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Commerce Commission
Regulatory Rules and Compliance
Telecommunications
PO Box 2351
Wellington 6011

Submission on Commission 111 Contact Amended Code 2023

Tēnā koutou

Age Concern New Zealand He Manaakitanga Kaumātua Aotearoa welcomes the opportunity to submit comments on the draft *Commission 111 Contact Amended Code 2023*.

Age Concern New Zealand appreciates the work the Commerce Commission has carried out to review the Code and to now seek views on the proposed changes and clarifications to the Code.

It is vital that consumers who are more likely to need to contact the 111 emergency services due to a health issue or disability are able to do so in the event of a power failure.

Age Concern New Zealand's submission comes from the perspective of any issues for older people in regard to proposed amendments to the Code.

Who we are

Age Concern is a trusted charity working in local communities throughout Aotearoa to support older people, their friends and whānau. Our values – Dignity, Wellbeing, Equity, and Respect for older people are our guiding lights and underpin everything we do. We aim to ensure older New Zealanders get the best advice and support no matter where they live in Aotearoa. With a network of 30 local Age Concerns operating in 40 locations, and a national office based in Wellington, we are the place to go for services and information about getting older.

We are proud of our heritage in standing up for the rights of older New Zealanders for more than 75 years. As an organisation, our focus is on contributing to the overall wellbeing of older New Zealanders. We work to prevent the abuse and neglect of older adults; improve their health and wellbeing; end loneliness and social isolation; and advocate for older people's rights.

Background

Older New Zealanders are a diverse, resilient and valued part of every community. New Zealanders are living longer; and within a decade, it is estimated there will be 1.2 million people aged 65+, over a fifth of the population. Currently there are over 850,000 New Zealanders aged 65 years or older.

Increased rates of disability, long term conditions and other health issues are associated with increasing age. This means a considerable number of vulnerable consumers are going to be over 65 years of age.

The Office for Disability Issues reported in 2023 that one in four New Zealanders had some kind of disability. They also reported that 35% of people with disabilities are 65 years or older, which equates to 370,000 people. ¹

Although many older New Zealanders are embracing technology, we know that approximately 25% of adults aged 65 years and above are less likely to own a digital device or have access to the internet. Twenty percent of those aged 60 to 69 report not being confident using digital devices and this percentage gets even higher (30%) for those 70 years and older. ² This is a disadvantage when it comes to confidently using an alternative appropriate means to contact 111 during a power failure.

Our Comments

Overall, Age Concern New Zealand **supports** the majority of the proposed amendments to the Code outlined in Chapter 4 of the *Draft Decisions and Reasons* document including:

1. Clarifying that the Code applies to residential landline services and not business landline services.
2. Adding a requirement that Code information must be displayed on the website in such a manner that a consumer cannot purchase a retail landline without seeing information about the Code.
3. Clarifying that the application form is provided for guidance purposes and that providers can modify it, provided it otherwise meets Code Requirements. The template will be removed from the code and made available on the Commissions' website to avoid the inference it is compulsory.

¹ <https://www.odi.govt.nz/home/about-disability/key-facts-about-disability-in-new-zealand/>

² <https://2022.techweek.co.nz/news/digital-inclusion-for-older-peoplenew-blog-post/index.html>

4. Removing the requirement to replace appropriate means every 36 months and substituting it with the requirement to replace appropriate means when they no longer meet the minimum requirements.
5. Clarifying that if the Code's requirements are met, the appropriate means supplied by the provider to the vulnerable consumer will be deemed to be appropriate, whether the vulnerable consumer accepts it or not.
6. Replacing the requirement to disclose an overall average provisioning time with a requirement to report on how long each individual install took, for each vulnerable consumer (from the date each application was accepted). If the install took longer than 10 working days, providers must briefly describe why.
7. **Clause 37:** Age Concern New Zealand **does not support** the proposed amendment that if a consumer moves premise, but remains with their provider, the provider may check the consumer's status and potentially require them to re-apply if something material has changed. Moving house is a common occurrence and does not imply that a person is no longer a vulnerable consumer. A long term condition, for example, is exactly that. It is not condition that you recover from, it is managed not cured. Having to reapply for vulnerable consumer status because a person moves house is unnecessary and should not be required or included in the Code.

Our Recommendations

1. Recommendation: Develop a national awareness campaign

A national awareness campaign is required to increase knowledge of the Commission 111 Contact Code and, in particular, the mandatory requirement on providers of residential landline services to provide vulnerable consumers with appropriate means of contacting the 111 emergency services in the event of a power failure. This would reinforce providers' strategies to inform consumers on the provisions of the code.

We do not consider the requirements on providers are well known in the community and this must be addressed to protect people who may be badly impacted if they are unable to contact emergency services in a power failure.

Age Concern New Zealand considers communication for the general public about the provisions of the Commission 111 Contact Code needs to be much more pro-active.

2. Recommendation Section E Requirement on providers to inform all consumers about options available for vulnerable consumers: Clause 7.4

That information about where consumers can refer a dispute or complaint under the Code is also required to be highly visible and in accessible formats on relevant websites.

3. Recommendation Section E Requirement on providers to inform all consumers about options available for vulnerable consumers: Clauses 6.6 and 31

Consider the impact of some older people lacking confidence using technology in determining what is an appropriate alternative means of accessing 111. Some may not be familiar with using a mobile phone for example. If a mobile phone is provided as an alternative appropriate means to contact 111 during a power failure, sufficient time must be taken to teach the person how to use it.

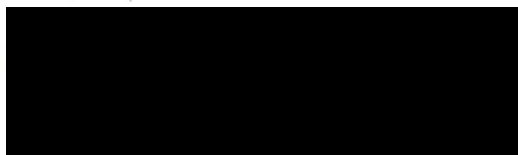
4. Recommendation: Section J Requirement on providers to disclose information

We recommend the Commission considers requiring providers to also disclose the length of time it takes for each application to be processed from the date it is received. This would be useful information along with how long it takes to provide an appropriate means for each vulnerable consumer.

Closing comment

Thank you again for the opportunity to provide our submission on the Draft *Commission 111 Contact Amended Code 2023*.

Nāku noa, nā



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Chief Executive
Age Concern New Zealand