

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 19 March 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

In attendance

Jenny Borritt

David Edwards

Fiona Lennox

Roger Darlington, Chairman of the Consumer Forum for Communications (item 7)

Other Ofcom colleagues

Apologies

Bob Twitchin

**1. Minutes of the meeting on 25 February 2015 and matters arising**

1.1 Subject to minor amendment, the minutes were **APPROVED** for signature by the Chair.

1.2 A letter to the BBC Trust about the accessibility of online catchup content and the publication of relevant metrics was about to be sent and would be copied to members for information. The Panel had written to the Competition Markets Authority following its discussion about industry consolidation at the last meeting.

1.3 Members **NOTED** that the issue of graffiti on CPs equipment would be highlighted to Ofcom.

1.4 Members **NOTED** the Budget 2015 announcement that £600m would be made available to free 700 MHz spectrum and requested an update on budget measures.

1.5 A subgroup formed by the Panel and chaired by Fiona Lennox had undertaken a review of Ofcom's consultation processes. A number of draft recommendations had been drawn up following discussion with internal and external stakeholders and the former and current chairs of the Consumer Forum for Communications. Members **NOTED** that the Panel Chair would highlight the review to the Ofcom Board at its April meeting.

**2. Ofcom research update**

2.1 Having provided a paper, an Ofcom colleague joined the meeting to update members on recently completed and upcoming Ofcom research

projects. The former included the quality of customer service; qualitative SME research; and the Consumer Experience report. The latter included a report on disabled consumers' accessibility to communications services and devices; work related to DTT and who viewers might contact in the event of TV reception problems; research to understand narrowband market dynamics, ie in fixed telephony; and a project to assess the performance of the new Next Generation Text Relay (NGTR) service.

2.2 Members expressed significant concern about any reduction of research in relation to understanding the nature of consumers' complaints. Members urged inclusion of older and disabled people in DTT research samples and of microbusinesses in research related to SMEs. The Panel offered to assist with the framing of questions to be used in the narrowband research and requested an opportunity to discuss further the NGTR project and this would be fed back to Ofcom colleagues. The Panel requested to be kept in close touch with the development of a number of specific projects.

2.3 It was **AGREED** that the team would explore with Ofcom colleagues how additional information about Ofcom research could be provided.

### 3. SME service provision and availability

3.1 Ofcom colleagues joined the meeting having provided a paper to summarise emerging findings from quantitative and qualitative Ofcom research findings to assess telecoms services outcomes for SMEs.

3.2 Issues raised in discussion by Members included an apparent lack of commercial pressure to resolve problems for SMEs; the nature of the leased lines market; a lack of trusted intermediaries and fees for such services; and the role of small business organisations. The Panel would continue to engage with Ofcom's work on SMEs, and asked to see the findings of qualitative research underway. The Panel was about to hold a series of stakeholder events across the UK, at which Ofcom would present quantitative research.

### 4. Postal Services update

4.1 An Ofcom colleague joined the meeting to brief members on recent developments in the postal sector. These included a review of end-to-end competition and Ofcom's conclusion that this did not pose a threat to universal service; an Ofcom review of Royal Mail access pricing and a related Competition Act investigation following a complaint from Whistl; a wider Ofcom postal review including an efficiency review; and the Inquiry into competition in the UK postal sector and the universal service obligation undertaken by the Commons' Business, Innovation and Skills (BIS) Committee. Members discussed public perception of the USO and delivery from online retailers to certain areas eg in Northern Ireland and Scotland. Members **NOTED** that the BIS Committee had taken evidence from Ofcom, amongst others, and had published its report; and that the Panel's June meeting would be a good time for the next postal services update.

## 5. Telecom Market Developments

5.1 Members had received a briefing paper on the proposed industry mergers, between BT and EE and between Three and O2.

5.2 There was discussion of issues including take-up of bundles, dual, triple and quad-play; whether consumers were aware that they had a bundle and that their choices could be constrained; 'natural', ie fixed-voice and fixed-broadband, and 'unnatural' bundles, eg fixed-voice and mobile; switching and the question of whether bundling had a negative impact on this; and the mandating of simpler tariffs, eg as in the energy sector, to stimulate market engagement by consumers.

## 6. White Spaces

6.1 Having provided a paper an Ofcom colleague joined the meeting for discussion of TV White Spaces (TVWS). Topics discussed included the progress of a diverse range of TVWS pilots, ranging from a trial service on Orkney ferries to a live streaming service from animal enclosures at London Zoo; interference, with none so far reported; consumer protection measures, including a telephone helpline; potential use of 800 MHz, and next steps, including introduction of a licence exemption regime and the signing of contracts with TVWS database providers.

## 7. CFC Chairman

7.1 The Panel welcomed Roger Darlington, a former member of the Panel and the new chairman of the Consumer Forum for Communications (CFC), to the meeting. He explained that his aim was to increase the involvement and impact of consumer groups in policy development but he was aware that consumer groups themselves were under increasing resource pressure. The Forum would submit a response to the Panel's draft workplan which was out for consultation.

## 8. The Rural Consumer Experience

8.1 Members had been provided with a paper which drew upon a number of Ofcom data and policy projects with a rural dimension. There was discussion of issues including rural mobile coverage and the 'binding agreement' reached in December between the Government and the UK's four largest mobile network operators on measures designed to improve coverage; and the Budget 2015 commitment to 100 Mbit/s ultrafast broadband for nearly all homes in the country. The paper included data sets on telecoms and networks, SMEs and post, to holistically illustrate the rural consumer experience and which members would digest further. It was **AGREED** that BDUK should be asked to a Panel meeting to update Members on rollout and that the team would examine DEFRA's position on rural communications services. National Members would also liaise with the National Advisory Committees to identify rural needs.

**9. Network Service Issues: Consumer Rights**

9.1 Having provided a paper, Ofcom colleagues joined the meeting to discuss Ofcom’s analysis and plans to improve how consumers are treated by communications providers when they experience in-contract network service issues, eg a reduction or loss of service such as mobile coverage or slower broadband. This work would be undertaken over the next 6-9 months.

9.2 The Panel warmly welcomed this work. Issues discussed included the need to include microbusinesses in the consumer frame; the importance of consumers knowing their rights, of point-of-sale information and of correct consumer advice being given.

**10. Any other business**

10.1 Members **NOTED** that as part of its review of regulation of complaint handling and dispute resolution in the postal market, Ofcom had issued an open letter to stakeholders inviting views and the Panel would submit a response.

10.2 A Member reported on a recent BIS event on EU copyright reform.

10.3 Members discussed asking presenters to identify in policy papers who the relevant stakeholders were for any given project and how they would engage them.

.....Chairman .....Date