

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 17 February 2022 at 10.30 am

Meeting held virtually via Microsoft Teams

Present

Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain

Helen Froud

Clifford Harkness

Sian Phipps

Richard Spencer

Michael Wardlow

Richard Williams

Apologies

David Holden

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. The Chair noted that it was David Holden's last meeting and, in his absence, thanked him for his contributions throughout his tenure.
2. Declarations of Members' interests
2.1 There were no new declarations of interest.
3. Minutes of the meeting on 20 January 2022 and matters arising
3.1 The minutes of the meeting of 20 January 2022 were APPROVED , subject to minor

amendments.

4. Chair's update

4.1 The Panel noted the Chair's update, which provided an overview of the Panel's recent activities.

4.2 The Panel discussed its ongoing concerns surrounding migration to voice-over IP (VoIP) and looked forward to receiving further information on plans to raise consumer awareness and improve how 'vulnerable' consumers were identified across the communications sector. Members also commented that increased engagement between relevant stakeholders across the UK Nations would help to identify and mitigate issues throughout the migration, particularly where some UK Nations had made further progress.

5. Consumer and enforcement update

5.1 Ofcom's Consumer Policy team provided Members with an overview of its consumer priority areas.

5.2 The Panel raised concerns that some 'vulnerable' consumers were reliant on communications services and could face significant ramifications if disconnected e.g. where a consumer was reliant on mobile services to comply with public enforcement rules. Members considered that where consumers were reliant on digital connectivity, CPs should provide ongoing support to avoid disconnection.

5.3 The Panel reiterated previous concerns that following receipt of end of contract notifications, some CPs allowed consumers to negotiate lower prices, which was likely to favour more confident and assertive customers and disadvantage those who lacked the confidence or ability to enter into negotiations.

5.4 The Panel emphasised that Ofcom's mobile coverage policy should be updated to reflect that a significant number of people would not receive mobile coverage under the Shared Rural Network.

5.5 The Panel discussed Ofcom's review of the telephony USO and sought to understand the scale of people who remained reliant on sending communications via fax.

5.6 The Panel noted that Ofcom would soon publish its review of the Broadband Speeds Code of Practice and asked to receive the document in advance of publication.

5.7 The Panel highlighted the importance of understanding consumers' perceptions of communications providers and would feed into a future discussion on how Ofcom's Fairness Commitments programme could be utilised to further understand consumers' experiences in the communications sector.

5.8 The Panel reiterated a previous request for visibility of complaints data on migration to VoIP.

6. Debt, disconnection and affordability of communications services

6.1 The Panel received an update on Ofcom's recently published research on the affordability of communications services; and ongoing work around debt and disconnection.

6.2 The Panel emphasised the importance of cross-sector collaboration and learning from other sectors to help support financially vulnerable consumers. It was noted that the Consumer Council for Water had called for implementation of one consistent social tariff across the water sector and Members questioned whether the communications sector should adopt a similar approach. Members also noted Ofcom's involvement in the UK Regulators Network.

6.3 The Panel also highlighted that the cost-of-living crisis was likely to significantly increase the number of consumers requiring financial support, and Ofcom and industry needed to engage with third sector bodies to help identify consumers in need of support; and ensure that existing support was sufficient.

6.4 Members suggested capturing consumers' experiences of CPs' debt and disconnection practices. In addition, support for financially vulnerable consumers could be incorporated into the Fairness Commitments and CPs' progress reported on.

6.5 Members highlighted that the Panel's National Stakeholder Hubs had identified that consumers living with specific access requirements tended to pay higher costs for communications, which could result in communications poverty. In addition, some consumers faced communications exclusion where they had been blacklisted by CPs and could no longer access communications. The Panel considered that to ensure no consumer was left behind, Ofcom's research should adopt an inclusive approach using the social model of disability rather than the medical model.

7. Review of postal regulation

7.1 The Panel received an update on Ofcom's review of postal regulation. The team had recently attended the Panel's National Stakeholder Hubs to present its policy proposals for postal services between 2022 and 2027, where they'd answered questions and noted comments from consumer-representative organisations across the UK.

7.2 The Panel discussed the policy proposals and would provide a response to Ofcom's consultation document. Members also discussed circumstances where Ofcom had utilised its enforcement powers to impose a penalty on Royal Mail for failing to meet its quality-of-service targets.

7.3 Members also asked why Ofcom's proposals did not include incorporating tracked services into first-and second-class parcels under the USO, after having heard from Hub participants that it would benefit consumers, particularly those living in rural areas who relied on the postal USO due to a limited choice of parcel operators.

8. Consumer Protection Monitoring and Compliance

8.1 The Panel received an update on Ofcom's Consumer Protection Monitoring and Compliance programme. It was noted that the programme was in the early stages of development and a further update would follow in six-months.

8.2 Members discussed the reintroduction of roaming charges across Europe and reiterated concerns that soon only one provider would allow free data roaming across the Irish border.

8.3 The Panel welcomed Ofcom's Consumer Protection and Monitoring programme and asked to be notified of any emerging issues. The Panel would also share information gathered from the Panel's National Stakeholder Hubs.

9. Panel research 2022-23

9.1 The Panel discussed its ongoing research projects and considered potential areas of focus for the year ahead. Members agreed to hold a future discussion to consider the communications consumer landscape and identify specific areas where greater insights were required to help protect consumers, citizens and micro-businesses.

10. Consumer vulnerability data

10.1 The Panel received an update from Ofcom's vulnerability team on the number of consumers identified as 'vulnerable' across the communications sector; and its ongoing work to improve how CPs identify and record vulnerability data.

10.2 The Panel raised concerns that some CPs continued to adopt the medical model of disability by recording the medical condition whereas other sectors used the social model of disability and recorded the consumer requirement alone. It was noted that the Panel continued to facilitate discussions between CPs on vulnerability at the Panel's Industry Forum, highlighting the benefits of identifying and recording vulnerability data consistently across the sector.

10.3 Members repeated previous concerns that the number of consumers recorded as 'vulnerable' in the communications sector was significantly lower than the true anticipated number and considered whether a target-based approach would secure improvement. The Panel noted that Ofcom was engaging with other sectors to learn and share best practice.

10.4 The Chair recognised that some CPs had made significant progress in this area and looked

forward to receiving updated data at a future meeting.

11. AOB

11.1 There was no other business.