

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 18 September 2013 at 10.30

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

Present

Consumer Panel/ACOD

Jo Connell (Chairman)

Kim Brook

Jaya Chakrabarti

Chris Holland

Libby Kinney

Mairi Macleod

Craig Tillotson

Bob Twitchin

In attendance

Eleanor Berg

David Edwards

Fiona Lennox

Neil Marley, Digital Mobile Spectrum Limited (item 6)

Ulrika Diallo, Federation of Small Businesses (item 8)

Rick Abbotts, Federation of Small Businesses (item 8)

Other Ofcom colleagues

1. Declarations of interest

1.1 In relation to items 3 and 12, Chris Holland declared his role as an occasional consultant for IDRS Ltd - a multi-sector consumer dispute resolution service. Chris Holland also declared that in his consultancy role with Time to Change (a mental health charity) he would be working on a wellbeing project with a Mobile Network Operator (MNO) - this did not involve any issues to do with communications or regulation. Mairi Macleod had undertaken some work for STV and Jaya Chakrabarti's digital design agency nameless undertakes work for Sony. There were no other interests to declare.

2. Minutes of the meeting on 17 July 2013 and matters arising

2.1 The minutes were **APPROVED** for signature by the Chairman.

2.2 The Panel's Annual Report had been published at the end of July.

2.3 Jo Connell had chaired the *Consumers and Citizens in the Communications Sector* conference, held earlier in the week and jointly hosted by the Panel and Ofcom. At the conference Mairi Macleod had spoken about the Panel's new research - *Going Round in Circles?* - on the consumer experience of dealing with problems with communications services. Jo Connell had a catch-up meeting with Ofcom Chairman prior to the Panel meeting and the Ofcom Chairman had expressed positive interest in the research.

2.4 Taking account of the Panel's workload and priorities it was **AGREED** that the discussed refresh/republication of the Panel's Consumer Interest Toolkit would be postponed and considered again when the Panel discussed its workplan for 2014/15.

2.5 Members **NOTED** that the Panel had made submissions to the Culture, Media and Sport Committee inquiry into Nuisance Calls and to the All Party Parliamentary Group on Nuisance Calls. Responses had been submitted to BIS on its Draft Consumer Rights Bill policy paper and on its consultation *Regulatory and competition appeals: options for reform*.

2.6 Finishing touches were being made to the *Going Round in Circles?* research report, which would be published shortly.

3. Consumer update

3.1 An Ofcom colleague joined the meeting and there was discussion of issues including ADR schemes and redress; the capping of compensation for outage related complaints; next generation text relay (NGTR) and BT's request for NGTR approval, which would be copied to members for information; nuisance calls and consumer guidance; the regulatory framework in the context of the Government's recently published strategy document *Connectivity, Content and Consumers*, the European legislative package on a single telecoms market and roaming regulations.

4. Subtitling statement update

4.1 Members had received a paper that outlined Ofcom's proposed statement on live subtitling. An Ofcom colleague joined the meeting and summarised briefly the responses to Ofcom's earlier consultation. Members **NOTED** that it was Ofcom's intention to require broadcasters to report on speed, accuracy and latency of live subtitling indicators on a six-monthly basis. There was discussion of issues including the late delivery of pre-recorded programmes; producer guidelines; and use of the 'red button'. It was **AGREED** that Panel member Mairi Macleod would contribute a short comment piece on subtitling for inclusion in the Panel's October Bulletin.

5. Price accreditation websites

5.1 Members had received a paper to update them on responses to a recent consultation on Ofcom's voluntary accreditation scheme for price comparison websites and to outline some of the consumer issues identified. An Ofcom colleague joined the meeting for discussion of issues including reporting on quality of service; a need for up-to-date information; and accredited and non-accredited sites. Members **NOTED** that Ofcom expected to publish a statement on proposed changes to improve the scheme, including a requirement for clear messaging around 'up to' and actual broadband speeds and consumer information on data usage limits and traffic management. Members highlighted the importance of providing robust information that consumers could use as the basis for their decisions.

6. DTT coexistence

6.1 Members were joined by Neil Marley, Chief Operating Officer of Digital Mobile Spectrum Limited (DMSL), who provided an update on recent and current DMSL activities. He spoke about the successful pilots in Dudley, Brighton and south east London; the recent launch of 4G mobile services in the bigger cities; the relevance of DMSL KPIs; and whether a more reactive

at800 programme made sense in the context of the very small number of interference cases that had so far come to light.

7. Affordability research

7.1 Ofcom colleagues had provided a paper and joined the meeting to inform the Panel and to provide an early alert about a new Ofcom project on the affordability of essential telecoms services and potential barriers to participation, including related research. There was discussion of issues including access to services; online government services; and the suggestion of 'necessary services' as an alternative to 'essential services'.

8. Federation of Small Businesses SME research

8.1 Members were joined by Ulrika Diallo and Rick Abbotts, from the Federation of Small Businesses (FSB), who briefed the Panel on findings in the FSB's recent research report *The Digital Imperative - small businesses, technology and growth*. There was discussion of the Panel's forthcoming microbusiness research and it was agreed that the Panel and the FSB would remain in close contact as the project developed. Ulrika Diallo would provide members with a link to the FSB's *'Voice of Small Business' Member Survey 2012*.

9. Cities research

9.1 Ofcom colleagues joined the meeting to update the Panel on Ofcom's Cities project, including the recent publication of both Communications Market Report (CMR) data and a case studies report, both parts of phase 1 of the project.

9.2 Members **NOTED** that Phase 2 would include six international city case studies, for publication in Ofcom's International CMR; 'deeper dives' into six of the UK cities in phase 1; and correlation of areas of service availability and socio-economic metrics, the latter from the Index of Multiple Deprivation.

10. Non-geographic calls communications campaign

10.1 Members were joined by an Ofcom colleague for discussion and had been provided with a paper and information about campaign material. Members **NOTED** that a virtual working group had been established to provide advice and guidance, made up of representatives from consumer organisations and the third sector. Amongst the issues discussed, Members suggested that there could be value in the provision of campaign materials in Easy Read format; that there was a need to take into account consumers with English as a second language; and careful consideration was required of the timing of announcements of changes to the regime for non-geographic calls. The Panel would be kept informed of developments.

11. General Condition 15 and associated research

11.1 Colleagues from Ofcom joined the meeting. Members had been provided with research data on disabled people's ownership of communications services. A research report, to be published shortly, would provide detailed analysis of communications services ownership among people

with hearing, visual, mobility and multiple impairments, making comparisons by type of disability and by demographic group. It would draw out differences between disability groups and make comparisons with non-disabled consumers. It was **NOTED** that the main reason given by disabled people who had not taken up broadband was 'lack of interest' although it was suggested that this could mask other reasons, eg cost. The Panel had advised Ofcom on the Easy Read leaflet on the use of mobile phones it intended to publish. Ofcom would write and provide leaflets to social services departments, as one of a number of distribution channels. The letter would be copied to Members.

12. General Condition 14 monitoring and enforcement programme

12.1 Ofcom colleagues joined the meeting to update the Panel on Ofcom's work related to complaints handling procedures (GC14). Members **NOTED** that Ofcom had gathered evidence to assess the compliance of providers with GC14. Where there were compliance concerns Ofcom would follow these up with providers. Members **NOTED** that Ofcom research suggested that use of ADR was relatively low - which suggested limited awareness.

13. Microbusiness research

13.1 Members discussed a number of issues related to a new Panel qualitative research project on microbusinesses' use of communications services, including definition of a microbusiness; methodology; and possible areas of focus. Panel members for the Nations would seek and feedback the views of Ofcom's National Advisory Committees and a research brief would be worked up for discussion at the next Panel meeting, prior to a research agency tendering exercise. In the meantime the Panel would prioritise publication of its *Going Round in Circles?* research report.

14. Mast rationalisation report back

14.1 The Panel had written to MNOs to highlight concerns about mast rationalisation. It had subsequently held a number of constructive meetings with providers to discuss coverage and related customer service issues. The Chairman gave a brief report on the discussions that had taken place.

15. Any other business

15.1 There was brief discussion about the the Government's strategy document *Connectivity, Content and Consumers*.

15.2 In December the Panel's current membership would have been established for a year. The Chairman would have 1:1 sessions with Members to gauge progress.