



BBC

TELEVISION LICENSING

VULNERABLE CUSTOMERS POLICY

BBC Television Licensing Vulnerable Customers Policy

Introduction

TV Licensing recognises that some of its customers will be vulnerable, by virtue of their personal circumstances. As we have contact with almost every address in the UK, it is important that we make reasonable adjustments and provide appropriate additional support when required to enable TV Licensing to interact with vulnerable customers. This policy outlines our approach towards these customers and the framework we have in place to support them.

TV Licensing is committed to providing appropriate support to vulnerable customers and this forms part of the BBC's wider commitment to ensuring TV Licensing services meet the obligations of the Equality Act 2010, including the Public Sector Equality Duty.

TV Licensing will assess each case on its merits as types of vulnerability can vary widely. For example¹, an individual could be vulnerable by virtue of being a young person with autism living independently for the first time, or by being a single parent with dependent children with severe depression, or they could be vulnerable as they are living with a terminal illness. Someone could also be vulnerable if they have dementia.

It is a legal requirement to have a licence if one is required and TV Licensing is unable to waive the requirement to pay the full fee unless concessions apply. We do wish to make it as easy as possible for people to pay and instalment schemes are available, including cash payment schemes, so that customers can spread the cost of a licence.

Scope

This policy is relevant to considering the needs of any individual who transacts with TV Licensing across the UK (England, Wales, Scotland, Northern Ireland and the Crown Dependencies). Although the policy refers to vulnerable "customers", this should be taken to include all individuals with whom TV Licensing engages. This comprises licence holders, people who do not need a licence and those living at unlicensed addresses, who may experience enforcement activity. The policy also includes both informal and formal carers looking after vulnerable people.

Relevant guidance and legislation

There is no directly applicable guidance on vulnerable customers which applies specifically to the BBC in connection with TV Licensing. However there is various relevant legislation TV Licensing will

¹ This policy's main focus is on vulnerabilities other than financial. For further information on those with financial difficulties, please see the information on stakeholder engagement (p5) and missed payments(p6).

consider when applying this policy and developing processes which relate to support for Vulnerable Customers. This includes:

- FCA Guidance: any debt management provider acting on behalf of TV Licensing will be bound by the FCA rules and must therefore have in place and adhere to its own policy for managing vulnerable customers. The FCA highlights four main drivers of vulnerability to be considered. These are:
 - **Capability:** low knowledge of financial matters or low confidence in managing money. This includes low numeracy, literacy and language skills.
 - **Health:** health conditions or illnesses that affect the ability to carry out day-to-day tasks. This includes physical and mental health, and temporary and chronic conditions.
 - **Life events:** major life events such as bereavement or relationship breakdown, caring responsibilities and job loss.
 - **Resilience:** low ability to withstand financial or emotional shocks. This includes erratic income, low savings and over-indebtedness.
- The Public Sector Equality Duty (PSED) under the Equality Act 2010. In determining appropriate handling of vulnerable customers, TV Licensing will consider its obligations under the PSED. The BBC develops clear equality plans, working with legal advisors to ensure we are correctly meeting the applicable obligations of the PSED. Key TV Licensing suppliers have an equality plan which is approved and monitored by the BBC.
- Code for Crown Prosecutors: Capita is a relevant prosecutor for the purpose of section 29 of the Criminal Justice Act 2003. Capita adheres to the Code for Crown Prosecutors and has due regard to the relevant section of the Police and Criminal Evidence Act (PACE)². Both the Code and PACE are specific to England and Wales and other legislation applies in other jurisdictions.
- New Breathing Space Regulations³ came into force from 4 May 2021 in England and Wales which apply to TV Licensing. Individuals can apply to a debt advice provider for a 'breathing space' from their debts. A 60 day Breathing Space can be given. For those suffering a mental health crisis, the Breathing Space will last as long as any treatment and for 30 days after the end of treatment. Further details: <https://www.tvlicensing.co.uk/faqs/FAQ171>

Key principles

Overview

Vulnerability can be multi-dimensional and transitory as circumstances change, or permanent. Vulnerability, therefore, is defined by both a customer's personal circumstances and characteristics combined, where this could result in situations where they are:

- significantly less able than a typical customer to protect or represent their interests, and /or
- significantly more likely than a typical customer to suffer detriment, or that detriment is likely to be more substantial.

² The Code for Crown Prosecutors and PACE are specific to England and Wales. Other legislation and guidance applies in other jurisdictions.

³ The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium (England and Wales) Regulations 2020

A number of factors may put certain consumers at greater risk of detriment than others, or mean that they are less able to engage with TV Licensing. For example, these can be factors related to the individual, such as dementia, learning difficulties or not speaking English as a first language. This could also include circumstances such as being a full-time carer or not having access to an internet connection. The impact of any detriment can also be greater for certain consumers, for example due to the way we engage with customers who are required to pay for a TV Licence.⁴

Principles

- TV Licensing works on the general principle that we will take reasonable and appropriate steps to consider the circumstances of any individual who is particularly vulnerable and therefore needs either:
 - adjustments to the way in which we communicate and support them, and/or
 - special consideration in the context of enforcement and prosecution actions when considering the public interest test.
- TV Licensing recognises that vulnerability can be a temporary or permanent state, that there is a spectrum of vulnerability, and that some customers will become vulnerable in circumstances where others may not.
- Like any customer, those who are vulnerable have the right to protection from discrimination regardless of gender, ethnicity, disability, sexuality or beliefs.
- We appreciate some people may find it difficult interacting with TV Licensing. We will work on the basis that every customer has different circumstances and therefore cases may need to be considered on an individual basis. As far as possible, we will treat individuals in a way that is appropriate to their needs and we have a number of processes and tools in place to facilitate this.
- TV Licensing understands the sensitivity of personal data relating to vulnerability (for example where the information relates to physical or mental health or financial circumstances) and will ensure such data is adequately protected.

Legal context

- It is important to note that TV Licence evasion is a strict liability criminal offence⁵ (similar to a speeding offence). TV Licensing's approach therefore needs to reflect that it is under a duty to enforce the law in a manner that is both fair and appropriate.

⁴ Our definition of vulnerability has been informed by work undertaken by Ofgem. Ofgem's definition has been referenced by a number of different organisations and the National Audit Office (NAO) has recognised the regulator's work on vulnerability. We feel aligning to this approach is the most suitable way of capturing the complicated landscape of vulnerabilities.

⁵ A strict liability offence is one you may be guilty of simply by performing the act, even if you had no intention of or did not know you were breaking the law.

- Whilst it is sometimes necessary for us to prosecute customers, prosecution is a last resort once efforts to encourage an individual to be properly licensed have been exhausted. Opportunities for first time offenders to avoid prosecution are laid out in [TV Licensing's Prosecution Code](#). Any decision to prosecute includes a public interest test, taking into account the public interest factors outlined in the [TV Licensing Prosecution Policy](#).
- We take any complaint about treatment of vulnerable customers very seriously. As with all complaints, TV Licensing will investigate any complaint of this nature comprehensively, via a dedicated process and will liaise with specific expert third parties as appropriate to the customer's vulnerability and needs (e.g. debt advice organisations or social workers from a local authority).

How TV Licensing supports Vulnerable Customers

TV Licensing has in place a range of services and processes to support customers. Some of these are aimed at people with disabilities who may not be vulnerable, but need us to do things a little differently. The services we provide are summarised below:

- **Alternative formats** – whilst many customers who need reasonable adjustments will not be vulnerable, we recognise that for some customers a disability such as being blind (severely sight impaired) means we need to communicate with that customer in a different way. This may include providing communications in large print, Braille or audio format.
- **Text Relay Assistance** – for deaf, hard of hearing or speech impaired customers, we offer support by receiving telephone calls from Text Relay Assistants. For more information see tvlicensing.co.uk/accessibility.
- **Language Resources** – a language barrier, particularly when combined with other factors such as age or social isolation, may lead to individuals being vulnerable. TV Licensing offers a number of language resources:
 - We have a translation service for callers to our helpline which facilitates a three-way conversation with the customer, a translator, and our contact centre.
 - Our website offers key information in 26 languages.
 - Leaflets in those languages are available for stakeholder and community groups to download or order from our website.
- **Easy Read** - we offer an Easy Read webpage with key information for customers about when you need a licence, how to pay for a licence, and how to contact us.
- **Web accessibility** – the TV Licensing website complies with the W3C guidelines and we regularly work with third parties such as the RNIB and the Plain English Campaign to improve the accessibility of our website, as well as to optimise it for mobile-use (making it more accessible for those accessing our website via a smart-phone or smaller devices).
- **Reasonable Adjustments process**
 - TV Licensing has implemented a process to identify and consider a range of adjustments for customers who may need them. This process is particularly important given each customer's circumstances are different.
 - We are aware customers may explicitly seek an adjustment (and identify what adjustment they may need) and we also train all frontline advisors to identify where an adjustment might be needed. This could include, for example, for customers with mental health issues.

- Customers seeking an adjustment can call a dedicated number (0300 790 6076) which will go straight through to an advisor.
- **Advisors helpline (0300 303 9688)** – we have a dedicated helpline solely for the use of advisors of organisations such as debt charities, Citizens Advice bureaux, Alzheimer’s Society and other charities that support vulnerable customers. Organisations can speak directly to a specialist advisor who can help discuss individual customer circumstances.
- **Stakeholder engagement programme**
 - TV Licensing has an extensive stakeholder engagement programme, working with over 490 charities, as well as community groups and money advice organisations.
 - We sign-post customers to money advice organisations in relevant standard letters and responses to customer correspondence.
- **Falling behind on payments**
 - Our payment schemes can accommodate a limited number of missed payments (the number varies depending on the scheme). However, at a certain point, customers who fall behind with payments for their TV Licence may be passed to akinika, our provider which actively works to help customers catch up on missed payments. akinika has its own Vulnerable Customers Policy, based on the FCA Guidance. (Please see the last bullet point in this section relating to separate arrangements for the Simple Payment Plan.)
 - akinika has a specialist team, trained in dealing with vulnerable customers, which is able to offer more options to spread licence payments. They will also sign-post vulnerable customers to other sources of help where appropriate (e.g. Samaritans, medical professionals). The competency of akinika agents in dealing with vulnerable consumers is regularly assessed and training is undertaken throughout the year.
 - In line with the FCA guidance, where a customer is assessed to be especially vulnerable, akinika will return the case to TV Licensing.
 - akinika does not visit homes to collect payments owed for TV Licensing and does not use bailiffs.
 - For the Simple Payment Plan, a separate process applies as this plan operates more flexibly and is run by Target, a different provider. However, the principles remain the same and Target also operates in line with FCA guidance.
- **Over 75s**
 - On the 31 July 2020, free tv licences for all over 75s in the UK, funded by the government, came to an end. We have put in place processes to support customers who were previously covered by a free over 75 s tv licence, to assist them in applying for a new licence. This includes making it easier for customers to speak directly to an advisor and apply for a refund if they are entitled to one⁶.
 - From 1st August 2020, anyone over 75 receiving pension credit is eligible for a free O75 licence paid for by the BBC. Customers who are O75 but not in receipt of Pension Credit will need to pay for a TV licence. To support this change, we are introducing a number of initiatives, including the 75+ Plan which allows customer to spread the cost of their licence across smaller, equal payments.

⁶ See the TV Licensing refund policy for more information.

- **Enquiry officers** – all TV Licensing enquiry officers receive specific training on how to respond appropriately to customers who report a disability when TV Licensing visits addresses or exhibit behaviour that could be indicative of a hidden disability. All Record of Interview forms ask if there is anything else we should know about the person who is at risk of prosecution.
- **Customers at immediate risk of harm** – we sometimes encounter customers who are at immediate risk of harm, either to themselves or others and have procedures in place to deal with these. Whilst such cases are very rare, consequences can be serious and TV Licensing will ensure it takes appropriate steps to mitigate the risk of harm. Scenarios include:
 - **Customers at risk of domestic violence** – if a customer notifies us that their domestic circumstances are hostile we can recommend additional safeguards that can be put in place on their account, including putting a password on the account. Additional appropriate actions are considered on a case-by-case basis.
 - **Refuges** – If we are notified that a particular site is a refuge or safe-house, we will take steps to ensure contact with that site is appropriately managed.

For more information about reasonable adjustments, please contact us on 0300 790 6076. Or if you are a vulnerable customer or calling on a vulnerable customer's behalf please call 0300 790 6114. Further details can be found on our [Accessibility webpage](#).

