Minutes of the meeting of the Communications Consumer Panel and ACOD

on 16 June 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
Sian Phipps
Michael Wardlow (items 1 to 7)
Richard Williams

Apologies
Richard Spencer
Michael Wardlow (items 8 to 12)

In attendance
Jenny Borritt
Fiona Lennox
Chloe Newbold
Ofcom colleagues
DCMS representative

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 19 May 2022 and matters arising 3.1 The minutes of the meeting of 19 May 2022 were **APPROVED**, subject to minor amendments.

3.2 Members asked if Ofcom planned to gather data on which areas across the UK were currently reliant on 3G and could become 'not-spots' following 3G switch-off.

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 repeated its ongoing concerns surrounding migration to voice-over IP (VoIP) and the lack of a coordinated consumer awareness campaign. The Panel had commissioned research on consumers' needs regarding migration to VoIP and telephony during power cuts and once published, would circulate the findings and recommendations to CPs.

4.3 The Panel raised concerns that access to some healthcare services such as prescriptions services required consumers to engage digitally, putting those who did not participate digitally at risk of exclusion. It was also noted that some healthcare organisations continued to be reliant on fax services.

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 repeated concerns that EU exit changes to mobile roaming were likely to result in increased costs for consumers who travelled abroad and/or lived in areas such as Northern Ireland where consumers could inadvertently roam onto a non-UK network. To avoid consumer 'bill-shock', Members urged Ofcom to ensure sufficient consumer protections were in place.

5.3 The Panel noted that Ofcom's comparing customer service research had found that customer satisfaction with complaints handling was low. Members highlighted that not all consumers would engage with complaints processes for various reasons such as barriers to access and suggested that any future work should adopt a broader focus to help capture the experiences of consumers who were dissatisfied with their provider but had not made a complaint.

5.4 The Panel highlighted the important role of Ofcom's Fairness Commitments and discussed how the Commitments fed into Ofcom's strategy and wider work. It was noted that the team would provide an update on the Fairness Commitments in October.

5.5 The Panel repeated previous concerns that that the net neutrality framework could impact

consumers' and citizens' access to telephony, post-migration to VoIP and asked for an update on how the issue was being considered.

5.6 The Panel repeated previous concerns that some areas might be deemed as having decent mobile coverage but the day-to-day reality for consumers could differ where connectivity was poor or non-existent and asked if Ofcom's mobile drive testing data was publicly available.

5.7 The Panel repeated its concerns that Royal Mail's stamp swap-out scheme was likely to exclude consumers who had additional access requirements and/or were digitally excluded. In addition, concerns were raised that consumers who did not participate digitally would be unable to access cheaper online postal services.

6. Comparing Customer Service

6.1 The Panel received an overview of the key findings from Ofcom's recently published Comparing Customer Service report.

6.2 Members discussed the methodology and findings and considered why some providers consistently performed better than others. It was also noted that complaints handling had been identified as an industry wide issue that required improvement.

7. Behavioural insights for online safety: understanding the impact of VSP design on users' behaviour

7.1 The Panel received an update on Ofcom's research that assessed the effectiveness of two online safety measures – alert messages and reporting mechanisms – to understand the impact on users' behaviour.

7.2 The Panel noted the findings with interest and considered how industry could be encouraged to implement online safety measures; and how people's behaviours would be tracked over time.

7.3 Members suggested that future research focus on consumers with additional access requirements who could find it difficult to access sites due to accessibility and usability issues; any cultural/geographical differences; and consumers who use English as a second language. In addition, it was considered how online content in other languages would be regulated, for example how would companies know whether content in Welsh was harmful.

8. DCMS – Call for Views on app security and privacy interventions

8.1 A representative of DCMS provided Members with an overview of its call for views on plans to improve the security and privacy of apps and app stores, including implementation of a proposed Code of Practice.

8.2 Members commented:
- that apps should be inclusive by design so consumers with additional access requirements did not face barriers to access due to accessibility and usability issues. An inclusive by design approach would also avoid retrospective fitting.
- that consumer information should be accessible and available in a variety of formats.
- that the Panel would soon publish and share its research findings on people's understanding of how personal online data was handled and protected.
- on the potential consequences of non-compliance with the draft proposed Code of Practice.
- that looking into international standards would be a valuable exercise.

8.3 The Panel would share the call for inputs document with consumer-representative stakeholders across the UK.

9. UKRN: Supporting consumers with additional support requirements

9.1 A representative of UKRN provided the Panel with an overview of UKRN's cross-sector work to support consumers with additional support requirements.

9.2 The Panel noted that UKRN was exploring how consumers were supported across different sectors to help share learnings. Members discussed the benefits of a single registration process where consumers with additional support requirements would only need to register once and considered that a stronger focus on consumers' individual requirements would help to move away from the term 'vulnerable', a pejorative term that differed across sectors and individual providers and could stop some people self-identifying when they might benefit from doing so.

9.3 Members commented on the potential consumer impacts of net-zero targets, particularly where people were on low incomes and/or in debt.

9.4 The Panel recognised the benefits of sharing data across regulators and encouraged stronger engagement with the UK Nations.

10. Research discussion

10.1 The Panel discussed areas of focus for future research projects under its consumer insights and research programme.

10.2 The Panel discussed consumer implications of the cost-of-living crisis and the need to promote available support to financially vulnerable consumers. Members commented that the term 'social tariff' was unlikely to resonate with consumers and asked if the language was being reviewed.

11. Ofcom's approach to consumer protection

11.1   The Panel received an update on Ofcom's approach to consumer protection, after having participated in a workshop in December 2021.

11.2   The Panel discussed Ofcom's regulatory levers and the processes by which they were used to drive change and protect consumers from harm.

11.3   Members highlighted that not all communications consumers benefitted from choice, particularly those living in rural and remote populations where competition was limited.

12. AOB

12.1   The Panel discussed the impacts of the cost-of-living crisis on consumers, citizens and micro-businesses and the need for CPs to adopt easy-to-access social tariffs, mitigating any potential barriers.