

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

on 18 July 2019 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

Chris Holland

Karen Lewis

Richard Spencer

Richard Williams

### Apologies

Craig Tillotson

### In attendance

Jenny Borritt

David Edwards

Fiona Lennox

Colleagues from PwC (item 10)

Ofcom colleagues

Item
<p><b>1. Welcome and introduction</b></p> <p>The Chair 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 13 June 2019 and matters arising</b></p> <p>Subject to minor amendment, the minutes of the meeting of 13 June were <b>APPROVED</b> for signature by the Chair. Matters noted:</p> <ul style="list-style-type: none"><li>• A note/material on a recent BBC-hosted Global Access Awareness event would be shared with Members.</li><li>• BT's response to a Panel letter (expressing concerns about the recent power outage on the island of Colonsay and the simultaneous failure of the generator at the local BT exchange) would be circulated to Members. The Panel had wider concerns about network resilience and would raise this with BT. In addition, it was agreed that network resilience should be a topic for discussion at a future Panel meeting.</li></ul>

- Members were requested to provide stakeholder names/contacts for potential participation in Panel Nations “hubs”. As soon as DCMS approval had been received for the appointment of the Panel’s new member for England, the Chair would hold a discussion with the Panel’s Nations Members to discuss plans for the hubs.
- Members noted that, since the last meeting, the Chair had attended the Ombudsman Services conference 2019 and a catch-up with the Ofcom Chief Executive.

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

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

- Ofcom’s work on nuisance calls and scams.
- Complaints handling; the Ofcom team was requested to provide the Panel with a single-page dashboard on complaints data.
- Review of price differentials in fixed broadband; the Ofcom team was requested to return to the Panel when analysis of data obtained from communications providers (CPs) had been completed.
- Automatic compensation; Ofcom would share findings on the effectiveness of the scheme in due course.
- Other issues discussed included Ofcom work on fairness for consumers; mobile handsets; the Citizens Advice super-complaint; vulnerability; migration to all-IP networks; and on mobile coverage.

#### **5. Broadband price differentials update**

The Panel was updated on Ofcom’s review of price differentials in the fixed broadband market, with a particular focus on vulnerable consumers. Issues discussed included:

- The “cost of confusion” to consumers.
- The importance of consumer engagement to secure the best tariffs.
- Vulnerability; CPs using different definitions and many consumers not perceiving themselves as such or declaring their needs.
- Best tariff notifications and value in monitoring subsequent take-up.
- Switching; some low-income consumers were some of the most engaged.

The Panel wished to discuss Ofcom’s findings at the review’s conclusion.

#### **6. European Electronic Communications Code (EECC)**

The Panel was updated on three areas of Ofcom’s work on EECC provisions: on end-user rights; switching; and on price comparison websites (PCWs). Ofcom would be undertaking a full review of the General Conditions to transpose the EECC. The Panel was briefed, in turn, by Ofcom’s three project teams. Issues discussed included:

- Handset locking and whether it acted as a brake on switching.
- Bundling of communications and other services, e.g. energy or insurance.
- The consequences for transposition of the Code in a ‘no deal’ Brexit scenario.

- ‘Porting’ of customer information and CPs’ understanding of their customer base.
- Penalties for non-compliance with switching requirements.
- Accessibility/usability of price comparison websites and a minimum set of standards. The Panel felt that there was an opportunity to design PCW sites to meet international standards and by including user tests. It was suggested that the Equality Act be used as a route to mandate accessibility of PCWs and Ofcom would explore this further.

## 7. Update on 700 MHz clearance

The Panel was updated on the 700 MHz clearance programme, including upcoming clearance events in Northern Ireland. In December 2018 Ofcom had consulted on proposals for ensuring that 700 MHz mobile services did not cause undue interference to DTT viewers. Responses were under consideration. Issues discussed included:

- How households would be alerted to possible interference to their TV service as a result of new 5G services. The onus would be on the MNOs to notify households living in the vicinity of their masts.
- Support for households where there were access needs. MNOs would be required to deliver assistance, including trained outreach personnel. Ofcom would confirm the latter and report back to the Panel.
- Potential impact of the asymmetry of frequency changes on the two sides of the Northern Ireland/Republic of Ireland border and mitigation measures.

## 8. Consumer outcomes

The Ofcom Board had requested a more rigorous approach to defining and assessing the consumer outcomes of Ofcom’s work. Issues raised by Members included:

- The suggestion that consumers be asked to give their views on the outcomes of Ofcom’s work.
- Fairness for consumers and a need for metrics for substantive consumer outcomes.
- The model provided by the Financial Conduct Authority’s *Ex post impact evaluation framework*.
- The importance of evaluating how objectives were achieved, in addition to outcomes.
- A desire that Ofcom factor-in the Panel’s input to outcomes achieved.
- A Panel willingness to assist Ofcom to devise its consumer targets.

The Ofcom team would return to the Panel in September, or thereafter, when thinking on its consumer outcomes was more developed.

## 9. Mobile coverage update

The Panel was updated on Ofcom’s work to improve mobile coverage, following recent consultation on proposals to include coverage obligations in the upcoming 700 MHz and 3.4-3.6 GHz auction. More recently, the four UK mobile network operators (MNOs) had put forward a plan to Government (‘the MNO deal’). In the

event of an agreement Ofcom would consider whether coverage obligations remained appropriate. Issues raised by Members included:

- A need for Ofcom to monitor delivery by MNOs.
- The devolved administrations would have a keen interest in improved coverage.
- The end result of improved mobile coverage, being more important for consumers than the mechanism to achieve it.

**10. Panel research - Low income consumers**

Members discussed the recent qualitative research undertaken by PwC on understanding the communications service experience and needs of low-income households, undertaken on behalf of the Panel, including key findings, draft recommendations and video material featuring some participants in the research sample. Issues discussed included:

- What differentiated the interviewees, apart from their income, from other consumers.
- The support that low-income consumers received from their CPs.
- The ability of low-income consumers to access good deals, keeping up with bills and the risk of losing service.

PwC would take members' comments into account in the completion of their final report.

**11. Any other business**

This being Chris Holland's final Panel meeting, he reflected briefly on his time as a Panel member, an experience that he had enjoyed greatly. The Chair took the opportunity to thank Chris for all his hard work and his valuable contribution to the work of the Panel over the last eight years.

.....Chair .....Date