

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 16 January 2020 at 10.30

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

Present

Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain

David Holden

Craig Tillotson

Apologies

Richard Spencer

Richard Williams

In attendance

Jenny Borritt

Fiona Lennox

Chloe Newbold

Colleagues from Futuresight (item 6)

Ofcom colleagues

Item
<p>1. Welcome and introduction</p> <p>1.1 The Chair welcomed Members and attendees to the meeting.</p>
<p>2. Declarations of Members' interests</p> <p>2.1 Craig Tillotson declared his role as Chief Executive of Ordo, relevant to a later item on the Panel's research (item 6).</p>
<p>3. Minutes of the meeting on 12 December 2019 and matters arising</p> <p>3.1 The minutes of the meeting of 12 December were APPROVED.</p> <p>3.2 The Panel had discussed commissioning a research project at its meeting in December, and a further update would be provided in February.</p> <p>3.3 Members asked to receive an update on the Shared Rural Network (SRN), to include how premises not covered by the agreement would be identified.</p>
<p>4. Consumer update</p> <p>4.1 The Panel discussed priority areas outlined within the consumer update. Topics included:</p> <p>4.2 Mobile handsets</p> <ul style="list-style-type: none">• Ofcom had published a fairness update, which included details of discounts offered by providers to out of contract customers.

- Ofcom reminded all attendees that MNOs were moving towards split contracts and from February 2020, customers would receive end of contract notifications. The Panel had supported for both initiatives, which should benefit consumers long-term.

4.3 Participation in trials of customer engagement remedies

- Ofcom advised that its consultation - 'Trialling Consumer Remedies' - had closed in November and responses were being reviewed. It was noted that CPs largely opposed the introduction of formal regulatory powers in this area and, instead, favoured developing a voluntary agreement.

4.4 Migration to VOIP

- The Panel reiterated the importance of consumer input, particularly during the early stages of the trials.
- The Panel asked to receive a further update at a future meeting, to cover steps taken to mitigate any impact of the migration process on telecare systems; and how Ofcom was engaging with the Nations to effectively disseminate information on the process.
- The Panel was concerned that many telecare units require 2G connectivity and would be at risk if 2G connectivity were to be 'switched off'. The Panel asked if Ofcom had undertaken impact analysis and requested an update at a future meeting.

4.5 Review of postal needs

- The Panel looked forward to receiving an update at a future meeting.

4.6 Mobile Coverage Policy

- Members commended the SRN and reiterated to Ofcom the importance of monitoring its progress, and intervening, if required.
- The Panel raised that not all premises would be covered under the SRN, and further work was required to achieve full UK coverage. Ofcom confirmed that work was ongoing and would update the Panel in due course.

4.7 Other forthcoming items for discussion would include an update in the February meeting on Ofcom's enforcement activities and, at a future meeting an update on Ofcom's latest Comparing Service Quality report.

5. European Electronic Communications Code (EECC)

5.1 The Panel received an update on implementation of the European Electronic Communications Code (EECC), noting the recently published consultation. The update focussed on proposals to ban mobile device locking; proposed guidance on non-coterminous linked contracts; and new requirements on contract duration, termination and information. The Panel had raised these areas with Ofcom over a period of time and were pleased that the EECC was a vehicle that Ofcom could use to implement the changes.

5.2 The Panel noted the information provided and raised a number of comments:

- The guidance on non-coterminous contracts could include examples of where Ofcom might take enforcement action.

- Commended the new transparency requirements and suggested customers receive the contract in writing before being bound by its terms and conditions. In addition, CPs should clearly explain any terms and conditions that could be perceived as, but would not result in, a right to exit the contract e.g. inflation increases.
- Concerns that split linked mobile contracts, capped at 24 months, could result in price increases.

5.3 At its meeting in February, Members would receive further updates on implementation of the EECC, which would cover switching and independent price comparison tools.

5.4 The Panel looked forward to implementation of the EECC and would provide a response to the consultation.

6. Futuresight

6.1 Representatives of Futuresight attended the meeting to provide an overview of the Panel's recently commissioned research into scams, which would include both quantitative and qualitative research.

6.2 Futuresight confirmed that the sample would include representation from the Nations and varying consumer demographics.

6.3 Futuresight confirmed that the questionnaire for the quantitative survey would be circulated to the Panel, for review. A further update would be provided at a future meeting.

7. Nations Hubs update

7.1 Members received an update on the Nations Hubs and Industry Forum. Both had been initiated by the Panel to help strengthen the consumer voice in the communications sector by providing a platform to hear the views of industry and UK-wide stakeholders.

7.2 To date, all meetings had received positive feedback and engagement and would continue to take place throughout the year. The Panel would publish a commentary report in due course.

7.3 The Panel noted that the Consumer Stakeholder Hub was due to meet towards the end of January.

8. 5G health implications

8.1 The Panel was advised of Ofcom's remit pertaining to perceived health implications associated with 5G.

8.2 Members noted that it was beyond Ofcom's remit to comment on the safety of 5G but, on a request basis, it would take measurements of radiation exposure to ensure compliance with the nationally agreed limits, prescribed by Public Health England.

8.3 The Panel noted that public concern of the perceived health risks associated with 5G had seemingly increased and encouraged Ofcom to disseminate information on 5G to consumers effectively, to enable consumers to make informed decisions.

9. Accessibility in broadcast and on-demand services

9.1 The Panel received an update on accessibility in broadcast and on-demand services.

9.2 Ofcom had published a statement in December 2018, providing recommendations to government on drafting regulations to improve the accessibility of regulated video on-demand programme services. The regulations would also be complemented by an Ofcom code of guidance for providers.

9.3 The Panel acknowledged that the proposed regulations were not yet known but felt that accessibility should be improved across all broadcast and on-demand services. It was suggested that Ofcom engage with relevant consumer organisations e.g. charities, to gain consumer insight, particularly from those who could be excluded by inaccessible services.

9.4 The Panel encouraged Ofcom to consider what best practice already existed in industry, in terms of future-proofing services.

9.5 Members looked forward to receiving further updates.

10. Recording of consumers' characteristics and support needs

10.1 The Panel received an update on recording consumers' characteristics and support needs.

10.2 The Panel recognised that a consistent approach would benefit consumers and encouraged an industry led approach. It was noted that CPs would need to carefully consider an appropriate method of recording, in accordance with data protection legislation.

11. Public Policy update

11.1 The Panel received an update from the Public Policy team, which covered Brexit, the government's commitment to Gigabit connectivity in every home by 2025; and transposing the EECC by December 2020.

11.2 The Panel asked if mobile roaming charges in Northern Ireland would be affected, post-Brexit. The Chair also reiterated concerns surrounding the lack of clarity of how postage to and from Northern Ireland would be affected, including any associated paperwork requirements. The pricing of the USO was a regulatory matter and further information on this would be welcomed.

11.3 The Panel asked that the regular updates from the Public Policy team included Nation-specific updates.

12. Any other business

12.1 The Panel noted Ofcom's draft Annual Plan and commended its continued focus on fairness for consumers; and commitment to supporting ongoing investment in faster broadband and better mobile coverage across the country.