

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 20 May 2015 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

Baroness Noakes, Ofcom Deputy Chairman

Other Ofcom colleagues

**1. Welcome and introduction**

1.1 The Chair welcomed members to the meeting and introduced Baroness Noakes who was attending as an observer.

**2. Declarations of interest**

2.1 Chris Holland reminded Members of his occasional work as a consultant across dispute resolution schemes offered by IDRS, including CISAS. Rhys Evans informed Members that he had been formally asked to join an external advisory group helping the Welsh Government to revise its financial inclusion strategy. Rick Hill had been appointed to chair the Scottish Government's Working Group on Consumer and Competition Policy.

**3. Minutes of the meeting on 29 April 2015 and matters arising**

3.1 The minutes of the meeting of 29 April were **APPROVED** for signature by the Chair.

3.2 Members **NOTED** that Citizens Advice (CA) had been invited to meet the Panel. A draft response to CA's consultation *Consumer Codes* was in preparation. Members had provided comments on the draft structure of the Panel's qualitative research report on inclusive communications and these had been passed to the research agency. The BBC Trust had responded to the Panel's letter, concerning the accessibility of online AV content and the publication of relevant metrics, and views on these topics were awaited from the office of the BBC Director General. The issue of graffiti

on communications providers' (CP) equipment had been highlighted to Ofcom.

3.3 Members **NOTED** that the Panel had received correspondence relating to the robustness of telecommunications in an area of North Wales. The team had raised the issues with colleagues at Ofcom's office in Cardiff. The availability and robustness of rural communications services remained a topic of ongoing interest to the Panel.

#### 4. Telecoms and pay TV complaints

4.1 Having provided a paper and slide deck relating to recent complaints data, Ofcom colleagues joined the meeting. Issues raised in discussion included the delay in publication of the data and the reasons for this; CPs' classification and definition of a complaint; SME use of residential packages; classification of complaints by tariff; the auditing of data; value in complaints data being used by price comparison websites; consumers' awareness of the data as a potential aid to switching; and Ofcom obtaining complaints data from Alternative Dispute Resolution (ADR) schemes. Members encouraged Ofcom to take further steps to motivate CPs to do better and the Panel would consider the merits of contacting switching sites about publicising the data.

#### 5. Next Generation Text Service (NGTS)

5.1 Ofcom colleagues joined the meeting to update the Panel on the new NGTS, including data on key performance indicators.

5.2 In discussion a Member requested 1st Quarter NGTS usage data - Ofcom would make enquiries about its availability. It was **NOTED** that NGTS emergency calls carried location data and it was suggested that there may be learning that could be applied to work being undertaken by the Cabinet Office on the 999 service - this topic would be pursued further with Ofcom outside the meeting. An Ofcom colleague would provide a further briefing note and would make enquiries about the availability of NGTS App download data from the Apps Store. Ofcom would be undertaking consumer research on the NGTS and findings would be discussed with the Panel in due course.

5.3 It was **AGREED** that Members would review Ofcom and provider NGTS information in terms of its accessibility to users.

#### 6. Adults' media use

6.1 Members had received a paper providing some of the key findings from the recently published Ofcom *2015 Adults' Media Use and Attitudes Report*. Ofcom colleagues joined the meeting for discussion. Issues raised included whether it was possible to be too cautious about online transactions, ie 21% saying they would never provide credit or debit card details, and so missing out on the benefits of e-commerce. Members expressed interest in Ofcom's Media Lives project and it was **AGREED** that this would be a topic for a future Panel agenda item.

6.2 Reliance on legacy services such as texting instead of IM was raised, eg in the absence of a good internet service in rural areas, and it was

suggested that there could be value in comparing usage by location. Ofcom colleagues would enquire about this. Online Government services were raised and it was suggested that an age breakdown of users and by individual service would be useful. Ofcom would make enquiries.

## **7. Ofcom SME qualitative research and policy implications**

7.1 Ofcom colleagues joined the meeting and briefed Members on Ofcom SME qualitative research and an action plan to be published shortly. It would cover issues including availability of broadband; quality of service; retail market structure; and how SMEs engaged with the market.

7.2 Members welcomed this piece of work, with Ofcom's findings echoing the Panel's own recent micro business research. Members suggested that future Ofcom research would be useful to assess the impact of any SME initiatives; **AGREED** that there was a need for action to improve the communications position of SMEs - particularly in relation to the rollout of fast broadband; and **NOTED** that SMEs would feature in Ofcom's review of digital communications.

## **8. Broadband speeds revised Code of Practice**

8.1 Members had received a paper on proposed changes to the voluntary broadband speeds code of practice. Ofcom colleagues joined the meeting for discussion.

8.2 Issues raised included contract renewal and customer information - existing customers appearing to receive less information than new customers; the value in measuring the impact of a revised code; how the code would be communicated to consumers; the suggestion of a reduced tariff when broadband speed was less than advertised; decoupling performance measures from the technology of broadband delivery; and the suggestion that Ofcom seek to optimise the code's position on online search engines. Broadband speeds would return to the Panel in the Autumn.

## **9. Ofcom Deputy Chairman**

9.1 Baroness Noakes spoke about her experience and role as Ofcom's Deputy Chairman and highlighted Ofcom's work to further the interests of consumers.

## **10. ADR update**

10.1 Members had been provided with a paper providing the initial findings of an Ofcom study on ADR. Ofcom colleagues joined the meeting to discuss the study, work the Panel had encouraged Ofcom to undertake, and explained that they planned to consider the full findings together with other evidence before consulting governance on next steps. The study assessed customers' access to ADR and analysed the handling of written notifications and deadlock letters.

10.2 The Panel welcomed the study. Members made a number of

comments and expressed significant concern about the initial findings. The Panel would raise ADR again when it met with CPs.

**11. Vulnerable consumers**

11.1 Members had been provided with a paper on work on consumer vulnerability underway at Ofcom and through the UK Regulators Network (UKRN). Ofcom colleagues joined the meeting for discussion.

11.2 Members welcomed this cross-sector initiative; suggested the inclusion of customer service as a work area; **NOTED** recent CA recommendations on tackling consumer vulnerability and the ‘challenge role’ for the Panel in this area; the extent to which Ofcom colleagues understood vulnerable consumers’ experience; and **NOTED** that compliance with and promotion of the Panel’s Consumer Interest Toolkit was a work area.

11.3 Consideration would be given to incorporating consumer vulnerability into the design of the Panel’s meeting paper template.

**12. Scams work update**

12.1 Members had been provided with a paper to update them on telecoms scams. Ofcom colleagues joined the meeting for discussion. Members welcomed Ofcom’s work in this area. Issues raised included CLI spoofing; potential value in a national taskforce to tackle scams; the commitment from CPs to address scams; and Ofcom’s relevant regulatory and ‘soft’ powers. The team would enquire about the renewal of the TPS contract.

**13. Any other business**

13.1 Ofcom’s latest nuisance calls data/report, published that day, would be copied to members and Members **NOTED** that nuisance calls would be an agenda item at the next Panel meeting.

13.2 Members would provide comments on CA’s coding consultation by the end of the week and **NOTED** a proposed a new code category for Communications and Technology.

.....Chair .....Date