Minutes of the meeting of the Communications Consumer Panel and ACOD

on 17 November 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 (items 6 to 11)
Helen Froud
Clifford Harkness
Richard Spencer
Sian Phipps
Michael Wardlow

Apologies
Amanda Britain (items 1 to 5)
Richard Williams

In attendance
Jenny Borritt
Fiona Lennox
Chloe Newbold
Magda Styles
Zach Westbrook (items 5 to 11)
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 13 October 2022 and matters arising 3.1 The minutes of the meeting of 13 October 2022 were **APPROVED.**

3.2 The Panel highlighted that the recent outage in Shetland had amplified its ongoing concerns regarding consumer access to secure and resilient networks. Members were thankful to Ofcom colleagues for providing a swift update on the Shetland outage and would continue to monitor any developments on network resilience as an ongoing priority.

3.3 The Chair had recently met with a provider to discuss 2G/3G switch-off plans and raised the Panel's ongoing concerns including that some services may no longer function post switch-off e.g. emergency car alarms; and access to emergency video relay could be impacted post 3G switch-off where consumers only had access to 2G connectivity. Members asked for an update on how communications providers were seeking to identify and mitigate potential consumer risks.

3.4 The Panel would soon publish its report on consumers' experiences of postal services in Northern Ireland and would circulate the Panel's findings and recommendations with key stakeholders.

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 was pleased to hear that, after having raised its concerns with Royal Mail on the accessibility of its stamp swap-out scheme, Royal Mail had implemented two of the Panel's suggestions to make the scheme more accessible including sending a swap-out form when writing to UK households to advise them of the scheme; and making swap-out forms available at local Post Offices.

4.3 The Panel recognised that consumers and citizens could help communications providers to deliver better products and services that met the requirements of the people who use them – and questioned to what extent CPs were already using consumers' experiences to help shape improvements. Members highlighted case studies in other sectors and suggested exploring the topic with CPs at a future Industry Forum meeting.

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. Amongst other topics, the Panel discussed mid-contract price rises, migration to VoIP and implementation of Ofcom's new switching rules.

5.2 The Panel asked for further information on a recent session hosted by Ofcom with smaller providers on vulnerability.

5.3 The Panel asked whether Ofcom's upcoming conference on net neutrality was to discuss Ofcom's consultation proposals and whether it would be taking place early enough in the process to take on board feedback provided during the event.

5.4 The Panel discussed Ofcom's consultation proposals to remove fax services from the telephony USO, highlighting that some health services remained reliant on these services. It was noted that the Panel Chair would soon meet with the Chair of Digital Health and Care Wales to discuss the developments.

5.5 The Panel discussed its continuing concerns surrounding 2G/3G switch-off and asked for further information on how CPs planned to identify, monitor and mitigate potential consumer impacts and whether they planned to conduct consumer research and/or trials. Members emphasised that CPs needed to safeguard consumer access to reliable and resilient communications services, particularly where some areas could become 'not-spots' post switch-off, which could significantly impact people living in rural areas who were reliant on 2G/3G connectivity. In addition, some equipment may not be compatible post-switch-off yet remained available for consumers to purchase e.g. 3G mobile handsets.

5.6 The Panel raised that Royal Mail's ongoing industrial disputes were likely to have a significant impact on consumers and citizens, and prioritising parcels over letters could result in delayed healthcare letters and missed healthcare appointments.

6. **Public policy update**

6.1 The Panel received an update on the latest developments across public policy and discussed a variety of topics including the Panel's soon to be published research on postal services in Northern Ireland; and the affordability of communications services and the need to better promote available support such as social tariffs using a wide range of channels to help target and reach consumers and citizens in need of support.

6.2 The Panel's Member for Wales highlighted that introducing a telecoms consumer advocate for Wales would be a positive step to ensure consumers, citizens and micro-businesses in Wales were equally represented alongside people in the other UK Nations.

6.3 The Panel asked if the Retained EU Law Bill would have any implications on the communications sector and noted that Ofcom was engaging with DCMS and BEIS to identify any issues and risks.

7. **Affordability of communications services**

7.1 The Panel received an update on Ofcom's ongoing work to support communications consumers who were struggling financially.

7.2 The Panel believed that all CPs should introduce affordable, low cost tariffs, such as social tariffs and needed to do more to promote support and tackle the barriers that consumers faced when seeking support such as complex processes, having to change mobile numbers, opaque and/or disempowering language. Members were concerned that CPs did not proactively promote social tariffs across their communications channels and that consumer eligibility for social tariffs varied by provider and as a result the social tariff landscape was likely to be difficult for consumers to navigate and some could face exclusion. Members suggested that price comparison websites should include information on social tariffs to help drive consumer awareness and developing a portal where consumers could check eligibility would also be beneficial.

7.3 Members were concerned that social tariffs did not meet the requirements of all consumers who were struggling financially, particularly people with additional access requirements who relied on faster connectivity, for instance – and believed that to address the issue, CPs should be easily able to tailor packages to an individual's requirements.

7.4 The Panel was interested in understanding consumers' experiences of social tariffs.

7.5 Members suggested that further work be conducted to understand the number of consumers who would be eligible for a social tariff and the level of discount required.

8. Mobile network reporting – coverage and quality

8.1 The Panel received an update on Ofcom's mobile network reporting activities and raised its ongoing concerns that predicted levels of mobile coverage across the UK did not always reflect the day-to-day reality for consumers. Ofcom colleagues assured Members that work was ongoing to ensure that the predicted models were as reliable as they could be, and the information provided by MNOs was accurate.

8.2 The Panel was concerned that mobile drive-testing data for Northern Ireland was not available on Ofcom's website alongside the other UK Nations and urged Ofcom to publish the data swiftly.

8.3 The Panel believed that for the benefit of consumers, particularly those living in rural areas, mobile network coverage reporting should also include information on which mobile providers had good coverage in locations across the UK.

9. Market Research – Diversity and Inclusion

9.1 Ofcom's Market Research team provided Members with an update on diversity and inclusion related work and plans within Ofcom's Research & Intelligence Team and how it links in with Ofcom's regulatory duties.

9.2 The Panel continued to urge Ofcom to adopt the social model of disability over the medical model to avoid barriers to engagement, understand more about the usability of

the services and foster an inclusive approach to help achieve equality of access for all consumers and citizens.

10. Network resilience

10.1 The Panel received an update on network resilience following its concerns regarding the resilience of telecoms networks following reports of possible power outages throughout the winter months due to a lack of supply – and the possibility of the outages coinciding with severe weather.

10.2 The Panel noted Ofcom's ongoing engagement with CPs and other industry bodies on securing resilient networks across the communications sector and would continue to monitor any developments.

11. Consumer Protection Monitoring and Compliance programme

11.1 The Panel received an update on Ofcom's Consumer Protection Monitoring and Compliance programme and discussed ongoing work around mid-contact price rises and end of contract notifications.

11.2 The Panel highlighted its strong support for Ofcom's Fairness Commitments and reiterated its belief that adopting a transparent process whereby signatories' performance against the Commitments was routinely reviewed and published would help to drive up good practice across the sector. Ofcom colleagues assured Members that work was ongoing to embed the Fairness Commitments across Ofcom's work programme and achieve fair outcomes for communications consumers.

12. AOB

12.1 The Panel discussed its working practices including how to track and evaluate its performance; and how best to communicate its priorities and key asks with stakeholders.