



Minutes of the meeting of the Communications Consumer Panel and ACOD

on 17 March 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
Richard Spencer
Michael Wardlow
Richard Williams

Apologies

None

In attendance

Jenny Borrirt
Lisa Bowerbank
Fiona Lennox
Chloe Newbold
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 Kay Allen advised of a potential future commercial undertaking and in the interests of full transparency would inform the Panel should the interest progress.
3. Minutes of the meeting on 17 February 2022 and matters arising
3.1 The minutes of the meeting of 17 February 2022 were APPROVED , subject to minor amendments.

3.2 The Panel noted that Ofcom, as part of its work around the telephony USO, had sought to establish whether any sectors remained reliant on fax services and asked if the team had engaged with health authorities in the devolved Nations.

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.

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 noted that Ofcom continued to monitor CPs implementation of its 'Treating Vulnerable Customers Fairly Guide' and an update would follow at a future meeting.

5.3 Members raised concerns that some CPs' consumer communications on migration to VoIP could be misleading and repeated previous assertions that Ofcom should conduct research with consumers who had experienced a managed migration. Members also sought clarity on how Ofcom applied its previously published principles on the measures CPs were expected to have in place to ensure customers could make emergency calls in the event of a power cut.¹

5.4 Members requested an update on Ofcom's new crowd-source data that would aim to provide a clearer view of where consumers most need mobile services and experienced variations in mobile quality.

5.5 The Panel discussed availability and low take-up of social tariffs across the communications sector and suggested that Ofcom's Fairness Commitments be utilised to encourage CPs to adopt and promote social tariffs - and a comparison of consumer take-up across the sector be included in subsequent reporting of the Fairness Commitments.

5.6 The Panel asked for further information on the locations of masts deployed under the Shared Rural Network and the impact they were having on those areas.

5.7 The Panel repeated previous concerns about 2G/3G switch-off including how the

¹ [Protecting access to emergency organisations when there is a power cut at the customer's premises](#)

changes would impact consumers who relied on 3G devices; or people living in rural areas with poor mobile coverage who commonly experienced power outages. Members reiterated the importance of aligning the impending switch-off with migration to VoIP to ensure a joined-up approach. Members also emphasised that the potential impacts of the switch-off on consumers, citizens and micro-businesses needed to be understood and mitigations put in place where required.

5.8 Members raised concerns surrounding the high costs of mobile data roaming charges, particularly for consumers living in Northern Ireland who were commonly charged for roaming across the Irish border.

5.9 The Panel raised concerns that a communications provider had consistently not complied with ADR decisions where the adjudicator had awarded consumer redress. Members concerns were compounded by some consumers having to wait eight-weeks for a complaint to be referred to ADR and sought further information on the issue.

5.10 The Panel asked for further information on why complaints relating to complaints handling had increased, noting that it could be linked to recent CPI price increases across the sector.

6. Data Ethics update

6.1 A representative of the Centre for Data Ethics and Innovation who was currently on secondment at Ofcom, provided Members with an overview of a set of recommendations to help strengthen Ofcom's data ethics regime.

6.2 The Panel commended the ongoing work around data ethics and raised the importance of having senior sponsorship at Board level within the organisation; utilising various colleague networks to truly embed a data ethics regime; and ensuring an audit process was in place.

6.3 Members considered that any best practice data ethics principles should be shared with CPs in the interests of consumer fairness.

6.4 A Panel Member who had expertise in data ethics emphasised the importance of adopting an approach based on values and minimising harm - and offered to share further insights offline.

7. Fixed Wireless Access performance research

7.1 The Panel received an update on Ofcom's updated coverage and performance analysis on Fixed Wireless Access (FWA) broadband networks.

7.2 The Panel noted that the majority of Wireless Internet Service Providers (WISPs) were based in remote rural areas and targeted areas where consumers had a limited choice of fixed providers. Members discussed how to ensure that, as take-up of these services increased, consumers continued to receive the broadband speeds advertised in consumer packages and welcomed continued reporting on FWA coverage.

7.3 Members also considered whether future work should focus on ensuring that FWA providers meet customer service expectations and consumers have access to relevant information e.g. complaints processes.

8. Public Policy update

8.1 The Panel received an update and discussed recent key developments in public policy, which covered UK Government's previous proposals to introduce a telecoms consumer advocate; the impacts of power outages on telecoms resilience; the decision of some mobile network operators (MNOs) to reintroduce data roaming charges and the implications of inadvertent data roaming.

8.2 The Panel noted that consumer take-up of social tariffs was low and CPs had been urged to raise consumer awareness and improve how 'vulnerable' consumers were identified. Members considered that more needed to be done to encourage CPs to offer and promote social tariffs, instead of the onus being on consumers to request support.

8.3 Members also highlighted that communications services were widely considered an essential utility and similar to the water sector, consumers should be protected from disconnection of services.

9. Jigsaw research

9.1 The Panel received an overview of the emerging findings arising from its research on vulnerability in the communications sector. The research project sought to understand what consumers considered the term 'vulnerable' to encompass and any barriers they faced when seeking support from communications providers.

9.2 Members noted the findings with interest and looked forward to publication of the research in the near future.

10. Ofcom's future approach to mobile markets

10.1 The Panel received a further update on Ofcom's future approach to mobile markets, having previously had a discussion with the team in December. Ofcom had recently published a discussion paper on its future approach to mobile markets, which the Panel would provide a response to.

10.2 Members commented:

- that to maintain secure, high-quality and resilient networks, UK Government should consider how investment in networks could be secured beyond what the market could deliver so the digital needs of consumers citizens, consumers, UK Government, public services and others would be met in both the short and long-term.
- that future mobile company mergers could result in less choice and higher prices for consumers.
- that international roaming charges were significantly high, particularly for consumers living in Northern Ireland who would commonly roam onto a network across the Irish border.
- that retaining high-street mobile stores was important for some consumers, such as those living in rural areas or considered ‘vulnerable’ who benefit from being able to receive in-person support.
- that Ofcom should consider vulnerability holistically across the sector, ensuring a joined-up approach across different policy areas; and repeated that CPs should improve how ‘vulnerable’ consumers are identified and recorded to drive consistency across the sector.
- that future changes to the mobile market could create consumer confusion and Ofcom would need to be alert to emerging consumer protection issues.

11. AOB

- 11.1 The Panel raised concerns that Royal Mail had recently announced price increases for USO products; and that non-barcoded stamps would be phased out by January 2023. The Panel’s Executive Team would ask Ofcom’s policy team to provide an update for discussion at the meeting in April.
- 11.2 The Panel reiterated concerns regarding the lack of take-up of social tariffs and how social tariffs would work in practice throughout the customer journey e.g. where consumers were in and out of employment. Ofcom’s policy team would be invited to a future meeting.
- 11.3 Members were advised that Ofcom was conducting an accessibility audit of its offices and asked to receive further information.