasonable alternative method of making the service available to disabled people has been in force from 1 October 1999.

### 3.8 Commitments stemming from the DDA Code of Practice

The Disability Rights Commission has issued a Code of Practice which is intended to give guidance to service providers in all industries as to how to prevent discrimination against disabled people in accessing services or premises.

Service providers need to consider their attitude towards disabled customers and, in accordance with the DDA Code of Practice, should: DDA

- establish and communicate to their staff a clear policy on provision of goods, facilities and services which promotes equal access to services for disabled customers;
- consider amending or abandoning a policy, procedure or practice which it has identified as a barrier to access for people with disabilities;
- inform all staff dealing with the public that it is unlawful to discriminate against disabled customers;
- train their staff to understand the service provider's policy towards disabled customers, their legal obligations and the practice of reasonable adjustments;
- monitor the implementation and effectiveness of their policy;
- provide disability awareness and behaviour training for their staff, with particular emphasis on those coming into contact with the public. The training should cover appropriate responses to *'hidden'* disabilities such as mental health problems;
- address acts of deliberate disability discrimination by staff as part of disciplinary rules and procedures;
- establish a customer complaints procedure which is accessible to disabled customers;
- establish a structured approach to consulting both disabled customers and staff. It is important to consult with disabled people when assessing new products and services, and also to establish their satisfaction with the overall service provided and review regularly whether their facilities and services are accessible to disabled customers;
- think creatively about solving problems faced by disabled customers, rather than simply achieving minimum compliance with the law; and
- consider how relatively minor measures will help a disabled customer access a service.

A service provider should:

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- listen to its disabled customers and regularly ask for their views and opinions on the provision of services;
- be responsive and flexible in its approach to serving disabled customers; and
- consult disability organisations for assistance and information on disability issues.

A service provider should:

DDA

- review its property to identify which physical features, if any, might make it impossible or unreasonably difficult for disabled customers and visitors to make use of its services; and
- anticipate the remaining duties in relation to physical features coming into force in 2004 wherever a service provider plans rebuilding or refurbishment works to a retail store, or other building which customers or visitors access.

In refurbishment/rebuilding programmes service providers should consider:

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- providing accessible counters and low level writing counters/desks;
- ensuring level or ramped access with automatic doors;
- installing a hearing induction loop at a sales counter;
- fitting suitable flooring to aid access those with mobility impairments;
- providing the facility for all business to be conducted on the ground floor; and
- the use of suitable lighting, colour, acoustic environment and signage to improve access for customers with disabilities.

#### **4 General Condition 15 and how it affects mobile Communications Providers**

The text of General Condition 15 is reproduced below. This Condition became an obligation on all Mobile Communications Providers from the entry into force of the new EU Communications framework on the 25th July 2003.

This states:

- 15. SPECIAL MEASURES FOR END-USERS WITH DISABILITIES**
- 15.1** The Communications Provider shall from time to time consult the Consumer Panel to ensure that the requirements and interests of disabled End-Users are fully taken into account in the development and provision of its services.
- 15.2** The Communications Provider shall ensure that any End-User of its services who is so blind or otherwise disabled as to be unable to use a printed Directory, can access, free of charge, Directory Information and Directory Enquiry Facilities in a form which is appropriate to meet their needs.
- 15.3** Where the Communications Provider provides a Directory Enquiry Facility, the Communications Provider shall, following a request to be advised of Telephone Number by a person who is so blind or otherwise disabled as to be unable to use a Directory, and on request of that person, connect that person to the requested Telephone Number.
- 15.4** The Communications Provider shall ensure that such of its Subscribers who, because of their disabilities, need to make calls in which some or all of the call is made or received in text format, are able to access a Relay Service. Such Subscribers shall be charged for the conveyance of messages to which a Relay Service applies at no more than the equivalent price as if that conveyance had been made directly between the caller and the called person without use of a Relay Service:
- (a) except that the calling person may be charged standard local prices for the call made to a Relay Service provider in order to make a call irrespective of whether the call is successful; and
  - (b) applying a special tariff scheme designed to compensate Subscribers who need to make calls to which a Relay Service applies for the additional time to make telephone calls using a Relay Service.
- 15.5** The Communications Provider shall ensure that any End-Users of its services who need to make calls to which a Relay Service applies:
- (a) have access to Emergency Organisations, operator assistance services and a Directory Enquiry Facility using short code numbers; and
  - (b) receive call progress voice announcements in a suitable form.
- 15.6** The Communications Provider shall provide a priority Fault Repair Service as swiftly as practicable to any Subscriber with disabilities who has a genuine need for an urgent repair. Charges for a priority Fault Repair Service shall not exceed the standard charge for a Fault Repair Service.
- 15.7** The Communications Provider shall ensure that such of its Subscribers who are so disabled such that they are dependent on the telephone are able to participate in a scheme to safeguard telephone services to such Subscribers. The scheme shall:
- (a) enable such Subscribers to give prior notification to the Communications Provider of a nominee to whom-
    - (i) that Subscriber's telephone bill shall initially be sent; or
    - (ii) any enquiry to establish why a telephone bill has not been paid shall be made;
  - (b) permit the nominee to pay that Subscriber's bill on their behalf;

- (c) require the nominee to give prior consent to the Communications Provider to act in such capacity;
- (d) not require the nominee to accept liability to pay the telephone bills of that Subscriber; and
- (e) be provided at no cost to such a Subscriber.

**15.8** The Communications Provider shall make available, free of charge, and in a format reasonably acceptable to any Subscriber who is blind or whose vision is impaired, upon their request:

- (a) any contract (or any subsequent variation) with that Subscriber for the provision of Publicly Available Telephone Services, including any publicly available terms or conditions referred to in that contract or variation;
- (b) any bill rendered in respect of those services.

An acceptable format would, for these purposes, consist of print large enough for such Subscriber to read, Braille or electronic format appropriate to the reasonable needs of the Subscriber.

**15.9** The Communications Provider shall take all reasonable steps to ensure that the services which it provides in order to comply with the obligations contained in paragraphs 15.1 to 15.8 above are widely publicised, taking into consideration the need to disseminate information in appropriate formats through appropriate channels for disabled End-Users.

**15.10** Where Communications Providers have not previously been required to provide the services and facilities required under this condition they shall comply with paragraphs 15.2 to 15.9 no later than 31 December 2003.

**15.11** In this Condition:

- (a) "Communications Provider" means a person who provides Publicly Available Telephone Services;
- (b) "Fault Repair Service" means a service consisting of such repair, maintenance, adjustment or replacement of any part of the Communications Provider's Electronic Communications Network, or such repair or adjustment of any connected or connectable Network, or such repair or replacement for any Apparatus for which the Communication Provider has undertaken the responsibility for repair and maintenance, as is necessary to restore and maintain a sufficient service;
- (c) "Relay Service" means any service which:
  - (i) provides facilities for the receipt and translation of voice messages into text and the conveyance of that text to the terminal of customers of any provider of Publicly Available Telephone Services and vice versa, and
  - (ii) has been approved by OFCOM to be a text relay service for the purposes of this Condition;
- (d) "Subscriber" means an End-User who is party to a contract with the Communications Provider for the provision of Publicly Available Telephone Services."

The extension of this formal condition from the fixed environment to mobile did not have the support of the UK mobile operators who argued that this would act to duplicate investment and ultimately reduce rather than extend customer choice.

## **5 Additional specific guidance on good practice to ensure there is an effective range of mobile products and services in key segments to meet disabled and elderly customers' needs beyond the scope of legislation or general condition obligations.**

Mobile operators and service providers already offer ranges of products and services targeted at disabled customers. The provisions of General Condition 15 will add to this list access to a fixed text/voice relay service. However, in working party discussions with consumer stakeholders a number of customer segments have been advanced where it is argued that there is not yet an effective choice of mobile products and services successfully meeting customers' needs, and where there is believed to be significant demand which is not met by mainstream mobile offerings.

Mobile industry supporters of good practice believe that it is good practice that competitive services are created or customised to meet the needs of customers in these segments within a general framework of corporate social responsibility.

The key broad customer segments identified are:

- customers who are hard of hearing or deaf;
- customers who are partially sighted or blind;
- customers with poor grip or who have limited manual dexterity; and
- customers with learning disabilities.

Products and services designed to meet disabled and elderly customers' specific needs used historically to be provided by BT, the dominant fixed line operator. More recently formal licence obligations have been placed on other fixed operators to offer similar services to those of BT. These fixed network obligations have now been extended to mobile communications providers. However, duplicating precisely the same obligations and services across multiple players wastes investment, does not reinforce the strengths in differentiation which characterise mobile and ultimately reduces customer choice. For this reason this section on good practice discusses capabilities rather than specific products. Specific examples are marked by a GP annotation.

It is inevitable (and indeed desirable) that mobile operators should offer a range of services which may meet the needs of disabled customers in distinctive ways. Through a commitment to developing capabilities rather than specific products the competitive forces which have provided significant public benefit in other areas of the mobile industry will be brought to bear on mobile provision for disabled and elderly customers. Customers will be able to choose the service provider who best meets their needs.

### **5.1 What kind of service offering will it be good practice to provide for customers who are hard of hearing or deaf?**

Hearing impairments take many forms and are of varying degrees. What might be a reasonably effective solution for a person with moderately impaired hearing clearly might not be an effective solution for someone who is profoundly deaf.

Service providers committed to good practice should seek to provide an appropriate range of terminals suitable for customers who are hard of hearing or deaf. While provision must be subject to

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equipment (and where appropriate accessory) availability from manufacturers it should include:

- mobile terminals capable of being used effectively with hearing aids;
- mobile terminals with adjustable output amplification providing good sound quality to permit their direct use without hearing aids;
- mobile terminals which can be customised to offer loud and/or vibration ringing and alert functions;
- mobile terminals compatible with suitable portable key-boards; and
- mobile terminals with predictive text messaging functionality.

Given the variety of hearing impairments which exist and the different conditions in which different mobile services may be used service providers should offer deaf and hard of hearing customers provision to try new services or terminals. This may include provision of trial facilities in shops or by offering a trial period for mobile terminals and accessories sold to hard of hearing or deaf customers. GP

## **5.2 What kind of service offering will it be good practice to provide for customers who have poor sight or are blind?**

Service providers committed to good practice should seek to provide a range of mobile terminals which may be suitable for the use of customers who have poor sight or are blind. While provision must be subject to equipment availability from manufacturers it should include: GP

- mobile terminals offering voice activated dialling;
- mobile terminals offering larger fonts and screen contrast adjustment; and
- mobile terminals with keyboard navigation points such a raised dot or dots on or around the number '5'.

Service providers should also provide: GP

- written product information (such as a leaflet, booklet or tariff guides) in alternative formats;
- product and service information in a format suitable for use with text to speech readers;
- specific customer assistance in store including store staff who will read out loud from product literature and agreements and who will offer to fill out any agreement forms for the customer where these are required by the service provider.

Service providers should offer blind and partially sighted customers the opportunity to try new services or terminals. This may include provision of demonstration facilities in shops or by offering a trial period for mobile terminals and accessories sold to blind and partially sighted customers. GP

### **5.3 What kind of service offering will it be good practice to provide for customers with poor grip or who have limited manual dexterity?**

Service providers committed to good practice should seek to provide a range of mobile terminals which may be suitable for the use of customers who have poor grip or limited manual dexterity. While provision must be subject to equipment availability from manufacturers it should include:

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- mobile terminals with voice activated dialling;
- mobile terminals with speed / short code dialling;
- mobile terminals compatible with suitable portable key-boards;
- mobile terminals with predictive text messaging functionality;
- mobile terminals which are easy to grip; and
- a range of hands-free accessories to make using a terminal easier.

Service providers should also provide customer assistance in store including store staff who will offer to fill out any agreement forms required on behalf of the customer

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Service providers should offer customers who have poor grip or limited dexterity the opportunity to try new services or terminals, for example by provision of demonstration facilities in shops or by offering a trial period for terminals on a sale or return basis.

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### **5.4 What kind of service offering will it be good practice to provide for customers with learning disabilities?**

Learning disability describes a wide range of intellectual problems. These can be associated in the case of more severely disabled people with a range of additional disabilities. People with significant learning disabilities tend to have problems both with complex processes and complex information.

Mobile service providers supporting this good practice guide are aware that the complexity of mobile terminals and services can represent barriers to use. These may be particularly acute for customers with learning disabilities.

While customers in this segment may not specifically require customised products or services the good practice guide attempts to indicate their different needs by placing emphasis on the requirement to ensure that customers' are supported in their understanding of mobile terminals and services.

Service providers committed to good practice will ensure that:

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- staff provide suitable support in terms of clear verbal explanations and seeking understanding of products and services where provided to customers who have learning disabilities;
- staff offer written confirmation of explanations given where appropriate;
- documentation regarding mobile phone use is made available in alternative formats on request e.g. in large, clear print and plain language using short sentences and with key points made separately; and
- Service providers should offer customers with learning disabilities the opportunity to try new services or terminals, for example by provision of demonstration facilities in shops or by offering a trial period for terminals on a sale or return basis.

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#### **5.5 What is good practice on the part of a service provider to ensure that effective service can be provided?**

Service providers committed to good practice will ensure that:

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- where it has a dedicated team to deal with enquiries on products and services for disabled customers enquiries received are managed efficiently and effectively to that team;
- all customer facing staff know how to order specialist equipment and accessories suitable for customers across a range of disabilities;
- staff should make it easy for a disabled or elderly customer to set up their mobile service so that they can use it effectively. For example, retail store staff should be able to offer to set up or provision the service on behalf of the customer, to explain or demonstrate terminal menu structures and to check the customer's understanding of how the terminal and service operate;
- they provide information about the products and services offered - including those identified in sections 5.1 to 5.4 - to disabled and elderly customers in a suitable level of detail to allow customers to make an informed choice of products and services;
- customer facing staff should be provided with a structured feedback route regarding difficulties encountered in meeting the needs of disabled customers;
- information about the products and services offered to disabled and elderly customers will be communicated on reasonable request to enable the production of accessible

service guides for disabled and elderly people;

- they work appropriately with disability organisations to ensure that information on the provision of mobile products and services to disabled and elderly people is made widely available in alternative formats;
- disabled and elderly customers are able to purchase equipment and accessories using a range of alternative channels. For example, retail shops, call centres, the Internet, or direct sales telephone lines; and
- they offer a range of payment mechanisms to enable disabled or elderly customers to top-up pre-pay mobiles, or pay for their phone services automatically (e.g. by direct debit or credit card) at the end of a billing period.

The service provider should seek to consult disabled and elderly people, for example, through market research and product testing and encourage feedback from disabled and elderly people. GP

Service providers will also:

GP

- ensure that they have processes in place to reflect the needs of disabled and elderly customers when developing new product development activities;
- ensure that they have processes in place to identify new, more accessible or otherwise improved products and services from their suppliers which may be of particular interest or relevance to disabled or elderly customers;
- periodically review the accessibility of their mobile products and services on offer to disabled people;
- encourage terminal manufacturers to develop and produce products and services that are usable by, and accessible to, disabled and elderly customers, including hearing aid wearers, as a part of their new product development and procurement policy; and
- encourage manufacturers to provide instructions which are in accessible formats and are easy for disabled and elderly customers to follow and use.

Consumer stakeholders have commented on the need for more suitable terminal equipment to meet the needs of disabled and elderly customers. This is an area where service providers have influence, but not one they control. For this reason the approach taken in the good practice guide is primarily one of encouragement of mobile terminal manufacturers coupled with a commitment to stock equipment produced.

However, this guide is intended to be a living document and one specific possibility for a second edition is to invite terminal manufacturers to participate directly in this good practice activity. Good practice supporters also anticipate that other supply side stakeholders will wish to commit to the

guide over time.

## **5.6 Good practice in communicating and publicising products and services**

Service providers committed to good practice will ensure that they take steps to communicate effectively the range of products and services which they have available. To ensure good practice in marketing to disabled and elderly customers service providers will:

GP

- advertise their products and services in specialist and mainstream publications;
- inform disabled and elderly customers on the range of specialist products and services suitable for their use;
- provide information about their products and services in alternative formats ,for example, Braille, large print, electronic or audio formats;
- provide terms and conditions in alternative formats for visually impaired people before, during, or very soon after, a customer has entered into a legal contract with the service provider once notified of their disability;
- with customers' agreement record customers' preferred contact method on service provider customer service management systems and their preferred format for receiving direct marketing literature
- where there is subsequent variation in contract terms ensure that this is confirmed in a customer's preferred formats; and
- where recorded, and subject to customer agreement, use preferred formats for direct marketing information sent to customers who have identified themselves to Service Providers as having difficulty using a product or service because of a disability.

## **5.7 Compliance and auditing**

Service providers committed to good practice recognise that there will be a desire to ensure that there is effective examination of actual practice on an independent basis. The guide is presented in four parts:

**1-** general guidance on the legal requirements of Part III of the 1995 Disability Discrimination Act - provided in Section 3;

**2-** text reflecting General Condition 15 in the Conditions of Entitlement which will apply to all Communication Providers from the 25<sup>th</sup> July 2003.

**3-** additional guidance with respect to customer segments proposed by stakeholders as areas where work should be done on a self-regulatory basis to ensure there is an effective range of mobile products and services meeting disabled customers' needs beyond the scope of legislation or licensing - Section 5

4- core text of a customer leaflet designed to raise awareness of this practice guide - Annex 1.

Compliance with the DDA is within the framework of national legislation, General Conditions will be subject to enforcement by OFCOM, while the customer leaflet is designed to be informative. However, supporters of the good practice guide anticipate that their compliance with Section 5 of the guide will be of interest to consumer stakeholders.

Service providers committed to good practice will make information on their progress against this good practice guide available on reasonable request.. They will take part in any independent examination of the provisions of this good practice guide. GP

Service providers committed to good practice shall be entitled to state this in their marketing and other literature. GP

### **5.8 Complaints handling**

Service providers who support this good practice guide will have in place adequate procedures for dealing with complaints made regarding services provided under the guide. These measures will include the use of existing complaint handling routes. Service providers who support this good practice guide should provide disabled and elderly customers with a range of access methods which can be used by them or their representatives to complain effectively and appropriately. GP

Service providers will provide for escalated complaint handling under this good practice guide as part of the company's usual dispute resolution/escalated complaint handling processes which they make available to their customers.

### **5.9 Transition provisions**

Section 5 of this good practice guide is subject to transition provisions. Supporters of good practice will establish a programme on an individual basis to address the elements proposed in this section. The proposed period for transition is 12 months, by which time compliance with at least 80% of measures should be achieved. Other service providers who wish, subsequently, to participate in this good practice guide will also be entitled to a 12 month transition period.

## **6 Annex**

Annex                      Core text of the Customer Guide