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28 March 2014 | news release |

**EMBARGOED UNTIL 00.01 Sunday 30 March 2014**

**Nuisance Call Action Plan Launched**

The first comprehensive and co-ordinated effort to tackle nuisance calls has been unveiled today by Culture Secretary Maria Miller.

The Nuisance Calls Action Plan sets out new measures being taken by Government, regulators, consumer groups and industry to tackle nuisance calls.

For the first time, the Culture Secretary will consult on lowering the threshold for when action can be taken against firms making nuisance calls. Thousands of people are plagued by nuisance calls each month and the consultation could see the bar significantly reduced making it easier for sanctions to be imposed.

Alongside the Action Plan Justice Secretary Chris Grayling has also today unveiled plans to impose fines of hundreds of thousands of pounds on claims management companies which use information gathered by unsolicited calls and texts and other bad practices.

Culture Secretary, Maria Miller said:

“Nuisance calls must stop. At best they are an irritation and an unwanted intrusion, at worst they cause real distress and fear, particularly to the elderly or housebound.

“People need to feel safe and secure in their homes. The rules are clear – people have the right to choose not to receive unsolicited marketing calls. We will work to ensure their choice is respected.”

The Action Plan brings together Government, regulators, consumer groups and industry in the first ever comprehensive and co-ordinated effort to clamp down on nuisance calls.

There continues to be a very substantial number of complaints with 120,310 made between April and November 2013 to the Information Commissioner’s Office (ICO), the regulator responsible for unsolicited marketing calls.

In January this year, there were also 2,507 complaints about silent and abandoned call made to Ofcom, which is the regulator responsible for those calls.

The Action Plan, led by Communications Minister Ed Vaizey, outlines the action already being taken against the companies responsible for nuisance calls and new measures to help deal with the problem.

New measures to tackle the problem include:

* Consulting later this year on lowering the threshold for when the ICO can fine companies. Currently calls must cause ‘substantial damage’ or ‘substantial distress’;
* Next week regulations will be laid in Parliament to simplify how Ofcom can share information with the ICO and the Insolvency Service about rogue companies;
* Richard Lloyd, Which? Executive Director, will chair a task force to investigate how consumers give and withdraw consent to receiving marketing calls.
* The Ministry of Justice will tomorrow launch a consultation on whether regulated companies that breach Claims Management Regulation Unit rules should face fines up to 20 per cent of their annual turnover for offences including using information gathered by unsolicited calls and texts, providing bad services or wasting time and money by making spurious or unsubstantiated claims. This will mean fines of hundreds of thousands of pounds, and potentially millions in some cases.

Announcing the fines plans, Justice Secretary Chris Grayling said:

“It is time to stop these claims companies from plaguing hardworking people’s lives and wasting everyone’s time – the scale of these fines shows just how serious we are about stopping them.

“The Claims Management Regulator already takes tough action against companies which break the rules, suspending and closing down rogue firms, but now these fines will give us an extra weapon to drive bad behaviour out of the industry.”

Richard Lloyd, Which? Executive Director said:

“This Action Plan is a victory for the 110,000 people who backed our campaign to call time on the menace of nuisance calls and texts.

"Millions of consumers are bombarded by these calls, often because they weren't aware that their personal information might be used in third party marketing, so I'm delighted to be chairing a task force of experts to review how consumers give and withdraw their consent to be contacted.

“We now look forward to regulators using their new powers to help stop this growing problem. It's also important that people continue to report complaints so regulators can crack down on companies who break the rules."

Actions already taken on nuisance calls and rogue claims management companies include:

* The Government in 2010 increased the fines Ofcom can issue from £50,000 to £2 million, while in 2011 we enabled the ICO to issue fines up to £500,000;
* Fines totalling £2.54 million have been issued by the regulators since January 2012;
* Companies persistently breaching the nuisance calls rules are named and shamed by the ICO on their website;
* Informal action by the ICO has seen companies like British Gas and TalkTalk cut the complaints against them by up to 75%;
* Simplified and consistent guidance on how to stop marketing calls and how to complain has been published;
* A voluntary accreditation scheme for direct marketing companies was launched in October last so firms can show they follow best practice.
* Appointing extra enforcement staff to the Claims Management Regulation unit at the Ministry of Justice
* Banning claims firms from taking fees from customers before a contract has been signed and naming firms online which are subject to enforcement action or under investigation.

Communications Minister Ed Vaizey will continue holding regular meetings with regulators, industry, consumer groups and other interested parties.

Legally, unsolicited live direct marketing calls cannot be made to a number that is registered with the Telephone Preference Service unless the person has agreed to receive calls by that company. All automated recorded marketing message calls require prior consent.

These regulations apply to calls made from within the UK or from outside the UK, on behalf of UK companies.

**Notes to Editors**

1. [Ofcom has published guides for each of the different types of nuisance calls](http://consumers.ofcom.org.uk/2012/10/tackling-nuisance-calls-and-messages/).

**Press Enquiries: 020 7211 6274**

**Public Enquiries: 020 7211 6200**

**Out of hours telephone pager no: 07699 751153**

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