

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 16 July 2020 at 10.30

Meeting held online, due to COVID-19 pandemic containment measures

Present

Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain

Clifford Harkness

David Holden

Sian Phipps

Richard Spencer

Craig Tillotson

Apologies

Richard Williams

In attendance

Jenny Borritt

Fiona Lennox

Chloe Newbold

Digital UK representatives

Ofcom colleagues

| Item |
|---|
| 1. Welcome and introduction |
| 1.1 The Chair welcomed Members and attendees to the meeting, Dr Sian Phipps in particular, who was attending her first Panel/ACOD meeting. |
| 2. Declarations of Members' interests |
| 2.1 There were no declarations of interest. |
| 3. Minutes of the meeting on 18 June 2020 and matters arising |
| 3.1 The minutes of the meeting of 18 June 2020 were APPROVED . |
| 3.2 Members noted that Ofcom continued to monitor any consequences, adverse or otherwise, of migrating consumers to voice-over IP. |
| 3.3 The Panel remained concerned that the Covid-19 crisis could lead to consumers with additional access requirements facing barriers accessing customer service due to some retail stores remaining closed, additional support not being available in-store or online; |

and app accessibility issues.

3.4 Members asked to receive greater transparency and understanding of the quality of network services and how network outages impacted consumers.

4. Consumer update

4.1 The Panel discussed priority areas outlined within Ofcom's consumer update.

4.2 The Panel was advised that Ofcom had recently contacted CPs to provide guidance on how to manage customer debt and disconnections, following the initial Covid-19 crisis phase. The Panel had previously flagged its concern that consumers needed to be able to stay connected to at least basic communications services while in financial vulnerability. Members noted that the guidance advised CPs to only impose penalty charges and disconnections as a last resort and discussed the types of tariffs that could be introduced to avoid disconnections altogether, including social or minimum service tariffs.

4.3 Ofcom colleagues advised that CPs were expected to return to 'business as usual' activities, including issuing End of Contract Notifications, Annual Best Tariff Notifications and automatic compensation. The Panel asked how long it would take CPs to return to pre-crisis levels of customer service, having received feedback from consumer organisations on lengthy call wait times.

4.4 Ofcom colleagues advised that the longer-term implications of Covid-19 on the communications market were being considered, including any changes of how consumers use communications services as a result of moving online and using digital connectivity for a whole host of different purposes.

4.5 Ofcom colleagues confirmed that the affordability of communication networks was being considered and an update would follow at a future meeting.

4.6 Members asked for further information on research undertaken by the CMA to better understand the impacts of loyalty penalties in markets.

4.7 The Panel reemphasised that digital connectivity was now an essential service and all UK Nations should work together so that consumers are best served by connectivity initiatives, such as voucher schemes, to streamline consumer access to resources and information. Members would discuss this with Ofcom colleagues further.

4.8 Members were interested in understanding the types of complaints received by both Ofcom and ADR providers during the crisis period. The Panel's Nations Members advised that a breakdown of Ofcom complaints per Nation had been provided at Ofcom's Advisory Committee meetings, which were particularly helpful and asked if a similar breakdown could be provided to the Panel on a regular basis.

4.9 Members suggested that the Comparing Service Quality report be reviewed and updated to reflect changing consumer priorities. The CSQ team would attend a future meeting.

5. Public policy update

5.1 The Panel received an update from Ofcom's public policy team. The update included: transposition of the EEC; smart data; consumer debt management post-crisis; the Shared Rural Network; and a recently published consultation on regulation of video-sharing platforms.

5.2 The Panel noted that Dame Melanie Dawes had recently given evidence to the DCMS Select Committee. The session had focussed on online harms; public service broadcasting; digital inclusion and infrastructure.

5.3 The Panel discussed the benefits of CPs offering consumers a social tariff and suggested gaining insight from other EU countries where social tariffs were already in place.

5.4 The Panel was interested to understand any impacts on the communications sector of the UK Government's decision to remove Huawei infrastructure from UK telecoms networks by 2027, particularly any impacts on delivery of the Shared Rural Network. It was noted that an update on the Shared Rural Network would be provided in September.

6. Open Communications

6.1 The Panel received an update on 'Open Communications' - an initiative that would enable people and small businesses to share data about their use of telecoms (such as their current tariff or data usage) with third parties to help them navigate the market and get a better deal.

6.2 Members commented that:

- the potential consumer benefits would need to be effectively communicated to consumers to achieve participation;
- a consistent cross-sectoral accreditation scheme should be implemented;
- the platform should be accessible and inclusively designed;
- data on CPs' access services and alternative formats would help consumers who rely on these services to choose a suitable deal;
- the unintended consequences of Artificial Intelligence should be closely monitored; and
- digitally excluded consumers should not pay more as a consequence of the initiative.

7. Freeview - Accessible TV Guide

7.1 Representatives of Digital UK attended the meeting to provide an overview of a new electronic programme guide for Freeview Play devices that is designed specifically for viewers with accessibility requirements. The accessible TV guide (AVTG) would be available on all Freeview Play devices and accessed via channel number 555. The Panel noted that accessibility user groups had been consulted throughout the design, development and launch of the AVTG.

7.2 Members commented that consumer flexibility to change and personalise accessibility features was important for consumers due to wide-ranging and sometimes conflicting access needs. It was noted that the guide would undergo user testing following its

launch and that Freeview welcomed proactive feedback from users.

7.3 The Panel would alert interested stakeholders to the launch of Freeview's AVTG.

8. Postal Users' Needs

8.1 The Panel received a further update on Ofcom's recent research into the needs of users of postal services provided under the Universal Service Obligation. Ofcom's primary duty under statute is to secure provision of a universal postage service and the research considered financial sustainability and efficiency of the universal service.

8.2 The Panel discussed the research methodology and findings, including uniform pricing, and reiterated that a portion of consumers and citizens rely on post as a primary communication channel. Members also raised the importance of identifying vulnerable consumers across communication channels, including post, to ensure fulfilment of any additional services or support.

9. Broadband pricing update

9.1 The Panel received an update on Ofcom's broadband pricing review. The review examined the impact of the practice of price differentiation by contract status (i.e. charging customers a different price for the same service depending on whether they are in or out-of-contract) on broadband customers, especially those who are vulnerable.

9.2 The Panel commended the ongoing work, and commitments from six major CPs to protect vulnerable consumers. Members discussed the benefits of identifying vulnerable customers' needs and addressing any barriers to engagement. Ofcom colleagues advised that its vulnerability guide would soon be published, providing practical guidance for CPs and practical steps to help identify needs that may make consumers more vulnerable.

9.3 Members urged Ofcom to not lose sight of disengaged consumers, not flagged as vulnerable. The Covid-19 crisis had highlighted the fluidity of 'vulnerability', and for those struggling with debt, any bill increase could be detrimental. Ofcom advised that End of Contract Notifications and Annual Best Tariff Notifications aimed to help all customers and the broadband pricing review would help to inform its future work on the affordability of communications services.

9.4 Members raised concerns that during the crisis, many consumers would have fallen out of contract and found it hard to recontract due to a reduction in CPs' customer service capacity. Members urged Ofcom to ensure that these consumers would not be disadvantaged as a result.

10. Enforcement and compliance update

10.1 Ofcom's Enforcement Team attended the meeting and provided updates on recently concluded enforcement investigations. Ofcom had issued a decision to fine Royal Mail £1.5m for failing to meet its first-class delivery target in 2018/19. In addition, Royal Mail was fined £100,000 for overcharging customers for second-class stamps between 25 March and 31 March.

10.2 Ofcom's Enforcement Team would confirm the outcome of a previous investigation where a provider had overcharged its customers and purportedly issued refunds to affected customers.

11. The Panel's discussion

11.1 The Panel discussed recent activities, including meetings with CPs; Ombudsman Services; Broadband Stakeholder Group; and an update on the Connecting Scotland initiative. In addition, the Panel's National Members had recently chaired a series of National Hubs. The Hubs had focussed on the Panel's soon to be published research into scams and fraudulent activity; and ongoing consumer impacts of Covid-19. Hub participants had also shared recent work that they had been involved in.

11.2 The Panel discussed the importance of diversity and inclusion across the communications sector and sought to ensure that its ongoing work to strengthen the 'consumer voice' represented the views of all consumers.

11.3 The Panel raised the importance of digital ethics in a fast-growing digital world and asked to receive further information on this topic at a future meeting.

11.4 The Panel's response to DCMS on the impacts of Covid-19 on the communications sector would be circulated to Members and published on the website.

12. AOB

12.1 There was no other business.