

## Minutes of the meeting of the Communications Consumer Panel and ACOD

on 17 June 2021 at 10.30 am

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

### Present

#### Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain

Helen Froud

Clifford Harkness

David Holden

Sian Phipps

Richard Spencer

Michael Wardlow

Richard Williams

### Apologies

None

### In attendance

Jenny Borridd

Fiona Lennox

Sam Mountford (item 7)

Chloe Newbold

Ofcom colleagues

Item
<b>1. Welcome and introduction</b>
1.1 The Chair welcomed Members and attendees to the meeting, particularly Helen Froud who was attending her first Panel/ACOD meeting.
<b>2. Declarations of Members' interests</b>
2.1 Rick Williams declared that he had previously worked with Graeme Whippy, the disability and inclusion expert commissioned to write the Panel's think-piece on making communications services inclusive (relevant to item 3). Kay Allen had also previously declared a connection with Graeme Whippy.
2.2 Helen Froud declared that she sits on SSE's Stakeholder Advisory Panel.
2.3 Richard Spencer declared that he was a trustee of a homeless charity (relevant to item 7).

### **3. Minutes of the meeting on 20 May 2021 and matters arising**

3.1 The minutes of the meeting of 20 May 2021 were **APPROVED**, subject to minor amendments.

3.2 The Panel had commissioned Graeme Whippy, a disability and inclusion expert to write a think-piece on making communications services inclusive, which would highlight existing areas of good practice in the communications sector and where improvements could be made - the expert would be attending the Panel's meeting in July to present the think-piece for discussion. A draft outline of the think-piece would also be circulated and presented to the Panel's National Stakeholder Hubs for early input and, once published, circulated to industry and others. Members commented that the think-piece would be a useful tool to inform development of a Customer Charter across the communications sector.

### **4. Ofcom's Consumer update**

4.1 The Panel received an update from Ofcom's consumer policy and enforcement team. Members were provided with an overview of Ofcom's consumer priority areas and recent activity across the enforcement team.

4.2 The Panel noted that Ofcom conducted a biennial access and inclusion report and asked if a publication was forthcoming.

4.3 The Panel sought further information on the broadband USO, including consumers' experiences of the process; and whether BT's handling and implementation of the USO (which was currently under investigation by Ofcom's enforcement team) had impacted the number of premises connected by the scheme.

4.4 The Panel raised continuing concerns regarding how consumers with specific access requirements would be protected during the migration to Voice-over IP (VoIP) process. Members reiterated that many consumers would not be registered on CP's vulnerability registers and sought to understand how these consumers would be identified. In addition, it was raised that providers did not record customer's access requirements consistently and an aligned approach across providers was required to protect consumers. The Chair advised that Ofcom's policy team who focus on vulnerability had recently attended the Panel's Industry Forum to discuss providers consistently recording vulnerability data.

4.5 The Chair advised that he had recently, on separate occasions, met with Ofcom's Chief Executive and Ofcom's Consumer Policy Director, where he repeated the Panel's assertions that a coordinated communications campaign was required to raise consumer awareness of migration to VoIP. The Panel looked forward to receiving further information on any proposals to help raise consumer awareness of the migration. Other comments included:

- that the terminology surrounding the migration needed to be clear and understandable to consumers and citizens.

- that Ofcom's Advisory Committee for Wales had found the Panel's UK-wide Hub on migration to VoIP a useful platform to share information and raise awareness.
- that information on forthcoming managed migrations and Openreach's stop/sell information should be easily available to consumers.
- that developing a consistent approach to defining vulnerability across the communications sector should be linked to the Fairness Commitments.
- that the Panel's research on migration to VoIP would provide useful insights from consumers, citizens and micro-businesses.

4.6 The Panel raised concerns that consumers and micro-businesses continued to experience postal service delays, which in some cases had caused financial loss. Members were keen to understand how Ofcom monitored consumers' views and experiences. Ofcom colleagues advised that the pandemic had caused postal delays due to high staff absences and operating models had been impacted by social distancing measures. It was noted that service quality continued to be regularly monitored and had significantly improved - and would soon be back to pre-pandemic levels.

4.7 The Panel discussed how mobile coverage was measured across the UK, noting that consumer-led data on the quality of mobile coverage was limited. Members were keen to hear more about ongoing work in this area and associated timelines.

4.8 The Panel discussed Ofcom's ongoing work around affordability and debt, noting that further research on the affordability of communications services would be published soon. Members asked how the research would capture the voices of consumers who were harder to reach e.g. people with no fixed abode, whilst recognising that the Covid-19 pandemic had created challenges for research teams trying to engage with particular audiences.

4.9 The Panel highlighted that financially vulnerable consumers would benefit from a social tariff, noting that UK Government would need to issue a direction for CPs to introduce social tariffs. Members highlighted previous concerns that if CPs adopt differing social tariffs with different eligibility criteria and benefits, this could impact consumers detrimentally by creating consumer confusion. Members flagged that the Consumer Council for Water had recently published its affordability review, which was based on all social tariffs being consistent across the water sector. The Panel was keen to input early-on into discussions on implementation of social tariffs in the communications sector.

## **5. Adults' Media Literacy**

5.1 The Panel was provided with an overview of Ofcom's recently published 2020/21 reports on Adults' Media Use and Attitudes; and Adults' Media lives. The Panel was also presented with a number of participant videos from Ofcom's longitudinal study (Adults' Media Lives) on how participants' digital behaviours had developed over time and progressed during the pandemic. The key findings included:

- For some, the pandemic has been the catalyst for a step-change in digital access and skills. However, for those who remain offline, this could be particularly disempowering in the current climate.
- Among internet users, a broad range of devices were used to go online in 2020, with smartphones the most likely to be used.
- Smartphone-only and narrow internet users - i.e. those limited by device access or levels of exploration online - were less confident online and their critical understanding of the online environment was generally lower than average.
- Most internet users were not aware of all the ways companies can collect their personal data online but were more willing to allow use of their data if they had appropriate reassurance on its protection and use.
- A third of internet users were unaware of the potential for inaccurate or biased information online, believing that all or most information they find online is truthful.

5.2 The Panel discussed the research findings and methodology, noting that the number of 'offline' consumers had reduced. Members considered how to define 'digital exclusion', highlighting the distinction between people who were digitally excluded and wished to participate digitally; and people who could engage digitally but did not wish to. Members also raised that a significant number of consumers would not participate digitally due to negative online experiences e.g. scams, and building consumer confidence needed to be addressed.

5.3 Members also commented:

- that the shift to digital engagement had created a well-being divide, leaving many people isolated who could not take advantage of the digital world.
- that although more consumers were moving online, CPs would still need to meet regulatory conditions such as providing information to customers with specific access requirements in an appropriate format.

## **6. Children's Media Lives**

6.1 The Panel was provided with an overview of Ofcom's recently published 2020/21 report on Children and Parents Media Use and Attitudes report. The key findings included:

- Nearly all children aged 5-15 went online via any device, with laptops, tablets, and mobiles being the most used devices for going online.
- Two per cent of children of school age (4-18) relied on smartphone internet access only, and 4% had only mobile access (i.e. via smartphone or tethering with dongle or USB). One in five children, who had been home schooling, did not have access to an appropriate device for their online home-learning needs all of the time.
- More than four in ten children aged between 5 and 12 used social media, despite being under the minimum age requirement (of 13). And a substantial minority of parents of children under the age of 13 said they would let their child use it.
- Just over half of 12-15s have ever had some form of negative online experience<sup>1</sup>, rising to seven in ten children with an impacting or limiting health condition.

**6.2 The Panel also commented:**

- that future research should seek to understand the online experiences of children with specific access requirements and/or health conditions.
- that implementation of Ofcom's new online safety powers was paramount to keep children safe online.
- that children's shift away from watching broadcast TV could be a consequence of being unable to see themselves portrayed in programmes.

**7. Research discussion**

7.1 The Panel discussed potential research topics for the forthcoming year considering the priority areas outlined in the Panel's strategic plan 2021/22. Members would further discuss future topics at its next meeting in July.

**8. Net Neutrality Review**

8.1 The Panel received an update on Ofcom's review of the net neutrality framework - the review would seek to ensure that the framework continues to best serve citizen and consumer interests over the next 5-10 years. The net neutrality rules were designed to promote competition; protect the open internet as a driver of innovation and protect end users' rights to:

- be free to access and distribute information and content;
- use and provide applications and services of their choice; and
- use the terminal equipment of their choice.

8.2 The Panel discussed the reasons for the review and considered the pros and cons of the framework including the need to promote and protect competition and fairness across the market. It was noted that during the pandemic, certain educational websites had been zero-rated in England to help home-school children, which had created inequality of access to education across the UK Nations.

8.3 Members raised concerns that the net neutrality framework could impact consumers' and citizens' access to telephony, post-migration to VoIP. Ofcom colleagues noted the Panel's concerns and advised that the current migration to VoIP trials in Salisbury and Mildenhall would help to inform this area.

**9. One Ofcom - Hybrid working trials**

9.1 The Panel received an update on proposals to move to hybrid working once the restrictions adopted in response to the Covid-19 pandemic had been eased.

9.2 Members discussed how technology could impact people's ability to work in a hybrid setting, particularly where technology was not designed inclusively. In addition, existing workplace policies e.g. provision of workplace adjustments, that sought to assist people with specific access requirements would need to be reviewed, noting that many people would not have flagged these requirements.

9.3 The Panel highlighted that a number of factors should be considered when examining future ways of working including that any proposals should be values driven; the

benefits of being flexible and not overly prescriptive; any environmental impacts; the language and terminology used; understanding the impacts of working patterns on people with different requirements; and considering the implications of neurodiversity on the workforce. Members also encouraged Ofcom colleagues to listen to and learn from those involved in the trials.

**10. Any other business**

10.1 There was no other business.