

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 19 September 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

Karen Lewis

Richard Spencer

Craig Tillotson

Richard Williams

In attendance

Jenny Borritt

David Edwards

A colleague from Broadband for the Rural North (item 9)

Colleagues from PSA (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>David Holden reported that he had been appointed as a member of the Electricity North West Consumer Engagement Group.</p>
<p><b>3. Minutes of the meeting on 18 July 2019 and matters arising</b></p> <p>The minutes of the meeting of 18 July were <b>APPROVED</b> for signature by the Chair. Matters noted:</p> <ul style="list-style-type: none"><li>• Ofcom's one-year work plan on nuisance calls and scams would be shared with the Panel shortly.</li><li>• Feedback had been received on support for households as part of the 700 MHz clearance programme and would be shared by email.</li><li>• The Panel would be kept informed of Ofcom Scotland discussions with BT, following the recent power and network outage on the island of Colonsay, concerning network resilience and island communities. The Panel would follow-up any concerns, as necessary.</li><li>• Members would alert their contacts to the advert to recruit an additional Panel Member.</li></ul>

- The Panel's Industry Forum had met twice so far, to discuss vulnerability. Colleagues from the financial services sector had attended to share their experiences in that area.
- Planning of the Panel's stakeholder hubs was ongoing.

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

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

- Briefing on consumer enforcement activity and recent restructuring of the Ofcom team, with a focus on issues consumers are most concerned about, making use of complaints data and close working with the consumer policy team and its fairness agenda.
- Fairness for customers; the Panel noted the signatories to the fairness commitments from amongst communications providers (CPs) and use of the fairness framework by Ofcom to measure harm and to determine when to intervene.
- Ofcom was engaged in a related 'horizon scanning' exercise and this was suggested as an agenda item for a future Panel meeting.
- One year after Citizens Advice's (CA) Super-complaint (loyalty penalty); Members would be provided with a link to the latest CA publication.
- Review of price differentials in fixed broadband; an Ofcom consultation would be published shortly.
- Future of consumer data (broadband and mobile); it was noted that a workshop was planned for the Ofcom Board for early 2020. The Chairman commented that the Panel would welcome a similar workshop.
- Migration to VoIP; a consumer views element would be added to the monthly update report.
- Other issues discussed included switching; participation in trials; and best tariff notifications.

#### **5. Future Panel research**

The Panel discussed a proposal for omnibus research on consumer detriments, one aim being to identify consumer issues that might otherwise be missed.

Members made a number of comments:

- On sample design; a request that it include consumers in remote rural areas.
- Querying whether interviews should be face-to-face or online and the suggestion that quotes be obtained from agencies for both.
- Qualitative research could follow-up issues of particular concern.

Discussion would continue by email on the key questions to be put to research agencies, including how they would make their surveys accessible.

#### **6. Ofcom Fairness Commitments update**

The Panel was briefed on the progress of Ofcom's fairness agenda and next steps, including engagement with the signatory CPs and plans for reporting on culture change. Ofcom had published a discussion paper on a framework to

assess fairness in broadband, mobile, home phone and pay-TV and was working through responses received. By March 2020 an updated framework was expected to be in place. In discussion Members commented that:

- As well as ‘buy-in’ at the top there could be value in seeking the views of other people working for the CPs, asking whether they felt that their company was fair to their customers.
- There could also be value in seeking consumers’ opinions on unfair treatment and on the framework itself.
- Publication of CP reporting on progress would be welcome.
- The Panel’s newly established Industry Forum could be a channel to discuss/advance Ofcom’s fairness agenda.

## **7. Access Services**

The Panel was updated on Ofcom’s work on TV access services. It was noted that Ofcom was:

- Supporting Government in drafting regulations to improve on-demand accessibility (expected 2020).
- Developing a code giving guidance on complying with those regulations and extending its guidelines on ‘best practice’ in accessibility provision to cover on-demand services as well as broadcast.
- Establishing an accessibility working group with the on- demand industry.

Members commented:

- That there was a need for a flexible approach to take account of future changes in delivery of services.
- Querying whether the costs of subtitling were significant, whilst it was noted that re-purposing for different platforms did incur a cost.
- Suggesting that an open data approach could provide commercial opportunities (EPGs and subtitling).
- That accessibility needed to be taken into account in the intelligent design of devices.
- That radio services also needed to be accessible.

## **8. Customer Mobile Research**

Ofcom had researched consumers’ behaviour and experience of using mobile services in the UK by analysing crowdsourced data collected from around 150k Android devices. The Panel was briefed on the key findings, noting that mobile consumers in urban areas were more likely to be connected using WiFi and that consumers were able to use data services on average 98.8% of the time when their phones were on. The research would be published shortly as a short PDF and a data-filled interactive report. Members stressed the importance of a representative research sample.

## **9. Broadband for the Rural North**

The Panel was briefed on a successful community owned rural full-fibre network in the North of England. Distance- and future-proof, to date circa 10,000 properties had been passed, with over 6,000 connected. Costs had been reduced dramatically by not using public land/highways but instead laying ducts and fibre

along field boundaries with land owners' permission and free wayleaves.

**10. Phone-paid Services Authority**

Members were updated on recent PSA work; on market trends; on review of phone-paid subscriptions and upcoming priorities, including review of the PSA's regulatory framework to ensure that it meets consumer needs and is able to regulate effectively; policy work on refunds; and a review of the PSA's approach to vulnerability.

**11. Video Relay for 999/Accessible formats**

Members were briefed on Ofcom's work to mandate CPs to provide free video relay for emergency calls as part of the consultation implementing the new European Electronic Communications Code (EECC).

It was noted that Ofcom was considering extending the requirement for accessible formats, from bills and contracts to all important CP correspondence to customers. Ofcom was urged to work on the basis of consumers' needs rather than be wedded to particular formats.

The Ofcom team expected to update the Panel on its work on accessible formats in October and to return in November, i.e. prior to publication of its EECC consultation.

**11. Any other business**

David Holden gave his apologies for the next meeting. There was no other business.

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