

Alister Jack MP  
Secretary of State for Scotland  
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27<sup>th</sup> March 2024

Dear Secretary of State,

Consumer Scotland is the statutory body for consumers in Scotland. Established by the Consumer Scotland Act 2020, we are accountable to the Scottish Parliament. I am writing to you to express our concerns around the migration from the Public Switched Telephone Network (PSTN). Below I provide some detail about our concerns, but in summary Consumer Scotland:

- has identified disproportionate risks for consumers in Scotland, particularly those living in remote areas
- recommends that government works with stakeholders to establish a shared definition of vulnerability which recognises that consumers may experience transient vulnerability
- recommends that the UK Government initiates a national campaign to improve information available to consumers with a focus on groups who have a high dependency on their landline and low awareness of the migration
- recommends that resilience factors, specifically the greater risks for consumers in Scotland, are clearly communicated across government and local government, particularly to those with a focus on social care and resilience. These resilience factors must be adequately reflected in plans for the migration to digital landlines.

The PSTN is reaching the end of its life and is being upgraded to make use of digital calling using Voice Over Internet Protocols (VoIP). Although for most households the migration will be straightforward, there are risks for consumers and we have identified disproportionate risks for consumers in Scotland, particularly those living in remote rural areas.

One area of particular concern is that the new digital landlines will only work in a power-cut if there is a battery back-up. The impact of Storms Gerrit, Henk, Isha and Jocelyn earlier this year was severe, with tens of thousands of properties losing power in some storms, often for extended periods of time. More winter storms, including disproportionately more severe storms, are predicted in future by the Met Office. These extreme weather events and the impact that they can have on infrastructure means that power cuts and disruption to communications could become more commonplace.

Following severe storms in recent years, work has begun to improve infrastructure resilience, including work carried out by the Electronic Communications Resilience & Response Group. However, there remain significant challenges in developing and maintaining infrastructure resilience given the nature of Scotland's geography and the predicted increase in the volume and impact of severe weather events.

Consumer Scotland has published a [report](#) on the impact of the migration to digital landlines based on primary research carried out by the Communications Consumer Panel (CCP). The CCP report identified groups who are at higher risk of potential harm as a result of the migration, including rural communities, older people, those with low digital literacy or disabilities or those who have additional devices (such as a telecare alarm) connected to their phone line.

Our report highlights greater potential risk to consumers in rural Scotland due to a combination of factors including higher levels of landline dependency, poorer mobile signal and a larger number of power cuts of a longer duration than the UK average. As a result, more consumers in rural areas of Scotland could be vulnerable due to the migration, with a risk that they would not be able to make an emergency phone call in the event of a power-cut without adequate battery back-up provision. Some storms may also result in transport links and mobile phone coverage being disrupted, as well as energy supplies. Given the role of mobile phones as a backup calling option, such cascading impacts are of concern.

This risk has also been highlighted by the Climate Change Committee, which concluded that that the UK telecommunications infrastructure is at risk from flooding, high winds and lightning strikes and has [recommended](#) the development of a set of indicators to enable monitoring of the impacts of weather and climate on telecoms and ICT services and the actions being taken to manage them.

Our concerns have been amplified following serious incidents that took place at the end of last year involving the failure of personal telecare alarms where individuals had been migrated to digital landlines. As a result of this, the [Public Switched Telephone Network charter](#) was developed, with providers agreeing to a number of measures to protect vulnerable consumers during the migration. Since then, Ofcom has also launched an investigation into Virgin Media's compliance with requirements to identify, protect and support vulnerable consumers during the migration. A number of network operators have also subsequently committed to take steps to protect vulnerable consumers by signing the [Network Operator Charter](#).

We remain concerned that without further intervention, the migration could result in significant harm, or even death for individuals. While we accept that the current telephone system is in need of replacement, it is essential that the migration is handled carefully to protect consumers. This includes taking account of the risks to those who live in areas where there are more, and longer, power cuts, consumers living in areas where they cannot rely on a strong, reliable mobile signal and those with connected devices such as telecare alarms.

As the migration is industry-led, decisions are being made by individual telecommunications operating companies, meaning that consumers are being migrated under different timescales depending on their location and provider. This approach poses potential risk as consumers in the same area may have very different experiences depending on their provider.

We recommend that further steps are taken to promote partnership working with stakeholders such as local authorities, Resilience partnerships, Ofcom and advice bodies to support consumers during the migration. A national campaign, engaging all providers, and using consistent messaging to raise awareness of the migration to digital landlines and to highlight the resilience challenges posed is required. This national campaign should include a focus on groups who have a high dependency on their landline and low awareness of the migration.

Some providers have begun taking a more granular approach to assessing the risk for consumers. For example, BT have stated that they are not initially switching consumers where they are aware that they are over 70, have a healthcare pendant, use only a landline, have no mobile signal or have disclosed any additional needs. However, not all providers are taking these measures and we continue to have concerns about the impact on consumers, particularly consumers in vulnerable circumstances.

We recommend that you engage with colleagues across government, and specifically those with responsibility for telecoms, social care, local government and resilience issues. In particular we would welcome your engagement in relation to improving communications for consumers by way of a national campaign, and in relation to ensuring that the greater risks for consumers in Scotland are clearly understood and adequately reflected in plans for the migration to digital landlines.

We have also written to Julia Lopez MP, Minister for Data and Digital Infrastructure and Richard Lochhead MSP, Minister for Small Business, Innovation, Tourism and Trade in the Scottish Government to highlight our concerns. In addition to this, we continue to engage with Ofcom, the Communications Consumer Panel and telecommunications providers on the migration.

We would be happy to discuss these issues in more detail. Please contact my colleague [kathryn.gill@consumer.scot](mailto:kathryn.gill@consumer.scot) if we can provide any more information or if you would find it helpful to arrange a meeting.

Yours sincerely



Sam Ghibaldan  
Chief Executive