Minutes of the meeting of the Communications Consumer Panel and ACOD

on 23 June 2016 at 10.30

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

Present
<u>Consumer Panel/ACOD</u>
Jo Connell (Chair)
Jaya Chakrabarti (item 6 onwards)
Rhys Evans (by telephone)
Rick Hill
Chris Holland (by telephone)
Mairi Macleod
Craig Tillotson
Bob Twitchin

<u>In attendance</u>
Jenny Borritt
David Edwards
Fiona Lennox
Other Ofcom colleagues

1.	Introduction

1.1   Members were welcomed to the meeting. For reasons including severe weather conditions two Members joined the meeting by telephone and another Member that joined the meeting was delayed.

2.	Minutes of the meeting on 19 May 2016 and matters arising

2.1   Subject to minor amendment, the minutes of the meeting of 19 May were **APPROVED** for signature by the Chair.
2.2   Members **NOTED** that a good practice grid had been drafted based on findings from the Panel's inclusive communications research and would be considered further; that a report based of the findings of the Panel's Digital Footprints research project had been drafted by Ipsos MORI and was undergoing further editing; and that a response to the Panel's letter to Ofcom concerning TV access services was currently outstanding.

3.	Consumer update

3.1   Ofcom colleagues joined the meeting, having provided a paper, to outline and update the Panel on work that was taking place related to Ofcom's top strategic priorities for the protection of consumers and citizens.
3.2   There was discussion of issues including the progress of work on nuisance calls and Members **NOTED**:
a) that Ofcom had been engaging extensively with Communications Providers (CPs), on topics including metrics and number blocking;

b) that Ofcom had met with the Police and with CPs to discuss how to tackle CLI spoofing;

c) Ofcom progress in setting up a working group with CPs to co-ordinate service quality across organisational boundaries as proposed in the DCR;

d) and that Ofcom had plans for QoS-related research, with the Panel requesting the opportunity to provide input.

3.3   Members also discussed mobile switching and MNO views with respect to a gaining provider led approach, and timescales to implement a 10 Mbit/s broadband USO. The Ofcom team agreed to pursue and report back on a number of queries raised by Members.

4.   Digital Economy Bill

4.1   An Ofcom colleague joined the meeting to update the Panel on the Government's plans for a Digital Economy Bill, announced recently in the Queen's Speech and expected to be introduced in Parliament shortly. Members **NOTED** expectations related to this legislation. These included further empowerment and protection of consumers; promotion of infrastructure build; augmentation of Ofcom's data collection powers; and clarification of Ofcom's powers to enable the introduction of automatic compensation for consumers. There was discussion of issues including fines for firms that generated nuisance calls and possible action against individual company directors and proposals for the introduction of a 'connectivity scorecard' for the home.

5.   Review of General Conditions

5.1   Ofcom colleagues joined the meeting to discuss the review of General Conditions, falling into three main categories: network functioning; numbering/technical; and consumer protection conditions. The current area of focus was network functioning, numbering/technical and some of the more straightforward consumer protection conditions. A second batch of consumer protection conditions would then be considered.

5.2   Members **NOTED** that Ofcom planned to split its consultation into two documents aligned with the batching of conditions - a document on the first batch would be published before the Summer break and a document on the second in September. The Ofcom team expected to publish a single statement and the revised set of conditions in Spring 2017.

5.3   Issues discussed included whether it was more effective to have a specific condition related to end users with disabilities or dispersal of relevant provisions amongst other conditions, the Panel preferring the latter but not wishing to see dilution; the recommendations arising from the Panel's *Going round in circles?* research around complaint handling and their application to relevant conditions; and the importance of drafting conditions to make them as intelligible as possible to consumers whilst bearing in mind their legal import. The Ofcom team would return to the Panel in September.

6.   PSTN

6.1   An Ofcom colleague joined the meeting to brief the Panel on issues related to the future of the UK's public switched telephone networks (PSTN). PSTN was based on 1980s first generation digital voice systems that had exceeded their design life. Ongoing PSTN support was, and would be, affected by both hardware and software problems and PSTN was likely to be replaced by 'derived voice' IP networks using broadband without line power but in the context of a prevalence of mobile services.

6.2   There was discussion of concerns raised by PSTN switch-off, including mains failure protection; transitional issues, e.g. the incompatibility with SIP-based systems; and risks associated with reliance on mobile, for more vulnerable consumers in particular. Members **NOTED** that Ofcom's views on the demise of PSTN were evolving and the team would return to the Panel in six months to update the Panel.

7.   Automatic compensation

7.1   Members had been provided with a paper and an Ofcom colleague joined the meeting for discussion of automatic compensation, an issue arising from the DCR; a mechanism to deliver better quality of service (QoS) for fixed line, broadband and mobile consumers; and the subject of a current Ofcom Call for inputs (CfI).

7.2   Members made a number of comments and these included the need of redress for microbusinesses; the potential for unintended consequences, i.e. price rises; a requirement for an information campaign and awareness raising amongst consumers to ensure that they are aware of their rights in relation to compensation; and compensation for data/ security breaches and for delayed complaint resolution. The Panel was keen to receive feedback on responses to the CfI, possibly at its September meeting. The Chair confirmed that the Panel would respond to the CfI and Ofcom was requested to take steps to encourage consumers to do so.

8.   Triple play switching

8.1   The Panel had received a paper and Ofcom colleagues joined the meeting for discussion of consumers' experience of switching triple play between the Openreach, Virgin cable and/ or Sky satellite networks and Ofcom proposals/ options for the reform of cross-platform switching. The options under consideration would be subject to an Ofcom consultation, probably in July.

8.2   The Panel confirmed its preference for GPL and commented on the proposed communications plan, suggesting provision of a short plain English version of the consultation and/or separation of key consumer questions in an accessible format. It was suggested also that Ofcom should invite potential respondents to submit responses in any format that they felt comfortable with. The Panel offered to comment further by email if that would be helpful.

9.   Regulation of Royal Mail

9.1   Ofcom colleagues joined the meeting to update members on the findings of Ofcom's review of the regulation of Royal Mail (RM); on parcels regulation; the mail access network; deregulation options and next and current steps, including a current *Review of the Regulation of Royal Mail* consultation, setting out proposals for a future framework for post, and related stakeholder events.

9.2   Members made a number of comments including concern about parcel surcharging; some caution about deregulation; on the application of QoS targets to multiple occupancy dwellings; and suggested that RM could be reminded that although the current regulatory approach remained appropriate, Ofcom retained the right to intervene in the postal market should a need arise. The Chair requested a regular quarterly/ half-yearly post update at future Panel meetings and the Ofcom team was invited to note the Panel's recommendations related to running public consultations.

10.   Ofcom website

10.1   An Ofcom colleague joined the meeting to brief the Panel on a review of the Ofcom website and findings. There was discussion of issues including users' goals when visiting the Ofcom site; language and terminology; provision of contextually driven information; navigation and search. Members had an opportunity to examine designs for the new Ofcom site and these would be shared by email to allow Members to comment further if they wished. The Panel requested discussion of the Ofcom site in September, following its re-launch.

11.   Quality of Service

11.1   An Ofcom colleague joined the meeting to discuss a strand of Ofcom's work arising from the recent DCR, this being an action to publish information for consumers on a range of quality measures to understand how CPs compared against each other. The Panel welcomed this work and made a number of comments suggesting that reporting go beyond the performance of the largest CPs; that the report highlight specific services for vulnerable consumers and provide data of use to microbusinesses; and that design of the report have an emphasis on its accessibility. The Panel would welcome sight of the QoS reporting format and before Ofcom returned for further discussion at the September Panel meeting.

12.   Affordability of USO

12.1 An Ofcom colleague joined the meeting. Ofcom expected to be responsible for implementation of a 10 Mbit/s broadband USO and in the meantime had been requested by DCMS to provide advice on a number of areas of technical analysis by the year end. Issues discussed included affordability; a social tariff and BT Basic; digital access as a component of citizenship; value in co-operation/ co-ordination between fixed and mobile CPs. Ofcom would return to discuss these and related issues at the Panel's

October meeting.

13. Panel priorities review

13.1 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 ADR, the Panel was in discussion with Ofcom colleagues about shortening of the ADR referral period and next steps would include a letter to Ofcom; and progress in relation to 4G coverage targets/ obligations and the request that Ofcom colleagues be invited to discuss this at an Autumn Panel meeting.

14. AOB

14.1 Members NOTED that BIS had published *Improving the consumer landscape and quicker switching: call for evidence*. The Panel would respond.

……………………………….Chair   ……………………………….Date