

**Minutes of the meeting of the Communications Consumer Panel and ACOD**

**on 13 June 2019 at 10.30**

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

**Present**

Consumer Panel/ACOD

Rick Hill (Chair)  
Amanda Britain  
Chris Holland  
Karen Lewis (by telephone)  
Richard Spencer  
Craig Tillotson  
Richard Williams

Apologies

Kay Allen  
David Holden

In attendance

Jenny Borritt  
David Edwards  
Fiona Lennox  
Howard White  
Ofcom colleagues

Item
<p><b>1. Welcome and introduction</b></p> <p>Rick Hill welcomed Members and attendees to the meeting.</p>
<p><b>2. Declarations of Members' interests</b></p> <p>There were no new declarations.</p>
<p><b>3. Minutes of the meeting on 23 May 2019 and matters arising</b></p> <p>Subject to amendment, the minutes of the meeting of 23 May were <b>APPROVED</b> for signature by the Chair. Matters noted:</p> <ul style="list-style-type: none"><li>• The Chair would be writing to BT about the recent Colonsay telephone exchange outage following interruption of the electricity supply to the island.</li><li>• A draft research report from PwC with findings from the Panel's current project on the experience of low-income consumers would be copied to members shortly.</li><li>• An invitation to meet to discuss the analytical approach to detriment in Ofcom's handset research would be followed-up with the relevant team.</li></ul>

- Ofcom would share its draft CP guidance document on vulnerability with the Panel prior to publication in September.
- It was noted that the appointment of the Panel's new Member for England would be determined shortly and by interview.

#### **4. Consumer update**

The Panel was updated on Ofcom's consumer priority work areas. Topics discussed by Members included:

- Nuisance calls; Ofcom was working to achieve a reduction in both incidents and the harm that arose from such calls.
- Complaints handling/customer service; although the number of complaints in this category appeared to have fallen by 40% over the past two years the Panel continued to have concerns about the quality of customer service and instances where a complaint was closed by a CP but was not resolved as far as the customer was concerned.
- Helping consumers get better deals; it would be important for consumers to be able to follow a straightforward process when responding to end-of-contract letters/ multiple deals from their CPs.
- E-billing; a Member raised the incidence of CP emails alerting customers to the availability of their online bill 'to view' but omitting to include in the body of the email the amount of the payment to be collected and queried whether that was a breach of direct debit rules.
- Vulnerability; a Member queried how Ofcom intended to take consumers' views into account when compiling guidance on meeting the needs of vulnerable consumers.
- Migration to All-IP networks; it was noted that the Broadband Stakeholder Group was working on messaging/advice for consumers. A query was raised about support for customers who would need to install new equipment and who was responsible for that process and any cost implications, which should be borne by the provider.
- Mobile coverage; it was noted that the four mobile network operators were discussing a voluntary proposal to improve coverage with the Government. Separately, Ofcom had commissioned a recent research report, to test consumers' views on existing coverage checkers and how they could be improved, and it was requested that findings be shared with the Panel.
- Royal Mail safeguard price control placed on second class letters; Ofcom had determined that there were reasonable grounds to believe that RM had contravened its obligations by charging over the maximum price for Second Class standard letters, from 25 March 2019 to 31 March 2019. RM had been invited to make representations.

#### **5. Migration to All-IP networks**

The Panel was briefed on Openreach plans for two trials, of copper retirement, in Salisbury, and of PSTN switch-off, in Mildenhall. The trials were expected to be announced shortly along with publication of an Openreach consultation. Ofcom would set out its expectations of providers in relation to consumers reliant upon copper/analogue services in its own consultation over the summer. Members made comments that included:

- The suggestion that Ofcom expectations be more robust, eg rather than it be a ‘general principle’ that end-users should not experience a worse service due to migration this ‘must not’ happen and there were other instances to use the word ‘must’ in place of ‘should’.
- Oversight by Ofcom was emphasised; not everything in the trials would go to plan and a positive response by Openreach would be important, as would effective channels of communication for customers, to instil confidence in migration.
- Customers using textphones and signing services should not be migrated until they were able and confident to use mobile or IP-based alternatives.
- Some customers might require installation of an additional mains wall socket to power a router and this raised the question of who should bear that cost.
- It was suggested that Ofcom/Openreach consider use of local fora, ie with a community of interest, to assess the trials.

#### **6. Ofcom’s Disability and Wellbeing Group (DWG) - latest developments**

The two co-Chairs of Ofcom’s DWG briefed the Panel on recent and ongoing work to help make Ofcom a more inclusive workplace. The Panel was informed that the DWG was an internal working group that promoted a social/inclusive model of disability, an approach which was consistent with the advice of the Panel, in its ACOD capacity. The Panel welcomed that approach and supported the work of the DWG.

#### **7. Nuisance calls update**

The Panel was updated on Ofcom’s Nuisance Calls enforcement programme, including recent research and the strategic approach of the programme, including dealing with scam calls. Members made comments that included:

- The consequences of nuisance calls went beyond consumers being scammed, they increased caution, led some people to hesitate and some to avoid certain activities.
- It should be made as easy as possible for consumers to report scams to bodies like Action Fraud, the Police and the ICO.
- CLI was a useful tool but it needed to be accessible to all. An Ofcom colleague had previously investigated accessibility for people who cannot see a CLI display; this is possible on some mobile devices, but not across all handsets. The team would check whether any updates in technology had improved the situation.
- For empowerment of consumers, better use of information would be a factor.
- CPs allocated telephone numbers to their customers, including scammers, and there could be more to learn here.
- Ofcom had powers, including fines, and Members noted that commercial impacts on CPs could quickly lead to a capacity for more robust measures to tackle nuisance calls.

- The Panel would continue to raise nuisance calls at bi-lateral meetings with CPs (and should it be necessary, by writing to CEOs).

## 8. Update on Ofcom's Fairness for Customers

A set of six 'Fairness Commitments' had been published to coincide with a joint Ofcom and Which? event held on 3 June to bring together the leading CPs, government, consumer groups and charities to promote fairness across the industry.

The Panel had attended the event and the Panel's Chair had spoken on a Panel about Fairness towards consumers in vulnerable circumstances. There was discussion of the necessary monitoring/reporting that would sit alongside the commitments, on which Ofcom would be consulting, and measures of success.

## 9. Broadband USO

The Panel was updated following recent Ofcom publication of its statement *Delivering the Broadband Universal Service*, designating the Universal Service Providers, BT and KCOM, and setting conditions. After a nine-month implementation period, consumers would be able to start requesting connection from the two providers on 20 March 2020. There was discussion of a range of issues, including:

- Site surveys, eligibility, deposits, cost ceiling and 'top-up'.
- Awareness raising amongst consumers, local councils and rural communities.
- Demand aggregation, cost reduction and the potential for communities to come together to request service.
- Importance of quality of service and recourse to ADR.

Ofcom planned to consult in September on funding regulations and wished to engage with the Panel in advance of that.

## 10. Postal User Needs research

The Panel was provided with an overview of Ofcom's planned market research which would inform the review of postal user needs, including context, research objectives, scenarios to test with users, research methodologies, sample design and timelines. Research of this kind was last conducted in 2012. Members made comments, including:

- Research questions should be framed without referring to Royal Mail and without using wording that could imply Royal Mail only (in a context of multiple delivery providers).
- In remote or rural areas, mail from multiple organisations could be delivered by the same person, so consumers might have difficulty distinguishing between them.
- Useful data could be available from other sources, eg Age UK and RNIB (audio book delivery).

- With respect to restricted mobility/ ability to leave the home, the research sample should not be limited to individuals with a particular impairment.
- The research could include 'area studies', ie different types of communities and local services.

#### **11. Updates from members**

It was reported that Ofcom had engaged with Dwr Cymru Welsh Water on VoIP migration and was expected to attend a migration related workshop sponsored by the Welsh Government in September.

The appointment of the new Chair of the Ofcom Advisory Committee for England was expected to be announced shortly. The Consumer Scotland Bill had been published, it would take some time to set up the body and its function would be to identify consumer harm and act as an advocate for solutions. Northern Ireland remained without a functioning Assembly.

A member had attended a stakeholder insight event on assisting consumers on low incomes and in debt.

#### **12. Any other business**

The Panel was disappointed by the pace of improvements in TV access services. It was agreed that an update would be included in a future Panel meeting.

Details of Ofcom's July workshop on vulnerability guidance workshop would be copied to Members.