



HOUSE OF COMMONS
LONDON SW1A 0AA

All replies:
Oldham Office
11 Church Lane
Oldham OL1 3AN
Tel-0161 626 5779

Dr Carolyn Wilkins
Chief Executive
Oldham Council
Civic Centre
West Street
Oldham
OL1 1UG

Our Ref: SB/OMBC01002/01140858

08 December 2014

Dear Carolyn

Re; Nuisance Telephone Calls

Please find enclosed a copy of a further reply I have received from the Minister Ed Vaizey at the DCMS in response to my further letter on the Council's behalf. I understand the delay in replying is because my letter was incorrectly redirected to the wrong department.

I note you have already received a similar response, but I still feel that not enough is being done to protect people from telephone marketing and I believe that companies that continually break the rules should be banned from making marketing calls and that much larger fines should be implemented.

I will therefore continue to raise this with the Government.

Yours sincerely

The Rt Hon Michael Meacher MP
Oldham West & Royton
Including Chadderton & Hollinwood

Encl.



Department
for Culture
Media & Sport

Our Ref: 256344/ST/3
Your Ref: SB/DEPA01009/01140859

Minister for Culture and the Digital
Economy
4th Floor
100 Parliament Street
London SW1A 2BQ

T: 020 7211 6000
F: 020 7211 6309

www.gov.uk/dcms
enquiries@culture.gsi.gov.uk

2 December 2014

Rt Hon Michael Meacher MP
michael.meacher.mp@parliament.uk

Dear Michael,

Thank you for your further letter of 30 September on behalf of Oldham Council and their Resolution on Nuisance Telemarketing Calls. Unfortunately my office did not receive your letter until 20 October so I apologise for the delayed response.

You may wish to be aware that Oldham Council also wrote to us directly about this issue on 17 September and I replied on 16 October (our ref: 255422). I enclose a copy of my response for your information.

Tackling nuisance calls is a priority for this Department and our work includes ensuring improved enforcement of the existing regulations and pursuing a range of options for reform. This consists of both legislative and non-legislative measures as outlined in our Nuisance Calls Action Plan of 30 March:

<https://www.gov.uk/government/news/nuisance-calls-action-plan-unveiled>.

We have also ensured that Ofcom can now more easily share information with the ICO about the conduct of companies, who may be breaching the TPS by making unsolicited marketing calls.

In October, we launched our consultation to lower the legal threshold, which will make it easier for the ICO to take enforcement action against companies for a breach of the regulations. Further information is available at: <https://www.gov.uk/government/consultations/nuisance-calls-consultation>.

Consent and lead generation is an important issue that contributes to consumers receiving calls. Therefore, this aspect is being considered by a taskforce led by Which? that will report to the Department by the end of this year. Call tracing work is also underway that will help in our efforts to trace calls, where for example the calling number is withheld or disguised.

As part of Ofcom's joint action plan with the ICO (announced in July 2013 and updated in May) Ofcom and the ICO undertook research to determine how effectively the TPS is working and published their findings on 24 July. This showed that those people who were registered with the



TPS received a third fewer "live" calls and that TPS registration also resulted in the reduction of automated, silent and abandoned calls. Further details can be viewed at:
http://media.ofcom.org.uk/news/2014/effectiveness-telephone-preference-service/?utm_source=updates&utm_medium=email&utm_campaign=nr-tps

The Office of Communications (Ofcom) will be conducting a review of the TPS, as a result of similar concerns from some consumers, that it may not be working as effectively as it was intended when introduced in 1999. We will review Ofcom's findings carefully to consider whether further action would be necessary. Further details about Ofcom's proposal is available at:
http://www.ico.org.uk/news/latest_news/2013/ICO-and-Ofcom-draw-up-joint-action-plan-to-tackle-nuisance-calls-31072013

Best wishes,



Ed Vaizey MP
Minister for Culture and the Digital Economy

Enc: CMS 255422



Department
for Culture
Media & Sport

Minister for Culture and the Digital
Economy
4th Floor
100 Parliament Street
London SW1A 2BQ

T: 020 7211 6000
F: 020 7211 6309

www.gov.uk/dcms
enquiries@culture.gsi.gov.uk

Our Ref: 255422/ST/8
Your Ref: Council - Telemarketing - 201409810

16 October 2014

Dr Carolyn Wilkins
Chief Executive
Oldham Metropolitan Borough Council
Level 3, Civic Centre
West Street
Oldham
OL1 1UG

carolyn.wilkins@oldham.gov.uk

Dear Carolyn,

Thank you for your letter of 17 September to the Secretary of State for Culture, Media and Sport, the Rt Hon Sajid Javid MP about nuisance telephone calls. I am replying as the Minister for Culture and the Digital Economy.

I understand the frustration regarding these types of calls and note your concerns. The Government takes the issue of unsolicited marketing calls very seriously and is taking positive action. We believe that the answer lies in greater enforcement and robust action rather than sweeping changes to the regulatory framework.

Under the Privacy and Electronic Communications Regulations (PECR) 2003, unsolicited marketing telephone calls are not allowed to be made to a consumer, who has either been registered with the Telephone Preference Service (TPS) for at least 28 days, or if they have previously advised the caller that they do not wish to receive such calls. Companies making calls, from within the UK or from outside the UK, on behalf of UK companies are legally required not to call a number that is registered with the TPS.

The Information Commissioner's Office (ICO) considers complaints and can take enforcement action for a breach of the PECR. The ICO can issue a monetary penalty of up to £500,000 and since January 2012 has issued six substantive monetary penalties totalling £675,000 for calls and text messages and action against other organisations is also under its current consideration. Further information is available at: <http://ico.org.uk/enforcement/action/calls>



The Government is continuing to press for further improvements to be made, particularly in terms of more effective enforcement action against organisations that call numbers registered with the TPS.

In July 2013, the ICO and Ofcom published a joint action plan to tackle nuisance calls and messages. The plan was updated in May and is helping to ensure an increase in joined-up working between the two regulators to protect consumers. This work includes a review of the TPS and updated guidance on nuisance calls for consumers. Further details about the plan and proposals can be viewed at:

www.ico.org.uk/news/latest_news/2013/ICO-and-Ofcom-draw-up-joint-action-plan-to-tackle-nuisance-calls-31072013

<http://stakeholders.ofcom.org.uk/consultations/silent-calls/joint-action-plan>

In March, we published the Nuisance Calls Action Plan, which set out our achievements to date, work that is under way and our plans for the future. This includes enabling Ofcom to share information more easily with the ICO and consulting on lowering the legal threshold to enable the ICO to issue more monetary penalties. In addition, work is underway on improving the ability of communication service providers to trace calls. Information about the plan is available at: <https://www.gov.uk/government/news/nuisance-calls-action-plan-unveiled>

Ofcom and the ICO have also undertaken research to determine how effectively the TPS is working and published their findings in July. The research showed that there was a 34 per cent decrease in nuisance calls after registering with the TPS and further details can be viewed at: http://media.ofcom.org.uk/news/2014/effectiveness-telephone-preference-service/?utm_source=updates&utm_medium=email&utm_campaign=nr-tps

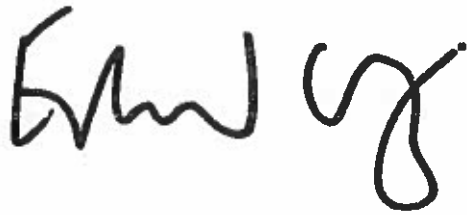
You may be aware that there are various steps that can be taken to block such calls from getting through. Most telecom service providers offer a range of services, usually for a small charge, that can help to reduce the need to answer an unsolicited call. These include 'Calling Line Identification Display', 'Automatic Call Rejection' and 'Choose to Refuse'. The 'Choose to Refuse' service allows you to block numbers by specifying numbers that you do not want to receive calls from. 'Caller Display' enables you to choose to ignore calls that withhold their number and 'Anonymous Call Rejection' blocks incoming calls that withhold their number. In addition, telephone handsets and plug in devices are commercially available from high street shops and from online websites, which can help to block calls that you do not want to receive.

Please find the enclosed factsheet, which provides further information on a number of specific issues relating to unsolicited telephone calls, including:

- silent calls;
- recorded/ automated calls;
- calls made by non-UK companies;
- caller Line Identification (CLI);
- market research calls; and
- scams.

This factsheet also provides more information on the role that the ICO can play in addressing concerns, as well as other steps that consumers can take to block such calls from getting through.

I hope that this reply is helpful.

A handwritten signature in black ink, appearing to read 'Ed Vaizey', written in a cursive style.

Ed Vaizey MP
Minister for Culture and the Digital Economy

Enc: Unsolicited telephone calls factsheet