

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 13 February 2020 at 10.30

Riverside House, 2A Southwark Bridge Road, London SE1 9HA

Present

Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain

David Holden

Richard Spencer

Richard Williams

Apologies

Craig Tillotson [dialled-in for Item 4]

In attendance

Jenny Borritt

Fiona Lennox

Chloe Newbold

Ofcom colleagues

Item
1. Welcome and introduction
1.1 The Chair welcomed Members and attendees to the meeting.
2. Declarations of Members' interests
2.1 There were no new declarations of interest.
3. Minutes of the meeting on 16 January 2020 and matters arising
3.1 The minutes of the meeting of 16 January 2020 were APPROVED .
3.2 The Panel agreed to correspond with BEIS regarding its concerns for postal services to and from Northern Ireland, following Brexit.
3.4 Members noted that network resilience featured as a priority in Ofcom's Proposed Work Plan 2020/21. The Panel agreed that this area was fundamental and asked to receive an update at a future meeting. Further, the Panel noted that no information had been forthcoming on the 2019 power outage at Colonsay Island.

4. Shared Rural Network

- 4.1 The Panel received an update on the Shared Rural Network.
- 4.2 The Panel supported the benefits of the Shared Rural Network and reiterated the importance of Ofcom monitoring its progress and intervening, where necessary. Members encouraged implementation of national roaming, as a contingency plan. Ofcom advised that the delivery targets would be incorporated into mobile network providers' (MNOs) licensing agreements, and therefore legally enforceable.
- 4.3 Ofcom colleagues confirmed that Ofcom's spectrum auction was contingent on completion of the MNOs' negotiations, and agreement to deliver the SRN. Members raised a number of comments:
- the details and implications of any agreement needed to be effectively disseminated across the Nations.
 - the Panel remained concerned that some premises would not receive coverage under the SRN.
 - Members encouraged a speedy implementation to help consumers in rural areas, particularly vulnerable consumers.
- 4.4 Further updates would be provided at future meetings.

5. Enforcement

- 5.1 The Enforcement Team provided an update on enforcement cases and implementation of its new monitoring approach, beyond enforcement, considering both compliance and fairness. This approach is linked to Ofcom's fairness agenda by promoting good practice, protecting consumers and ultimately driving down the number of concerns.
- 5.2 Members noted the positive aspects of employing a compliance and fairness agenda towards enforcement and considered if, in terms of consumer outcomes, this approach would be more beneficial for consumers.
- 5.3 The Panel was advised that the time taken to resolve enforcement cases continued to reduce.
- 5.4 The Panel raised concerns relating to the universal postage obligation and looked forward to receiving further information in a future enforcement update. The Panel agreed that the Enforcement Team should attend quarterly.

6. European Electronic Communications Code (EECC) - Making switching easier

- 6.1 The Panel received an update on implementation of the EECC, noting the recently published consultation. The Panel was advised that CPs had been working alongside the Office of the Telecoms Adjudicator to develop a single switching process, in line with the EECC requirements.

- 6.2 Members considered that a single switching process would provide greater clarity for consumers and encouraged Ofcom to include user-testing in any assessment of the auto-switching proposals.
- 6.3 Members raised that the accessibility features of CPs' services and platforms can widely differ, as can the needs of consumers. Consequently, as a matter of fairness and inclusivity, ease of switching should extend to ease of switching back to the previous provider if a consumer's accessibility requirements were not met by the new provider.
- 6.4 The Panel raised the importance of consumers making informed decisions, urging that any switching related costs should be clearly outlined.

7. Consumer update

- 7.1 The Panel was updated on Ofcom's consumer priority areas.
- 7.2 Members discussed the following topics:
- 7.2.1 Mobile handsets
- The Panel noted that, from February 2020, CPs would be required to notify customers, nearing the end of their contract or already out of contract, of the best deals available.
- 7.2.2 Migration to VOIP (voice-over IP)
- The Panel asked to receive an update on 'migration to VOIP', including a progress update of the CPs' migration plans and how consumer feedback would be gathered. The Panel emphasised the importance of understanding how 'migration to VOIP' would impact consumers, particularly vulnerable consumers. The team would attend a future meeting.
 - The Broadband Stakeholder Group had set-up a working group to coordinate the 'Migration to VOIP' communications strategy. The Panel Executive Team had attended a recent meeting and would provide an update.
- 7.3 The Panel asked on what date the BT pricing cap for voice-only customers would expire and asked for an update on next steps, in an upcoming meeting.

8. EECC - Digital Comparison Tools

- 8.1 The Panel received an update of Ofcom's proposal to reform Ofcom's voluntary accreditation scheme for digital comparison tools, aimed to ensure that the scheme continued to benefit consumers and complied with the EECC.
- 8.2 The Panel supported retention of the scheme's accessibility requirements and encouraged Ofcom to consider how accessibility was assessed, raising the potential conflict between accessibility and usability.
- 8.3 The Panel raised the importance of a robust audit process, noting that

Ofcom would be amending the scheme's audit process by conducting the audit in-house, rather than using an external provider.

9. Fairness workshop

9.1 In June 2019, the UK's largest CPs signed up to Ofcom's fairness commitments, as part of Ofcom's Fairness for Customers programme. Rick Hill had attended the Fairness for Customers launch.

9.2 The Panel commended Ofcom's fairness programme and discussed how the fairness commitments could be implemented practically across industry. The Panel drew on the findings of its research, including the recommendations from its latest research on consumers from low-income households. The Panel also outlined the benefits of a Customer Charter, as used by providers in other sectors, enabling customers to be informed of the type of service they should expect.

9.3 Members were advised of the milestones ahead for CPs. The Panel noted that fulfilment of the fairness commitments could benefit CPs commercially by promoting good practice and driving up reputational standings.

9.4 The team would return to the Panel with an update at a future meeting.

10. Consultations Review 2020

10.1 In 2015, the Panel had undertaken a review of Ofcom's consultation process and conducted a further review in 2020.

10.2 In addition to analysis of the 2015 recommendations, the 2020 review considered how Ofcom conducted public consultations on its policy proposals and explored ways to enhance inclusivity, using digital tools and innovative ideas, to ensure a broader range of voices are captured.

10.3 The Panel agreed a set of recommendations to present to Ofcom's Consultations' Champion and the wider organisation.

11. AOB

11.1 The Panel had previously agreed to commission research into the accessibility of CPs' apps, and a further update would be provided at the March meeting.

11.2 A Member highlighted a piece of research that he had commissioned on disabled consumers' use of providers' websites (including telecoms), which would soon be circulated to Members.

11.3 Members raised that customers who engage with CPs are likely to benefit from better deals - this could negatively impact some consumers, particularly those who are vulnerable.