



20 August 2015

Director
NBN Migration
Infrastructure Deployment Branch
Department of Communications

Via: migration@communications.gov.au

ACCAN thanks the Department of Communications for the opportunity to contribute to its consultation on the Migration Assurance Policy (MAP). ACCAN is supportive of the MAP and the approach that the department has taken in the development of the policy. The focus of migration should be, and rightly so in this policy, on the end user experience.

ACCAN has a keen interest in the migration process and has provided feedback to a number of previous consultations on the subject. This submission provides feedback in relation to end user responsibilities, service continuity and safety critical services. As the migration to the NBN is consumer led, it is important that the procedures in place support and empower end user decision making.

End User responsibilities

Migration is a complex process for all concerned. In order for it to be successful everyone needs to understand their role and ensure they fulfil it. The MAP assigns a number of responsibilities to end users. Evidence suggests that end users may not have the interest, capacity or see the relevance in the NBN. Our Broadbanding Brunswick study showed that those that were more interested in the NBN and technically savvy were quicker to migrate.¹ Those that were slow to migrate, or did not migrate, did so for a number of reasons including not knowing what the NBN is, factors relating to the installation process, perceived costs, and thinking their current household connection suited their needs. Participants surveyed referred to the literature sent to them as 'junk mail' and never really knowing what was happening. There was inertia among participants. As this is a consumer led migration the responsibilities may rightfully lie with end users, however, we are concerned that there is a gap in how to get end users to understand and take on that responsibility. Furthermore, we are concerned that there are barriers for consumers in terms of taking on this responsibility.

While it may be in the long term benefit of end users to migrate early, in the short term there is a cost in terms of informing themselves of the process and making a decision. Delaying the decision process is natural; overcoming procrastination is difficult for most. The disconnection date for the fixed footprint provides an incentive for consumers to act within the timeframe. However, to encourage early migration it is also important that end users think that process is easy, in their benefit and will not require a lot of their time to analyse the information, make the decision and migrate. Consumers that have contacted ACCAN have expressed frustration with the complexities of

¹ https://accan.org.au/files/Broadbanding_Brunswick.pdf



migrating; from the delay in the timeframe to get a connection to the number of steps required in the migration.² The MAP and standardisation of procedures by other bodies, such as Communications Alliance will aid this. However, ACCAN questions whether there is a role for the Department and regulatory bodies, which has not been identified in the MAP.³ The Department of Communications, ACMA and the ACCC already all provide public information on the nbn and migration. They are in an ideal position, as independent and trustworthy bodies acting in end users interest, to promote and empower end users, beyond that of nbn and the RSPs responsibilities identified. Such a body would have responsibility to convey to consumers the ease of migration, the services affected by the migration and the responsibilities as a consumer during the migration. This responsibility could include actions such as information campaigns similar to the digital television retune or scam watch campaigns which produced information and videos for consumers.⁴ The model used by the Digital Switchover Task Force would be ideal for a NBN awareness campaign.

It should also be accepted, as part of the MAP, that all parties have a role in ensuring that their actions aid, and not hinder, others performing their role. In terms of end users role, there are a number of potential impediments that can prevent an end user from carrying out their role. Firstly, the messages end users receive need to be clear, delivered via the right medium, at the right time in the decision process and consistent. This is particularly important in the migrating of vulnerable end users, due to the potential consequences of an unsuccessful migration. As part of the information campaign nbn and RSPs should be required to produce easy or plain English versions of their documentation. End users may not identify as being vulnerable or want to request help. However, there are many for whom understanding what is required of them may be too complicated. It is estimated that forty four per cent of Australians have a low literacy level.⁵ Being able to access information in easy English could cater better for these end users. Organisations, such as Media Access Australia and Consumer Affairs Victoria⁶, have had success in producing accessible consumer material. nbn and RSPs could produce material in this format.

Secondly, end users should not be prevented from migrating. Fees and penalties, such as early termination fees, can prevent end users from migrating early in the process. ACCAN strongly supports RSPs, in areas migrating to the NBN, allowing end users to break contracts without facing these charges. Such charges can result in delayed migration or can reduce competition by incentivising end users to stay with their current provider in order to avoid such fees.

Service continuity

ACCAN is supportive of measures which ensure that end users maintain service continuity. The new commitments described in the framework are a step in the right direction, as are the transitional

² Up to 30 working days, or 6 weeks

³ TUSMA previously had responsibility for consumer awareness for the migration of voice services, but these functions transferred to the Department of Communications earlier this year.

⁴ <http://retune.digitalready.gov.au/>, <https://www.scamwatch.gov.au/>

⁵ The Programme for the International Assessment of Adult Competencies found that 44% of Australians had literacy skills at Level 1 or 2 <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4228.0main+features992011-2012>

⁶ <http://www.mediaaccess.org.au/>. For example see Easy English Factsheets for Consumer Affairs Victoria. <http://www.consumer.vic.gov.au/resources-and-education/consumers-with-a-disability/easy-english-factsheets>

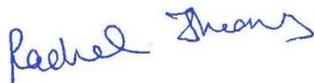
arrangements for In-Train Order (ITO). ACCAN has previously supported extending the ITO arrangements beyond the FSAM regions it applies to.⁷ Where consumers would like, but have been unable to obtain services by the disconnection date then it is unfair for them to have a break in their service or to have to seek alternative services themselves. Through no fault of their own they are facing disconnection. ACCAN sees little detriment to the bodies concerned from ensuring that end users who have ordered an nbn service are accommodated until such a time that their order can be fulfilled.

Safety critical services

Fire alarms and lift phone services are important safety features for all users. However, they are often not given much thought until they are required. Failure of such critical services can result in life threatening situations. ACCAN supports the Department's submission to the ACCC to extend the ITO arrangements to include these services.⁸ End users do not see the NBN as affecting the variety of services that it will, often seeing it only as the delivery of broadband. A lot of work recently has been around informing consumers that NBN will also provide voice services. While the framework identifies responsibilities for tenants and building occupants to express interest to their building managers that the services are migrated, it often will not cross their mind to do so. Allocating resources to ensure end users are aware of this seems to be misguided and resources may be better targeted at building managers, where the responsibility lies.

Finally ACCAN would like to add that it is supportive of nbn's initiative to employ local community workers and to work with community groups in targeting information for vulnerable end users. This provides end users with access to support at a local level and ensures that end users are receiving consistent advice from people that they trust.

Sincerely



Rachel Thomas
Policy Officer

⁷ <https://acc.gov.au/regulated-infrastructure/communications/industry-reform/telstras-migration-plan/transitional-arrangements-for-in-train-orders-fire-alarm-and-lift-phone-services>

⁸ <https://acc.gov.au/system/files/Submission%20from%20Department%20of%20Communications.pdf>