

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 20 July 2022 at 10.30 am

Meeting held in hybrid format at Riverside House and via Microsoft Teams

Present

Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain

Helen Froud

Clifford Harkness

Richard Spencer

Michael Wardlow

Richard Williams

Apologies

Sian Phipps

In attendance

Jenny Borritt

Fiona Lennox

Chloe Newbold

Ofcom colleagues

Two Ofcom interns from the '10,000 Black Interns' initiative

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 June 2022 and matters arising
3.1 The minutes of the meeting of 16 June 2022 were APPROVED , subject to minor amendments.
3.2 The Panel raised concerns that mobile drive testing and crowdsourced data did not reflect



mobile coverage in hard-to-reach areas as the data mostly covered urban areas and/or main transport routes, and people who already had mobile signal. The Panel asked for further information on which areas would be tested in future and considered whether other sectors and/or organisations harvested information on mobile coverage that could be shared with Ofcom to help build a clearer picture of mobile coverage across the UK, particular in light of the impending 2G/3G switch-off. Members also commented that the data could be presented in a more user-friendly format.

4. Chair's update

4.1 The Panel noted the Chair's update, which provided an overview of the Panel's recent activities. The Panel's Nations' Members also provided updates on recent activity and stakeholder engagement across each of the UK Nations.

4.2 The Panel noted that its recently published Annual Report provided an overview of the Panel's impacts in the past financial year. Members asked the Exec team to consider additional ways of promoting the Panel's impact in future.

5. Consumer and enforcement update

5.1 The Panel received an update from Ofcom's consumer policy and enforcement team. Members were provided with an overview of Ofcom's consumer priority areas and recent activity across the enforcement team.

5.2 The Panel discussed Ofcom's Fairness Commitments and emphasised that the programme should be overarching across the breadth of Ofcom's plan of work. Members also discussed how the Commitments could seek to address identified issues across the communications sector such as issues with complaint handling (see June minutes, para 5.3) and poor promotion/low take-up of social tariffs.

5.3 The Panel discussed migration to VoIP and continued to highlight their significant concerns about the lack of communications strategy to help raise consumer awareness of the impending changes, and support for a similar approach to the Australian model. Members also stressed once again the importance of ensuring that consumers who had migrated to VoIP, particularly those who were previously reliant on a landline connection, remained able to contact emergency services in a power cut.

5.4 The Panel commended the introduction of emergency video relay, having supported and advised Ofcom on this throughout early policy development, and looked forward to receiving an update from Ofcom's vulnerability team in October.

6. Mobile roaming update

6.1 The Panel received an update on EU based mobile roaming since the UK's Roaming Regulations fell away on 30 June 2022. Ofcom's remit enables it to consider the



effectiveness of industry communications with consumers on this, and it invited the Panel's input.

6.2 The Panel stressed that to protect consumers from 'bill-shock', information on mobile roaming when consumers travelled abroad needed to be clear and transparent to avoid consumer confusion surrounding data limits and roaming costs. The Panel was also concerned that people living or travelling near the UK border could face inadvertent roaming charges if they roamed onto a non-UK network, and it was unfair that the onus was on consumers to claim back the costs. It was noted that some providers but not all excluded the Republic of Ireland from mobile roaming rules.

6.3 The Panel believed that consumer protections should be reintroduced across the market and applied consistently to avoid consumer confusion and ensure that consumers could roam abroad and/or in UK border areas without fear of 'bill-shock'.

6.4 Members also believed that mobile roaming charges should be reviewed, however it was noted that regulation of roaming charges was a matter for UK Government.

7. Postal regulation review

7.1 The Panel received an overview of Ofcom's review of postal regulation, having responded to Ofcom's consultation earlier in the year.

7.2 The Panel supported the introduction of new targeted consumer protections across the postal sector and discussed how implementation of the protections would be monitored.

7.3 Members also commented on the consumer benefits of: tracked parcels, particularly for people with additional access requirements and/or living in rural areas; Post Offices becoming designated addresses for victims of domestic abuse - as called for by Citizens Advice - noting that An Post in the Republic of Ireland had a similar initiative; and Royal Mail capturing and recording the individual requirements of postal users to ensure support is provided long-term. It was noted that some parcel operators did allow for consumers to notify them of any additional requirements, however the practice was not consistent across the sector.

7.4 The Panel also considered how it could help to secure fairer outcomes for postal users, particularly where certain areas fell outside the postal USO.

8. Public Policy update

8.1 The Panel received an overview of recent public policy developments, which covered telecoms consumer advocacy; online safety; and smart data.

8.2 The Panel discussed migration to VoIP and commented:



- that the Department for Health and Social Care had, as part of its data strategy, undertaken to issue an action plan to support those who commission, deliver and supply telecare services and equipment by July 2022. Members asked for an update on the action plan.
- that a separate health and care strategy would be implemented in Scotland.
- that telecare alarm systems were not defined as emergency organisations and therefore were unlikely to be covered under Ofcom's General Condition A3.2(b).

8.3 Members discussed Ofcom's focus on the cost-of-living crisis and highlighted potential contributors in the telecoms sector such as issues with supply chains, damage to equipment as a consequence of extreme heat; and the cost of infrastructure and devices.

9. Net neutrality update

9.1 The Panel received an update on Ofcom's review of net neutrality rules, having previously inputted into the review.

9.2 The Panel commented:

- on the importance of capturing the views of consumers and citizens;
- that all consumers should be able to access the internet equally;
- on the definition of a 'specialised service' and the potential implications of emerging technology on net neutrality principles; and
- that digitised health services continued to grow and consumers with additional access requirements and/or low digital literacy would benefit from healthcare websites being zero-rated.

9.3 Members noted that a consumer's ability to make emergency calls was a provision under Ofcom's General Conditions and would not be impacted by net neutrality principles.

10. Digital Regulation Cooperation Forum (DRCF) update

10.1 The Panel received an overview of the DRCF and its recently launched 2022-23 plan of work.

10.2 Members commented:

- on the internal governance processes of industry bodies and whether there were any examples of best practice.
- on horizon scanning activity and how the DRCF was collaborating with other organisations.
- on the importance of capturing and feeding in consumer perspectives to promote fairness by design across digital services.

11. 2G/3G connectivity switch-off update



11.1 The Panel received an update on 2G/3G switch-off and discussed the key citizen and consumer issues.

11.2 Members emphasised again the importance of raising consumer awareness of 2G/3G switch-off, clearly communicating the potential impacts; and understanding who would be impacted by the switch-off, such as those living in areas or using devices reliant on 3G connectivity.

11.3 The Panel noted that following 3G switch-off consumers could become reliant on 2G connectivity where 4G was not yet available, meaning that consumers using older devices could no longer use apps for daily tasks such as making calls over the internet - an important function for consumers living in areas with poor mobile signal.

11.4 Members also commented:

- that providers should consider how policy changes could impact consumers with additional support requirements. It was suggested that providers engage with consumer representative organisations to help spread awareness and assist consumers who would require support.
- that people who commuted across the Irish border for work could be impacted by the switch-off.

12. AOB

12.1 The Panel discussed the format of future meetings, which were currently being held in a hybrid format.