

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 20 January 2022 at 10.30 am

Meeting held virtually via Microsoft Teams

Present

Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain

Clifford Harkness

David Holden

Sian Phipps

Richard Spencer

Michael Wardlow

Richard Williams

Apologies

Helen Froud

In attendance

Fiona Lennox

Chloe Newbold

Lisa Bowerbank (items 4, 7 and 8)

Magda Styles

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 December 2021 and matters arising
3.1 The minutes of the meeting of 16 December 2021 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 migration to voice-over IP (VoIP) and its ongoing concerns for public safety throughout the migration process and reemphasised the need for a coordinated consumer awareness campaign across the UK. Members considered that urgent action was required by Ofcom, industry and UK government to mitigate potential harm to consumers - particularly 'vulnerable' consumers. The Panel discussed possible next steps to escalate its concerns and considered how to effectively disseminate its key concerns to relevant stakeholders. It was noted that the Chair would soon meet with Ofcom's Interim Chair and feed back the Panel's concerns.

5. Consumer and enforcement update

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

5.2 Members asked when Ofcom's next access and inclusion report would be published.

5.3 Members discussed delivery of the broadband USO and asked for further information on how citizens, consumers and micro-businesses living in rural and remote areas would receive affordable digital connectivity. The Panel noted that work was ongoing to identify an affordable solution and asked to receive an update at a future meeting.

5.4 The Panel discussed Ofcom's postal regulation review and flagged that a reduction in letter delivery days could have a negative impact on health trusts and citizens if deliveries on Saturdays ceased, because healthcare appointments were commonly posted on Fridays.

5.5 The Panel raised that consumer take-up of social tariffs in the communications sector was low and asked if Ofcom monitored how many consumers should be signed up to a social tariff, in comparison to the actual number.

5.6 Members noted that Ofcom's Consumer Protection Monitoring and Compliance team would attend the February meeting and looked forward to an update on data roaming.

5.7 The Panel commented that it would be useful to have sight of Ofcom's complaints data that related to migration to VoIP.

6. Ofcom's review of the ADR schemes

6.1 The Panel received an update on Ofcom's review of the Alternative Dispute Resolution (ADR) schemes.

6.2 The Panel emphasised that the schemes should be transparent, inclusive and accessible to all consumers - particularly 'vulnerable' consumers who could find it intimidating and difficult to engage with complaints processes.

6.3 Members highlighted the importance of understanding and tracking the experiences of consumers who engaged with ADR providers, including those who did not pursue ADR beyond initial contact.

6.4 Members also commented:

- that a broader view of CPs' complaints and subsequent outcomes - including referrals to ADR - would provide useful insights;
- that complainants having to wait eight-weeks before being referred to ADR was too long and should be reduced.

6.5 The Panel asked to receive an update from the ADR providers at a future meeting.

7. Market research update

7.1 The Panel received an update from Ofcom's market research team, who provided an overview of Ofcom's ongoing research projects.

7.2 The Panel asked how Ofcom's research captured the experiences of people with specific access requirements and highlighted that to promote inclusivity across the communications sector, recording the disability or condition alone was not sufficient. Members emphasised that research should focus on the effects of the condition and the consequent need to help identify barriers to engagement and develop solutions.

7.3 The Panel also asked:

- if the market research team was tracking people's experiences of migration to VoIP across the UK.
- if Ofcom's research considered both accessibility and usability of digital services; and
- whether the research could identify geographical areas where consumers faced significant detriment due to cross-cutting issues e.g. affordability, disability, poor connectivity.

8. Migration to VoIP

8.1 The Panel received an update from Ofcom's migration to VoIP policy team, which covered consumer awareness of the migration, the impacts of Storm Arwen and consumer research.

8.2 The Chair stressed the Panel's ongoing frustrations at the lack of progress made by CPs, Ofcom and UK Government to raise awareness of the migration amongst consumers to

safeguard people who were currently reliant on the PSTN network - especially 'vulnerable' consumers. The Chair reiterated previous concerns raised by the Panel, which would be shared with Ofcom's Interim Chair at an upcoming meeting.

8.3 The Panel repeated ongoing concerns that consumer sign-ups to CPs' vulnerability registers were low and CPs did not identify and track 'vulnerable' consumers consistently. Consequently, a significant number of consumers' support needs were unlikely to be met throughout the migration and mitigations needed to be in place to reduce the risk of consumer detriment. Members urged Ofcom to improve how CPs identified consumers with specific access requirements.

8.4 The Panel stressed the importance of using data and intelligence to inform the rollout and asked for data on how many consumers had been migrated so far, and how many were managed migrations.

8.5 The Panel looked forward to receiving further information on plans to raise consumer awareness of the migration across the UK.

9. Connected Nations 2021

9.1 The Panel received an update on Ofcom's recently published Connected Nations report and discussed the findings.

9.2 The Panel's Member for England noted that Ofcom's report highlighted which local authorities across England had the highest level of digital connectivity and suggested that the report also highlighted areas with the lowest level.

9.3 The Panel's Member for Northern Ireland flagged that soon only one provider would offer free data roaming across the Irish border, which could have a chilling effect on competition. Ofcom colleagues would raise the issue with Ofcom's Director of Northern Ireland.

10. 2G/3G connectivity switch-off

10.1 The Panel received an update on 2G/3G switch-off and discussed how it would interplay with migration to VoIP. The Panel highlighted the importance of making consumers aware of the impending changes using a variety of communications channels - particularly consumers who were reliant on services delivered by 2G/3G connectivity. In addition, the Panel repeated concerns that plans to identify 'vulnerable' consumers using CPs' vulnerability registers were flawed (see para. 8.3) and consumers with specific access requirements should be considered from the outset to mitigate potential harm and promote inclusive policymaking.

10.2 Members raised concerns that some equipment would become obsolete post-switch-off, which was likely to negatively impact financially vulnerable consumers who could not



afford to purchase new equipment.

10.3 The Panel noted that Ofcom was engaging with UK Government and others to identify and highlight potential issues; and learn from other countries where the switch-off had already taken place.

11. AOB

11.1 A Panel Member who had recently observed a meeting of the Panel's Communications Consumer Hub for Northern Ireland encouraged other Members to observe future Hub meetings.