

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 22 September 2016 at 10.30

Riverside House, 2A Southwark Bridge Road, London SE1 9HA

Present

Consumer Panel/ACOD

Jo Connell (Chair)

Jaya Chakrabarti

Rhys Evans

Rick Hill

Chris Holland

Mairi Macleod

Craig Tillotson

Bob Twitchin

In attendance

Jenny Borritt

David Edwards

Fiona Lennox

A colleague from Ofgem (item 4)

Lindsey Fussell, Consumer Group Director, Ofcom (item 9)

Other Ofcom colleagues

1. Introduction

1.1 Members welcomed Mairi Macleod's extension of appointment until the end of March 2017.

2. Declaration of Members' interests

2.1 A number of declarations were made by Members. Chris Holland had been in discussion with CEDR about a role to assess complaints made against the Scheme; Rhys Evans had been asked to join Ofgem's new Consumer Progress Panel, which would give advice and comment on the implementation of Competition & Markets Authority market remedies; Craig Tillotson had been asked to be a director of UTSP Ltd, a wholly owned subsidiary of Faster Payments Scheme Limited and providing payments industry services; Jaya Chakrabarti was working on a project with Bristol City Council to improve broadband; and the Scottish Government would be convening a short life Nuisance Calls Commission and Mairi Macleod had been invited to take part.

3. Minutes of the meeting on 14 July 2016 and matters arising

3.1 The minutes of the meeting of 14 July were **APPROVED** for signature by the Chair.

3.2 The Panel would be provided with an explanatory note on the industry working group to co-ordinate service quality across organisational

boundaries. An Ofcom colleague would attend the October meeting to discuss Access Services.

4. Consumer update

4.1 Ofcom colleagues joined the meeting and a paper had been provided to update Members on the recent activity of Ofcom's consumer teams. Members **NOTED** that over the Summer major work areas for Ofcom had been mobile switching, automatic compensation, nuisance calls and complaints handling.

4.2 Other issues raised in discussion included triple-play services; the Panel's recent visit to BT's Vulnerability Centre in Doncaster, meeting contact centre advisers who deal with queries from people in vulnerable circumstances; broadband speeds, when it was **AGREED** that Ofcom colleagues would be invited to talk to the Panel about progress of 4G roll-out and mobile coverage obligations, which would be on the agenda at the next Panel meeting.

4.3 In relation to nuisance calls and the role/responsibility of directors of companies making these calls, it was **NOTED** that a 'Ten Minute Rule' Bill had been introduced in the Scottish Parliament to make directors liable for any detriment caused. In relation to mobile coverage, a Member suggested that Ofcom include links in its online coverage checker to communications providers and/or information about impending improvements in coverage.

5. Vulnerability - Ofgem

5.1 A colleague from Ofgem joined the meeting to discuss the energy regulator's approach to its consumer vulnerability strategy (CVS), a flexible framework to guide energy suppliers. The CVS had been introduced in 2013 and current focus areas included reform of the priority services register; publication of an annual Social Obligations Report; and development of a 'vulnerability principle'.

5.2 Issues raised included payment methods, a pre-payment meter (PPM) often being a good proxy for vulnerability as a PPM was installed typically when a customer was in debt; fines levied on energy suppliers, with funds being donated to charities; a lack of specialised customer service teams to deal with more vulnerable energy consumers; and timescales for debt recovery, longer timescales making it easier for energy consumers. It was **NOTED** that the UK Regulators Network was working on a project on the sharing of data on vulnerability across sectors.

6. Ofcom vulnerability strategy

6.1 Members had been provided with a paper on past and current Ofcom work related to vulnerable consumers, recent market trends and some proposals for possible future research. Ofcom colleagues joined the meeting for discussion. Members **NOTED** that Ofcom was considering a change to General Condition 15 to extend to broadband the requirements to provide services for disabled consumers that currently applied to voice, such as priority fault repair and third party bill management; that the

online/offline divide was also a potential area for future Ofcom work, ie consideration of the extent to which important telecoms information, eg complaints information and on pricing, was mainly available online; and the intention to publish a new Access & Inclusion annual report. The Panel welcomed Ofcom's initiatives.

7. Auto-compensation

7.1 Ofcom colleagues joined the meeting and provided a summary of the main themes arising from the responses to Ofcom's recent call for inputs (Cfl) and a high level status update on Ofcom's project on auto-compensation and its linkages with other projects. The Cfl responses were mixed and under consideration, with some CPs taking the view that they already met the need for compensation. Consultants would examine the system/process changes that would be required; and Ofcom would consult on implementation in Spring 2017.

8. General Conditions review

8.1 Ofcom colleagues joined the meeting and Members had been provided with a paper to update them on the review of General Conditions (GCs). The review aimed to make the GCs fit for purpose and to reflect current policy priorities. A consultation was underway on network functioning and numbering/technical conditions to which the Panel would respond; proposals on GCs related to consumer protection would be presented to the Ofcom Board in October and consulted upon in November; and a final statement was due in Spring 2017.

8.2 Issues raised in discussion included number blocking and CLI as measures to tackle nuisance calls; the importance of steps to protect vulnerable consumers, in particular with an ageing population; consumer information and transparency; and future-proofing of GCs.

9. Lindsey Fussell

9.1 Lindsey Fussell joined the meeting and spoke about her role and priorities as Ofcom's new Consumer Group Director. Issues and work areas highlighted included Ofcom's consumer strategy; the complexity of pricing/deals offered to consumers; switching; vulnerable consumers; nuisance calls; QoS; automatic compensation; and consumer protection, investigations and enforcement. Panel members took the opportunity to highlight key challenges for consumers including mobile coverage; complaints handling and ADR; digital engagement; access services; and support for micro-businesses. It was **AGREED** that the Panel would provide Lindsey Fussell with a note from the Panel/ACOD's perspective in relation to Ofcom's consumer strategy.

10. Mobile research

10.1 Ofcom colleagues joined the meeting to discuss Ofcom's new mobile

coverage research app. Mobile users would be able to join a nationwide panel of volunteers to help gather information about mobile coverage, reliability of voice calls, mobile broadband performance and users' experiences and habits. The app was automatic and users would not be required to manually run any tests.

10.2 Members raised a number of issues including the importance of involving consumers of all kinds, eg users of text relay, and people with a visual impairment or in rural areas; privacy; the implications of Ofcom's research partnership with P3 Communications; and the value of collecting data with discrete age breakdowns. Members would provide any further thoughts/ feedback on the app by email for onward transmission to the Ofcom team.

11. Ofcom Annual Plan

11.1 Ofcom colleagues were at the early stage of the planning process for the Ofcom Annual Plan 2017/18, had provided a paper and joined the meeting for discussion. Members had a number of initial thoughts in relation to the Annual Plan. These included the need to ensure that micro-businesses have access to gigabit cities without prohibitive contractual obligations; the need for the Plan to be consumer outcome-based; and goals to improve QoS and customer service. The Panel would provide the Ofcom team with a list of the points raised by Members.

12. Digital Economy Bill update

12.1 An Ofcom colleague joined the meeting to update the Panel on the progress of the Digital Economy Bill. The second reading debate had taken place and from an Ofcom perspective had focused on USO, Age Verification/ online protection of minors, the BBC and Openreach. The committee stage of the Bill would begin on 11 October and would include evidence from Ofcom, BT and BSkyB.

13. Any other business

13.1 The Panel was eager to encourage improvements in the ADR process and had maintained dialogue with CPs, face-to-face and more recently by correspondence. In an effort to move the debate forward and to gather evidence it was **AGREED** that the Panel would approach Ofcom to request that it use its information gathering powers to gather relevant complaint data.

13.2 Members reviewed the Panel's monthly priorities report and were requested to continue to give consideration to its format and value.

.....ChairDate