

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 25 February 2016 at 10.30

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

Present

Consumer Panel/ACOD

Jo Connell (Chair)

Jaya Chakrabarti (by telephone, items 1 - 7)

Rhys Evans

Rick Hill

Chris Holland

Mairi Macleod

Craig Tillotson

Bob Twitchin

In attendance

Jenny Borritt

David Edwards

Karen Keaney (items 1 to 7)

Fiona Lennox

Other Ofcom colleagues

1. Declarations of Members' interests

1.1 Chris Holland reminded the Panel that he acts as an occasional consultant across all dispute resolution schemes offered by IDRS Ltd, including the Communications and Internet Services Adjudication Scheme (CISAS).

2. Minutes of the meeting on 21 January 2016 and matters arising

2.1 The minutes of the meeting of 21 January were **APPROVED** for signature by the Chair.

2.2 Members **NOTED** that the availability of customer service data from utilities would be discussed further with Ofcom colleagues; that Ofcom colleagues would attend the Panel's March meeting to discuss Access Services on VOD; and that Ofcom work on Access Services and on EPGs would feature in the Panel/ACOD response to Ofcom's Proposed Annual Plan 2016/17. A Member reported on a recent visit to Ericsson to discuss live subtitling and the Panel **AGREED** to write to DCMS to urge continued action to improve Access Services, including accessible EPGs.

3. Consumer update

3.1 Ofcom colleagues joined the meeting and Members had received a paper to update them on the recent activity of Ofcom's consumer teams and the latest iteration of Ofcom's Consumer Action Plan.

3.2 In the course of discussion, a Member requested that the Panel be given the opportunity to comment on Ofcom proposals for reformed mobile

switching processes - an Ofcom colleague would report back on progress on this work. The Panel would respond to an NCVO working group invitation to attend an evidence session to discuss the setting up a Fundraising Preference Service, providing details of Ofcom colleagues with an interest in the event. A Member asked if the 'Vulnerability' section of Ofcom's Consumer Action Plan could include Access Services - an Ofcom colleague would enquire further about Ofcom activity in this area. The Panel had written to the ADR schemes, proposing that they publish complaints data and shorter length of time before which consumers can use ADR, and would share responses with Ofcom.

4. Political update

4.1 Ofcom's recently appointed Director of Government & Regulatory Affairs joined the meeting to brief members on recent government and legislative initiatives. Issues covered included the coming referendum on the UK's continued membership of the European Union and the progress of the Scotland Bill and the Enterprise Bill.

5. Monthly update report

5.1 Members had been provided with the latest iteration of the monthly report on stakeholder engagement activity related to the Panel's key policy issues. Referring to the Panel's recent letter to the ADR schemes, Members NOTED that the Centre for Effective Dispute Resolution (CEDR) had already responded and it was **AGREED** that a meeting would be arranged with CEDR. The Panel would write to communications providers (CPs) and to Ofcom after responses had been received from the ADR schemes.

6. DCR update

6.1 Colleagues from Ofcom joined the meeting to brief the Panel on the key proposals of Ofcom's Digital Communications Review, published that morning in *Making communications work for everyone: Initial conclusions from the Strategic Review of Digital Communications*.

6.2 There was a wide ranging discussion of issues including Openreach, with structural separation of BT remaining an option, BT wholesale in Northern Ireland; measures related to small businesses; and access for rivals to lay fibre by making use of BT's ducts and poles. Members **NOTED** that many of the DCR proposals would be delivered through Ofcom's normal process of regular reviews of individual telecoms markets, as set out in its proposed Annual Plan for 2016/17. Where proposals did not fall within a specific market review, they would be taken forward through a series of dedicated projects.

7. Triple Play Switching

7.1 Ofcom colleagues joined the meeting and Members had received a paper to update them on Ofcom's review of consumers' experiences of

switching fixed line, broadband and pay TV services between CPs using the Openreach, cable and/or satellite networks and related emerging consumer research findings.

7.2 Issues discussed included the characteristics of the triple play market, eg whether its complexity was confusing for consumers; consumer confidence to switch; availability of data from CPs; 'reactive save'; and learnings from the Current Account Switching Service.

7.3 Members **NOTED** and welcomed Ofcom's new way of presenting research summaries also suggesting the possible inclusion of charts.

8. Internet citizens

8.1 An Ofcom colleague joined the meeting. Members had received a paper setting out the background, key themes and findings of Ofcom's *Internet Citizens* summary report. Members raised the issue of the inclusion of parents or children with disabilities and Welsh speakers in Ofcom research samples, highlighting the challenges visually and/or hearing impaired parents might encounter in assessing their children's online activity and possible cultural differences related to self-identification as a Welsh speaker. Other issues raised by Panel Members included online library initiatives in Northern Ireland; online government services and related usage data. Ofcom would return to the Panel at a future date with findings from qualitative research on those who only use their smartphone to go online.

9. Review of General Conditions including GC14 review

9.1 Members had been provided a paper on General Conditions in the main concerning consumer protection. Ofcom colleagues were present for discussion.

9.2 There was careful discussion of each of the proposals in the paper, some of which the Panel supported. Public textphones were raised and queries about their number and usage levels would be followed up by Ofcom. Of particular concern to Members was Ofcom's consideration of elements of GC15 relating to the Panel and Members clearly expressed their belief that no changes should be made to this reserve power.

10. Spectrum sharing

10.1 Members had been provided with a paper and an Ofcom colleague joined the meeting to update the Panel on proposals for a systematic spectrum sharing framework to be applied to new spectrum authorisations. Ofcom intended to publish a statement by the end of March. Discussion focused on the possible application of spectrum sharing to existing authorisations - Ofcom's representative would raise this issue with colleagues in Ofcom who would be invited to a future Panel meeting to discuss the issue further.

11. General Condition 15 update

11.1 Ofcom colleagues joined the meeting. A paper had been provided on Ofcom’s monitoring and enforcement programme in relation to CPs’ special measures for end-users with disabilities, in particular to ensure that services are widely publicised. Findings from mystery shopping research had been disappointing, suggesting that disabled consumers may not consistently be getting the information they need.

11.2 The Panel welcomed Ofcom’s initial proposals, including the issue of a general good practice guide for CPs. Suggestions made by Members included a repeat of the Ofcom mystery shopping exercise and an audit of information available on CP websites. The Ofcom team would return to the Panel in April to discuss CG15 further.

12. Any other business

12.1 Rick Hill would share the Ofcom Advisory Committee for Northern Ireland response to the Consumer Council NI Corporate Plan consultation. The Panel would respond to a PhonepayPlus consultation on revised guidance. The Panel’s draft 2016/17 work plan would be published imminently for consultation and a link would be copied to Members.

.....ChairDate