

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 21 April 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 Ipsos MORI (item 10)

Other Ofcom colleagues

1. Introduction

1.1 Members were welcomed to the meeting and advised that following an open competition, a new Panel communications adviser, Millie Hyde-Smith, had been appointed. The Panel expressed its thanks to Karen Keaney for all her support.

2. Declarations of Members' interests

2.1 Jaya Chakrabarti reported that she was now a member of the University of Bristol Physics Department Industry Advisory Board. In respect of item 8, Chris Holland reminded the Panel that he acted as a consultant, from time to time, across all dispute resolution schemes offered by IDRS Ltd.

3. Minutes of the meeting on 17 March 2016 and matters arising

3.1 The minutes of the meeting of 17 March were **APPROVED** for signature by the Chair.

3.2 Members **NOTED** that representatives from Ombudsman Services and from the Communications and Internet Services Adjudication Scheme (CISAS) would attend for slots at the next Panel meeting. Members also noted that the Panel was liaising with Ofcom regarding work on TV and VOD access services. It was **AGREED** that a letter to DCMS would be drafted expressing concern about the rate of progress to improve Access Services provision on VOD and informing DCMS that the Panel planned to undertake research on Access Services and proposing further engagement. BDUK had

been invited to attend the May Panel meeting.

4. Consumer update

4.1 Ofcom colleagues joined the meeting and a paper had been provided to update Members on the recent activity of Ofcom's consumer teams.

4.2 The paper also outlined consumer policy and consumer strategy projects and prioritisation, the DCR being a driver and resulting in some new projects including one to ensure that consumers receive compensation/ redress for service failures. Members were keen for the project on automatic compensation to be progressed as swiftly as possible and discussed the timescale for a consultation.

4.3 There was discussion of a range of other issues including 'conduct regulation'; mobile access charges and transparency; QoS information, complaints analysis and publication of comparative data as competitive drivers; voluntary codes of practice, eg for broadband speeds, and whether these should be made compulsory; cost and affordability of broadband USO; and stand-alone landline services and BT Basic.

5. Political update

5.1 An Ofcom colleague joined the meeting to update Members on relevant and recent political and policy developments at Westminster including governance and regulation of the BBC. A White Paper was expected in May. Members **NOTED** that the Ofcom Chief Executive had recently given evidence to the House of Lords Communications Committee and discussion had focused on the DCR, Openreach and duct and pole access.

6. Panel priorities review

6.1 Members had been provided with the latest iteration of the monthly report on stakeholder engagement activity related to the Panel's key policy issues. Members reviewed the report and provided brief updates on a number of Panel initiatives/ work areas. Issues discussed included work related to nuisance calls and free CLI; mobile virtual network operators and the capping of charges for stolen or lost mobiles; and the Panel's inclusive communications research. The latter had been discussed with a number of communications providers (CPs) and the Panel's next step would be to compile a good practice grid.

7. General Condition 15

7.1 Members had been provided with a paper and Ofcom colleagues joined the meeting for discussion of a draft Ofcom good practice guide on GC15 related services provision and promotion. A Member stressed the importance of 'ownership' of the Ofcom guide by product management functions inside the CPs, to aid its promulgation, and the Chair suggested adoption of an easily recognizable icon as a standard symbol for accessible

services. Ofcom's draft guide would be discussed further with consumer stakeholders at a workshop on 3 May, with some Panel members in attendance. The Panel would aim to produce its own inclusive communications good practice grid in time for that event.

8. General conditions and public textphones

8.1 An Ofcom colleague joined the meeting. The Panel had discussed Ofcom's review of General Conditions at its February meeting, one proposal being removal of Ofcom's power to make a Direction in relation to public textphones - a power never used by Ofcom. Members had subsequently been provided with a schedule of public textphones, many of which were telephones that were not Public Call Boxes, meaning that any Direction would not apply to them. On the assurance that Ofcom would be able to consult on re-establishing the power to make a Direction in the Condition if this was considered necessary in future, the Panel agreed not to oppose the removal of the power to make a Direction in relation to public textphones. [Subsequent to the meeting, the Panel was provided with further information about use of public textphones.]

9. Complaints handling and ADR update

9.1 Members had been provided with a paper and Ofcom colleagues joined the meeting. Issues discussed included publication of data on complaints handled by the ADR schemes, quality and comparability and whether its release could act as a disincentive for CPs to refer/ signpost complaints to ADR.

9.2 The Panel suggested that a two-staged approach to data publication could allay such concerns, i.e. publication of general data and subsequently CP specific data, and that there could be learnings from the energy sector, where provider specific ADR complaint data was available and its impact on signposting could be assessed. Discussion turned to enforcement and Members **NOTED** that Ofcom was beginning to see improvements in performance in CP complaints handling and customer service and was continuing its investigations of Reseller UK Ltd and of Vodafone.

10. Digital Footprints - research update

10.1 A colleague from Ofcom and colleagues from Ipsos MORI joined the meeting to provide Members with a qualitative research debrief covering consumer awareness of how personal data is used and its value; how consumers protect their personal data; and consumers thoughts concerning smart products. Ipsos MORI would follow-up a number of points made by Members in response to the briefing and commence drafting a research report for discussion at the May Panel meeting.

11. Mobile coverage and creative spectrum management

11.1 Members had been provided with a paper and Ofcom colleagues joined the meeting for discussion. Members **NOTED** that Ofcom had signaled in its DCR statement that it would have the opportunity to include a new coverage obligation when it auctioned the 700 MHz band, expected to be in late 2018 or in 2019. The 700 MHz band was well suited to providing rural signal coverage and for penetrating deep into buildings.

11.2 The Panel recognised the value of the 700 MHz band and encouraged Ofcom to take a wide-ranging and creative approach to its re-purposing by considering options including the economics of a single network and of national roaming. Related to the latter, Members **NOTED** the concern amongst mobile network operators (MNOs) about massive migration in the event of a network failure but in response proposed that the MNOs think further about their network architectures. The Panel also proposed a ‘connectivity USO’, i.e. an approach that was technology neutral and included wireless solutions. Other issues discussed included regional licensing; community mast initiatives and the challenges of securing interconnect and roaming; the example of 4G provision in the Faroes; and shared use of spectrum.

12. Any other business

12.1 It was **NOTED** that the landlord would be undertaking a two-year programme to refresh Riverside House. This would provide an opportunity to improve accessibility, including access to the cashless card top-up facility in the Hub restaurant identified by Bob Twitchin as requiring adjustments.

12.2 The Panel would provide comments on the report of the Working Group on Consumer and Competition Policy for Scotland. Rick Hill would not take part in that exercise due to his interest in the report, having acted as the Chairman of the Working Group.

12.3 It was **NOTED** that tougher data privacy rules had been adopted by the European Parliament - the General Data Protection Regulation.

.....ChairDate