fair telecoms campaign **open message**

Cold Calling to promote Funeral Planning

To: Graeme McAusland, Chief Executive, The Funeral Planning Authority

We trust you will have noted the recent action by the **Information Commissioner** against one of your members - **Avalon Funeral Plans**.

In its statement - ICO fines funeral plan firm and asks public to help elderly relatives to report nuisance calls - concern is expressed as follows:

"The funeral plan industry has been on our radar for a while and it is fair to say the sector as a whole has had some issues in terms of complying with the law."

As you seek to regulate the practices of this sector and to maintain its public reputation, now is the time for you to take a clear position and make a decision.

Do you support members marketing their services through cold calling, or should your Code of Practice, and the effective enforcement of compliance, simply prohibit the practice?

It may be that it is simply a matter of ensuring compliance with the existing Code, by proactive and diligent effective enforcement action. Positive engagement with the ICO would also doubtless be of benefit in maintaining the reputation of your members in general.

It is the firm belief of the **fair telecoms campaign** that **the ICO** is needed to enforce proper marketing standards in those sectors where there is no regulatory body in place.

The ICO's limited enforcement powers and its reliance on the reporting of complaints mean that specific regulators, e.g. the **FCA**, **Ofgem**, **Ofcom**, the **Fundraising Regulator** and the **FPA** are far better placed to impose and enforce a simple ban on cold calling.

It therefore falls to all of you to decide whether you wish to fulfil your duty to consumers by effectively banning a practice that is considered improper and damages the reputation of all of your members.

This message is published, and shared with the media.

We, and we assume others, will be keen to hear your reaction.

As a side issue, we are astonished that you are content for consumers to pay up to 62p per minute to contact you on 0845 601 9619. (Access Charges on mobiles are currently up to 58p per minute.)

If you are concerned for your reputation, we believe you should give careful consideration to this matter also.

David Hickson
fair telecoms campaign