

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 25 September 2014 at 10.30

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

Present

Consumer Panel/ACOD

Jo Connell (Chair)

Kim Brook

Jaya Chakrabarti (by telephone)

Rick Hill

Chris Holland

Mairi Macleod

Craig Tillotson

In attendance

David Edwards

Fiona Lennox

External visitor from AbilityNet (item 9)

Other Ofcom colleagues

Apologies

Bob Twitchin

1. Welcome and introduction

1.1 The Chairman welcomed Rick Hill, the new member for Northern Ireland, who was attending his first Panel meeting. It was **NOTED** that Jenny Borrit would be joining shortly as the new Consumer Panel/ACOD Coordinator.

2. Declarations of Members' interests

2.1 Of relevance to the agenda item on Access Services, Members noted that when employed by the BBC Mairi Macleod had previously worked for the current Chief Executive of the British Sign Language Trust. She was also acquainted with a member of the board.

2.2 Rick Hill raised his role as chairman of The Consumer Council (Northern Ireland) and the potential for conflicts related to Panel discussions of post.

2.3 No other interests were declared that were not already listed on the Panel's website.

3. Minutes of the meeting on 23 July 2014 and matters arising

3.1 The minutes were **APPROVED** for signature by the Chair.

3.2 Members **NOTED** that DCMS had published its *Digital Communications Infrastructure Strategy* consultation. The Panel would submit a response shortly. The Panel would respond also to Ofcom's switching next steps call for input.

3.3 It was further **NOTED** that the Panel had submitted a number of recent responses, to Ofcom's *Consultation on future use of the 700 MHz band*; its *Mobile call termination market review 2015-18*; its *Review of signing arrangements for relevant TV channels*; to its call for inputs on *Speaking TV programme guides*; to the *Ofcom consultation on the UK preparations for the World Radiocommunication Conference 2015 (WRC-15)*; and to the *House of Lords Digital Skills Committee call for evidence on digital skills in the UK*.

3.4 Fiona Lennox was in the process of following up queries relating to PhonepayPlus' *Understanding Consumer Journeys* research.

4. Mobile data - future demand

4.1 Members had received a paper and an Ofcom colleague joined the meeting to provide the Panel with an overview of UK mobile data traffic, international benchmarks and Ofcom's initial scenario-based assumptions on data traffic by 2025.

4.2 Members discussed a number of issues, including an apparent flattening of the fixed broadband data rate; individuals' attention constraints in making use of mobile data/applications and whether a bandwidth demand limit would be reached; the relevance of 700 MHz debates; 3G/4G performance similarities; value in reviewing earlier forecasts to learn lessons; and the potential for 4G to 'leapfrog' 2 Mbit fixed broadband in rural areas.

4.3 A Member suggested that Ofcom break down its overall volume forecasts, ie numbers of customers using X data per day per device on applications A, B and C etc. This would allow individual drivers to be reviewed and determine whether the overall forecast was robust. This exercise could also sense check the feasibility of the estimated use of each individual application.

5. Unexpectedly high bills in the mobile contract market

5.1 Members had received a paper updating them on Ofcom's engagement with DCMS and its work with mobile operators on a voluntary code of practice (CoP) including a limit on liability for unauthorised use of lost/stolen phones; work with communications providers on data roaming issues; related consumer research; out of allowance charges; and emerging PAYG issues.

5.2 An Ofcom colleague joined the meeting. There was discussion of issues including parallels in and lessons from the banking sector related to limits on financial liability; a punitive attitude by MNOs and a lack of cost-based out of allowance charging; the potential for consumers to become risk-averse in their use of communications services; inadvertent roaming in Northern Ireland and with a particular effect on small businesses in border areas; spend caps and the ability to opt out; and value in encouraging awareness and consumer use of PINs.

5.3 Concerned about slow progress to reach agreement on lost/stolen caps, the Panel **AGREED** to write to DCMS to urge an early resolution and to highlight lessons from the financial services sector.

6. TV White Spaces

6.1 Members had received a paper and Ofcom colleagues joined the meeting to update members on the TV White Spaces pilot and various trials; on progress over recent months; and to outline next steps.

6.2 There was discussion of issues including trials, their locations and scalability; the risk of interference; stress testing of worst case scenarios; and related international developments. It was **AGREED** that the Ofcom team should return to update the Panel further towards the year end.

7. Consumer policy/enforcement update

7.1 Members had received a paper and an Ofcom colleague joined the meeting to update Members on a range of consumer empowerment and protection issues.

7.2 Members **NOTED** that Ofcom had commissioned a study to assess access to ADR; issues related to the launch of the Next Generation Text Relay service and availability of the NGT App; the recent launch of the UK Regulators Network (UKRN); bill payment methods, payment surcharges regulations and the costs for communications providers in issuing paper bills; and the Next Generation Intermediary (NGI) concept.

7.3 Members **AGREED** that it would be useful to invite the UKRN to meet the Panel.

8. Citizen interest

8.1 Ofcom colleagues joined the meeting and Members had received copies of a draft report, entitled *Citizens and communications services*, and a paper summarizing the key priority areas discussed in the report and which Ofcom expected to publish in November.

8.2 The Panel appreciated the purpose of the report, which was to inform debate about how well communications services were serving citizens. Members made a number of comments/suggestions for improvement, in particular inclusion of geographic/Nation variations and international comparisons; strengthening the section on the digital divide; adding in risk and protection; more on quality of customer service; and 2 Mbits/s not being an adequate minimum broadband speed. The Ofcom team would give the comments careful consideration and return to the next Panel meeting to report on how they have been dealt with.

9. AbilityNet

9.1. A colleague from AbilityNet joined the meeting to talk to the Panel about the work of his organisation and about digital accessibility issues.

10. Ofcom's Annual Plan

10.1 The Panel had been provided with a paper on Ofcom's Annual Planning process for 2015/16, which was at an early stage, and Ofcom colleagues joined the meeting for discussion. Members made a number of comments and raised a number of areas of focus, including microbusinesses and their communications requirements; data, privacy and security; a goal of mobile data ubiquity; nuisance calls, video relay and digital

participation. It was **AGREED** that the Annual Plan team would return to the Panel in December.

11. Access Services

11.1 Members had been provided with a paper to summarise key developments in Ofcom’s Access Services policy and Ofcom colleagues joined the meeting for discussion. Topics covered included speaking TV programme guides; signing arrangements for low-audience TV channels; the quality of live subtitling; and Ofcom’s Access Services report for the first six months of 2014. The Panel was pleased with the progress being made and asked the Ofcom team to report back in due course.

12. Any other business

12.1 It was reported that Ofcom’s Advisory Committee for Wales would pursue with Ofcom its suggestion that communications providers be invited to distribute Ofcom’s nuisance call guides to all their customers.
12.2 It was **AGREED** that the Panel would raise the guides at its next meetings with communications providers, intended to continue discussion of the finding of the Panel’s *Going round in circles?* research.

.....ChairmanDate