

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 15 December 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

Colleagues from the Office of the Telecommunications Adjudicator (item 6)

Other Ofcom colleagues

1. Declaration of Members' interests

1.1 Of relevance to discussion of Openreach, a BT subsidiary, Chris Holland and Bob Twitchin declared their membership of the BT pension scheme and Craig Tillotson his membership of the EE pension scheme.

2. Minutes of the meeting on 17 November 2016 and matters arising

2.1 The minutes of the meeting of 17 November were **APPROVED** for signature by the Chair.

2.2 Members had provided comments to the author on the draft of Ofcom's Diversity Report 2016; stakeholder lists for Digital Footprints would be recirculated to Members for review; and the Panel would be writing to Peers shortly about an access services (on VOD) provision in the Digital Economy Bill.

3. Consumer update

3.1 An Ofcom colleague joined the meeting and an update paper had been provided to give Members an overview of Ofcom's consumer priority work areas, progress, next steps and milestones. There was discussion of a number of the consumer priority areas, including nuisance calls; mobile coverage; and automatic compensation.

3.2 The Panel encouraged Ofcom to engage further with Scotland's Nuisance Calls Commission, a short-life group set up in November by the Scottish Government following its Nuisance Calls Summit held in June 2016. The Government's National Infrastructure Commission had published

its first report the previous day and with a focus on 5G and the Panel encouraged Ofcom to make universal mobile connectivity a priority. Vodafone had introduced a scheme to automatically compensate customers for porting delays and the Panel took the view that other MNOs should similarly provide compensation. Ofcom was due to publish mobile quality of service (QoS) research and the Panel would be advised of the planned publication date.

4. Political update

4.1 An Ofcom colleague joined the meeting and briefed Members on the progress of the Digital Economy Bill. The Lord's Second Reading had taken place earlier in the week. Currently measures in the Bill of interest to Ofcom remained unchanged, i.e. those concerning information gathering powers, appeals, automatic compensation and switching. Access services (on VOD) were not included in the Bill but the Government had indicated that it would introduce an amendment in the Lords, where the Committee stage would commence in January 2017. As noted earlier, the Panel would be writing to Peers shortly about an access services (on VOD) provision in the Digital Economy Bill.

5. Mobile coverage

5.1 Ofcom colleagues joined the meeting to discuss mobile coverage in the UK. Members **NOTED** that Ofcom's *Connected Nations 2016* report, to be published the following day, tracked progress on coverage in detail but with data as of June 2016. There was brief discussion of the headlines surrounding the *Connected Future* report, just published by the National Infrastructure Commission, with its focus on 5G.

5.2 Other issues discussed included Ofcom's dialogue with MNOs, including recent correspondence with their CEOs. Ofcom's Chief Executive had called on the MNOs to go beyond current coverage targets by exploring options for reaching areas without premises, such as transport routes and remote locations. As noted previously, contracts for new rail franchises would begin to include an obligation to provide WiFi connectivity.

6. Office of the Telecommunications Adjudicator (OTA)

6.1 Colleagues from the OTA joined the meeting and explained its role, tasked by Ofcom to oversee co-operation between communications providers (CPs) and to enable competition. The OTA was independent of both Ofcom and industry, its main role being to deal with major or strategic issues affecting the rollout and performance of products provided by Openreach.

6.2 There was discussion of issues including the way that CPs manage their relationships with Openreach and the interactions of end users. The Panel was reassured by the OTA's oversight of the industry QoS working group and it had been the Panel's interest in QoS that had prompted today's discussion. OTA colleagues would engage further with the Panel in 2017.

7. Affordability research

7.1 Earlier in December Ofcom had published an *Affordability of Communications Services Omnibus: data pack*. An Ofcom colleague joined the meeting to discuss the data. This was the third year that Ofcom had surveyed affordability to track the proportion of the population unable to afford one or more communications services and to gauge impact on their daily lives.

7.2 Members raised a number of queries on the data and asked for clarification of some issues, Ofcom would report back on these points. The data was in the form of percentages and of particular concern to the Panel were the actual numbers of people struggling with the affordability of different communications services. Even where percentages were small they could still represent sizeable groups of people. The Panel also requested further analysis of the 65+ population. In due course the data and a narrative would form part of an Ofcom access and inclusion report and the Panel would welcome the opportunity to have sight of that report pre-publication and to provide comments.

8. Review of Digital Communications (DCR)

8.1 Ofcom colleagues joined the meeting and Members had been provided with a paper to update them on the implementation phase of Ofcom's Review of Digital Communications.

8.2 Discussion focused on Openreach reform and the proposal that it be incorporated with its own board, assets and people. Members **NOTED** that the DCR was progressing on a number of fronts, including work on QoS and the wholesale local access (WLA) market review. It was **AGREED** that the WLA team would be invited to meet the Panel.

9. Cancellation issues

9.1 Members had received a paper and Ofcom colleagues joined the meeting. There was discussion of service cancellation issues including customers' access to their online account details following termination of service. It was **NOTED** that CPs varied in their approach but the majority allowed customers to continue to access their accounts - usually for a period of 3 to 6 months. The Panel **AGREED** that access to account details was important for a number of reasons, e.g. when completing a tax return. Other issues raised included handset unlocking; and the application of early termination charges to Virgin Media customers when moving house to an area not covered by the company, which the Panel felt was unfair and urged Ofcom to consider further.

10. Nuisance calls

10.1 An Ofcom colleague joined the meeting to update the Panel on Ofcom's work to tackle nuisance calls. Members **NOTED** that an update on the ICO and Ofcom Joint Action Plan, to address the consumer harm caused by nuisance calls and messages, would be published the following week.

10.2 Issues discussed included the positive benefits of blocking numbers at local and network levels and the importance of free CLI services. Some progress had been made to tackle nuisance calls but there was still more

work to be done.

11. Broadband USO

11.1 An Ofcom colleague joined the meeting to brief the Panel on Ofcom’s technical advice to Government on the provision of a broadband USO. Ofcom would be providing advice in a report, to be published the next day, on a range of technical specifications based on three scenarios.

11.2 Members noted that quoted speeds should be based on the likely consumer experience and not just the headline speed; and that telemedicine services would require adequate upload speeds. An estimate of the costs of a broadband USO was included in the report. A Member highlighted that it was important to appraise the economic value of more people being connected via a broadband USO. The Panel looked forward to publication of the Ofcom report.

12. Connected Nations

12.1 Ofcom colleagues joined the meeting. Members **NOTED** that Ofcom was about to publish its *Connected Nations 2016* report, covering mobile and fixed infrastructure and including data on the availability of broadband for all premises in the UK. As part of this work Ofcom had developed an app to inform consumers about their broadband and mobile coverage, to test connections and to suggest tips for improving performance. The app would also provide valuable data to Ofcom. Members were given a demonstration of the app.

13. NADP survey

13.1 A Panel Member had attended a UK Council on Deafness conference in November at which the National Association of Deafened People (NADP) had presented details of its survey on how deaf people use the telephone. Details of the survey had been copied to Members. An Ofcom colleague joined the meeting for discussion. Members **NOTED** that BT had carried out a customer satisfaction survey of users of the text relay service. The Panel **AGREED** to publicise the NADP and the BT research in its December bulletin and stated that communications providers could be of great help in the promotion of NGTS.

14. Any other business

14.1 It was reported that the Scottish Government would be consulting in 2017 on the best way to deliver a unified consumer body (Consumer Scotland); that the Panel had engaged recently with DCMS, when it discussed matters including consumer representation.

14.2 Shortly the Panel would begin thinking about its Work Plan 2017/18. A Member suggested that the Panel make mobile coverage its focus in 2017 (4G coverage obligations were due to be met at the end of 2017).

.....ChairDate