

Minutes of the thirty-seventh meeting of the Ofcom Consumer Panel

Wednesday 16 May 2007 at 10.00 hours

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

Present:

Consumer Panel

Colette Bowe (Chairman)
Ruth Evans (Deputy Chairman)
Fiona Ballantyne
Roger Darlington
Simon Gibson
Graham Mather
Kevin McLaughlin
Jeremy Mitchell
Kate O'Rourke
Bob Twitchin
Allan Williams

In attendance

David Edwards (Consumer Panel Secretary)
Julia Guasch (Consumer Panel Support Executive)
Ben Wallis (Policy Executive to the Panel)
Panel research manager (item 7)

1. Welcome and introductions

1.1 The Chairman welcomed Panel members to the meeting. Apologies were received from Dominic Ridley, the Acting Consumer Panel Manager. The meeting would be followed by a joint session with the Ofcom Board.

2. Declaration of members' interests

2.1 There were no declarations.

3. Minutes of the meeting on 24 April 2007 and matters arising

3.1 Minutes were agreed subject to minor amendment. It was proving difficult to find a date for a joint session of Ofcom's Content Board and the Panel. The Secretary would seek a post-Summer meeting date. Members were again invited to share thoughts informally with the Chairman on their experience of the Consumer Panel, on what had worked well or otherwise. Members' views could contribute to an Ofcom review of Panel arrangements. The Chairman and Deputy Chairman would feed views into Ofcom. Ben Wallis confirmed that arrangements were advanced for the Panel's 'Children and the internet' workshop that would take place on 28 June 2007. Invitations would be sent out shortly. Bob Twitchin

suggested inclusion of an invitee involved in the education of children with disabilities. At the previous meeting Bob Twitchin had raised concerns about the text relay service, he would raise these in the discussion with the Ofcom Board following the Panel meeting. The Chairman would be meeting colleagues at the Department of Trade and Industry later in June and would raise the Panel's web portal proposal to assist older people to get on-line. There had been discussion of consumer engagement and the Panel's communication strategy at the March 2007 Panel meeting – the Secretary would ensure that this topic would be on the agenda of the June 2007 Panel meeting.

AP1 Secretary to arrange a joint Content Board/Panel session post-Summer.

AP2 Panel members to pass on observations on Consumer Panel arrangements to the Chairman, Chairman and Deputy Chairman to feed thoughts into Ofcom.

AP3 Secretary to ensure that the Panel's consumer engagement strategy is on the agenda of the June meeting.

4. Chairman's report

4.1 The Panel and the Ofcom Board would be meeting immediately after the Panel meeting. The Chairman had invited the Board to open the discussion by outlining Ofcom's consumer priorities. The Chairman invited Panel members to raise issues or topics for later discussion with the Board. Since it was unlikely that there would be sufficient discussion time to raise all members' issues for discussion with the Board, the Chairman would write a follow-up letter to Ed Richards, Ofcom Chief Executive. Issues and topics were:

- digital switchover (DSO), whether the Board was satisfied with progress;
- the text relay service;
- resourcing of Ofcom's work on older and disabled people;
- quiz TV and whether there had been regulatory failure;
- Ofcom's roles in relation to the digital divide and Next Generation Access (NGA);
- the Telephone Preference Service;
- mobile roaming in remote areas of the UK; and
- BT's 21st Century Network (21CN).

4.2 The Chairman's issue for the Board discussion was NGA. She highlighted a report by the Broadband Stakeholder Group (BSG) entitled *Pipe Dreams? Prospects for next generation broadband deployment in the UK*. The Chairman had met the Chairman of BSG and discussed the report, which she recommended as reading for Panel members and said it provided a cogent and measured account of the challenges involved, including the scale of financial investment that would be required. Roger Darlington had attended the launch event for the BSG report and welcomed Panel involvement in this policy area. The Chairman said that a wide national debate was necessary and that the Panel could have a role in helping to assess the public value of next generation broadband. Julia Guasch would forward copies of the report to members. Simon Gibson alerted members to the Digital Cities Project, already involving cities like

Seattle and Portland in the United States. The Project was about creating local fibre access, including municipal funding for networks and leaseback to service providers. The Chairman asked Simon Gibson and Roger Darlington, and other Panel members if they wished, to engage with her in an electronic discussion about next generation broadband. Fiona Ballantyne suggested that this topic could be a part of a Panel “futures” consumer research project on new services and early adopters.

4.3 The Chairman said that the Panel’s *Consumers and the communications market: 2007* report would be published on 30 May 2007, following publication by Ofcom of its *Nations & Regions Communications Market 2007* report. Members were given embargoed advance copies of the Panel report which was the first to be based on a new publication template. There was brief discussion of the cover and reactions to the image that had been selected. Fiona Ballantyne commented that publication of the report had been facilitated by the Panel contracting a dedicated research manager. The Chairman’s view was that the report was the product of a job well done, with a number of people involved.

AP4 Julia Guasch to copy members the Broadband Stakeholder Group report on next generation broadband.

AP5 Simon Gibson, Roger Darlington (other Panel members if they wished) and the Chairman to have an on-line discussion about how the Panel can engage with NGA debates.

AP6 Chairman to write to Ed Richards about issues discussed during the Panel’s lunch with the Board.

5. Members’ updates

5.1 Allan Williams had attended a second briefing from the research agency on the Panel’s children and the internet project. He recommended the agency’s involvement in the Panel’s forthcoming workshop. He would be meeting the groups behind the TopComm and TopNetUK quality of service (QoS) information websites. Kevin McLaughlin reported that Ofcom was producing an information leaflet and an event for members of the Northern Ireland Assembly. The Irish Republic’s Commission for Communications Regulation (ComReg) and Ofcom were working together on DSO and it was expected that analogue switch-off would take place at the same time on both sides of the border. Roger Darlington had met BT to discuss its new social telephony service - BT Basic. He had emailed Panel members an update on the service. He commented briefly on plans to create consumer panels in other sectors as part of progress towards creation of the “Consumer Voice” body. Government proposals for consumer representation included scope for panels in the energy and water sectors but it appeared that neither Ofgem nor Ofwat were minded to create consumer panels.

5.2 Kate O’Rourke had met Ofcom colleagues to discuss Ofcom’s *The Future of Radio* consultation. Jeremy Mitchell had met with TopNetUK colleagues and had made the point that an objective for consumers was a website combining QoS and price information. There was great deal of goodwill behind the TopNetUK initiative but there were cost pressures involved in drive round mobile

data collection. A concern was that few people were making use of the TopNetUK website. At the meeting he had suggested that mobile operators could carry out a feasibility study of media promotion of the site. The Secretary would ensure that there are links to TopNet and TopNetUK on the new Panel website.

5.3 Bob Twitchin had been in dialogue with Ofcom's Advisory Committee on Older and Disabled people (ACOD). An ACOD member had requested data on older people and broadband; there would be data in the Panel's forthcoming tracker report. He had spoken to the ACOD Chairman to gain a clear understanding of resources for that committee. The Panel Chairman raised the coupling of Ofcom's work on older people and disabled people, suggested that the two groups' interests could be better pursued separately and added that Ofcom did not appear to have a dedicated resource devoted to issues affecting children. Allan Williams commented that children's issues had gained a higher profile in Ofcom but work was focussed on information gathering/research, some issues crossed the boundary between content and delivery and many were not within Ofcom's remit to pursue. The Deputy Chairman suggested that further work on children could be a part of the Panel's "futures" research; to understand the future benefits of communications services and technology it would be necessary to look closely at young people's attitudes and as users. It was agreed that the best approach would be to await Ofcom's research.

5.4 The Deputy Chairman was to have met with the board of Digital UK in Whitehaven but transport difficulties had prevented that. She would meet Digital UK on another occasion. Simon Gibson had met BT, the company had opened a testing centre for terminal equipment manufacturers in Swansea as part of its work related to 21CN. Graham Mather reported that a tentative deal had been agreed between the European Parliament and the Council of Ministers on mobile roaming. Roaming charges were expected to be reduced with regulated tariffs reviewed after three years. He added that Portugal, which would take over the presidency of the European Union during the second half of 2007, was seeking the creation of a pan-European telecoms regulatory body. Fiona Ballantyne had visited the Outer Hebrides. She commented on the limited communications experience available to islanders. Fiona Ballantyne reported briefly on the Panel's research on the consumer experience of DSO: researchers were in the field; they would brief the Panel's research sub-group in early June; a report would be available in July 2007 and published in September. The sub-group was working on a specification for research on mainstream and specialist equipment. The Panel's research manager was contracted until July 2007. Consideration was being given to future Panel research management arrangements.

AP7 Secretary to ensure that there are QoS links from the Panel website.

6. Update from Consumer Panel Manager

6.1 In Dominic Ridley's absence the Secretary reported that the redesigned Panel website was expected to go live by the end of May 2007. Publication of the Panel's annual report would be in June 2007. Ben Wallis had already reported on preparations for the Panel's June 2007 workshop on 'Children and the internet'.

He advised members that a delegation from the Independent Communications Authority of South Africa (ICASA) wished to meet with the Panel – ICASA wished to establish its own consumer advisory panel.

7. Panel research

7.1 Members had received two draft research reports on *Children and the internet* and *Communications usage by Scottish small businesses*. The Panel discussed each report in turn. Comments related to the children's research were:

- the draft report appeared to contain a number of comments or assertions that had not been researched by the Panel and it was agreed that it would be important to source/reference such assertions; the Panel's research manager would follow that up but said that elements of that kind had crept into the report as a result of the wider knowledge and expertise of the research agency involved;
- there was some disquiet about the categorisations used, eg the term "outsiders"; the Panel's research manager would review the terms used;
- parents in the "fearfuls" category could be highlighted in the foreword to the research report; there was brief discussion of this group and how they could be assisted to overcome barriers to gaining access to the internet, eg a handy guide available at the point of PC sale and support or briefings for parents at their children's schools; such assistance could help those parents who were about to purchase a PC but other mechanisms would be required for parents without computing skills;
- a coalition of children's charities had been campaigning for a parent's assistance package for some time but had been unable to make headway; support from the Panel could be helpful;
- increasingly a divide was becoming one of no internet access and broadband access;
- it was suggested that the foreword to the report could highlight issues and benefits of internet access for disabled children and disabled parents but this was not something covered by the research report; it was agreed that this was an issue for another occasion;
- it was agreed that the research findings could be discussed with third parties on an embargoed basis prior to their publication at the end of June 2007 and that the Chairman and the Panel's research manager would draft a foreword.

7.2 There was discussion of the small business research:

- it was agreed that the research report would not be published in hard copy but would be available from the Panel's website;
- research findings indicated that the vast majority of small businesses in Scotland were satisfied with their landline, mobile and internet providers; the Chairman said that it was of significance to be able to say that there were no major problems;
- level of satisfaction could be a difficult issue, ie determining the % level at which it would become a concern;

- thought would have to be given to communicating the research findings in Scotland; Dominic Ridley and Fiona Ballantyne would consider this.

AP8 Fiona Douglas to review assertions and categorisations in the children and the internet research report.

AP9 Chairman and Fiona Douglas to draft and agree a foreword for the 'Children and the internet' research report.

AP10 Dominic Ridley and Fiona Ballantyne to consider how best to communicate the Scottish small enterprise research in Scotland.

8. The Future of Radio

8.1 Kate O'Rourke had prepared a short information paper on Ofcom's consultation, covering the regulator's six proposals and which had been copied to members. Comments on the review of radio were as follows:

- changes were being proposed on commercial radio content regulation, a lightening of regulation related to analogue local commercial radio stations linked to 33% take-up of listening on digital platforms; the Panel felt that 33% was an artificial threshold and that for planning purposes an end date for introduction of new regulation was a better approach;
- it was not clear what the benefits would be from switch-off of analogue radio; Ofcom was not planning to set a date for switch-off but was seeking flexibility and proposed to include in new or extended licences conditions to allow for analogue spectrum to be re-allocated; this appeared to be a sensible approach;
- proposals related to DAB sound quality had generated a great deal of interest in the press and from amongst stakeholders; the Chairman suggested that examination of Ofcom's research would help the Panel to form a view and Ben Wallis would draft a response to the consultation.

AP11 Ben Wallis to draft a response to Ofcom's radio consultation.

9. Other matters to note/agree

9.1 A draft of the Panel's 2006-07 annual report had been copied to members. They would forward any comments to the Secretary, including suggestions of topics for inclusion in the Chairman's foreword. Members had been provided with a written report on Panel activities, Ofcom publications, policy projects and events and approaches to the Panel; its contents were noted.

AP12 Members to forward any comments on the draft Panel annual report to the Secretary by 23 May 2007.

10. Any other Business

10.1 There was no other business.

.....Chairman

.....Date