

Minutes of the 92nd meeting of the Communications Consumer Panel
on 24 October 2012 at 10.30

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

Present

Consumer Panel

Chris Holland (Chairing the meeting)
Kim Brook
Libby Kinney (items 1 - 6)
Mairi Macleod (item 10 onwards)
Bob Twitchin

In attendance

David Edwards
Fiona Lennox
Jonathan Pillinger-Cork
Pamela Learmonth - CEO, Broadband Stakeholder Group (item 6)
Other Ofcom colleagues (items 4 - 5, 7 - 10)

Apologies

Jo Connell (Chairman)

1. Declarations of interest

1.1 Bob Twitchin had previously declared his participation in the Telecommunications Relay Campaign. He advised members that the campaign had been incorporated into the UK Council on Deafness special interest group *Deaf Access to Communications*.

2. Minutes of the meeting on 26 September 2012, matters arising and progress on actions

2.1 Members **APPROVED** the draft minutes for signature by the Chairman.

2.2 It was **NOTED** that former Panel member Roger Darlington had been appointed as consumer representative and non-executive member of the interim oversight board of Digital Mobile Spectrum Ltd, previously referred to as Mitco, and set up to mitigate DTT interference arising from the launch of new 800 MHz 4G mobile services.

2.4 Chris Holland gave feedback on a recent meeting of the Advisory Committee for England he had attended, which had included discussion of Ofcom's Economic geography project and a presentation from the Head of the Manchester Digital Development Agency. It was **AGREED** that consideration would be given to the format of feedback reports from Ofcom National Advisory Committee meetings.

2.5 It was **NOTED** that the Panel had responded to a recent BIS consultation *Enhancing Consumer Confidence by Clarifying Consumer Law: the supply of goods, services and digital content*. Kim Brook reported that the Ofcom Advisory Committee for Wales had submitted a response to the Consumer Focus consultation *Proposals for Design Principles for the Regulated Industries Unit* and would copy this to Panel members.

<p>3. Developments of interest to the Panel</p> <p>3.1 Members had been provided with an information paper capturing recent news stories relating to developments in communications.</p>
<p>4. Consumer Update</p> <p>4.1 Members had been provided with a paper and Ofcom colleagues joined the meeting to update them on a range of consumer issues. Members NOTED the new eligibility criteria to ensure that BT Basic would continue to be available to the people who needed it, in the context of the introduction of Universal Credit.</p> <p>4.2 Reassurance was sought and given that switching, whilst recognised as a complex issue, remained at an appropriate level of priority.</p> <p>4.3 Concern was raised about scams and the Panel felt more needed to be done to address them and encouraged Ofcom and other agencies to take further steps to protect consumers. It was also suggested that scams could be a focus of Ofcom’s Consumer Experience 2013 research report. Get Safe Online was engaged in activity to raise awareness of scams and it was AGREED that the organisation should be invited to meet the Panel.</p>
<p>5. Consumer experience and research roundup</p> <p>5.1 Members had been copied a paper providing a brief outline of the structure of Ofcom’s 2013 Consumer Experience report. Members NOTED that the report would contain two pieces of particular drill-down analysis focussed on ownership of communications services amongst people with a disability and amongst minority ethnic groups. It was AGREED that, as and when it became available, members would be provided with relevant research data in the form of slide packs. Going forward, details of the proposed methodology for the Consumer Experience research would be shared with the Panel to allow members to offer advice.</p> <p>5.2 It was NOTED that Ofcom would be publishing consumer satisfaction research in November and a link to the research would be copied to members. The issue of consumer tolerance was raised, ie the problems that consumers were willing to endure before they made a complaint to their communications provider. Ofcom colleagues would report back on what information was currently available. The Panel noted that it might wish to pursue this issue further.</p>
<p>6. Broadband rollout</p> <p>6.1 Pamela Learmonth, CEO of the Broadband Stakeholder Group, delivered a short presentation on broadband rollout and fixed and wireless broadband developments. She agreed to provide members with a note covering the main points of her presentation.</p>
<p>7. Bill shock</p> <p>7.1 Members had been provided with a paper to update the Panel on Ofcom’s progress in implementing its action plan to tackle the issue of consumers experiencing unexpectedly high bills. Members stressed that they would like</p>

to see communications providers do more in the way of capping bills and monitoring consumer profiles for unusual patterns of consumption. Discussion also included actions and information at the point of sale; and alerts for consumers when they were about to incur additional charges or to advise them of the duration of a download. It was **AGREED** that members would provide any further comments on Ofcom's bill shock research to Fiona Lennox for onward transmission to Ofcom colleagues.

8. Economic geography

8.1 Members had been provided with copies of the emerging content of Ofcom's Economic geography report and a collection of related intervention case studies. Ofcom colleagues joined the meeting for discussion. Members made a number of comments, including: the need to proactively address anticipated market failure in different parts of the country and parallel developments to address this for 'the last 10%'; the importance of both the availability of services and their high speed provision; and the suggestion that the devolved governments be provided with pre-publication copies of the report. A draft report would be available shortly and Panel members would be invited to provide comments at the next meeting.

9. General Condition 9

9.1 Members had been provided with a paper and Ofcom colleagues joined the meeting to update the Panel on the progress of Ofcom's enforcement programme related to communications providers' compliance with General Condition 9. Members **NOTED** that Ofcom aimed to consult by the year end on how to protect consumers from unexpected price rises within fixed contracts. The Panel reiterated that transparency in this area was insufficient by itself. The Panel remained of the opinion that the majority of consumers would expect costs to be fixed within the contract period.

10. Nuisance calls update

10.1 Ofcom colleagues joined the meeting to inform the Panel further about recent progress in work to tackle nuisance calls and messages, including ongoing enforcement cases, market research and initial thoughts on revision of regulation in this area. There was discussion of a number of issues including scams and the need to focus on desired outcomes for consumers when considering any changes to regulation. Members raised the question of the facility for consumers to block calls or messages - the Panel would raise this at its next catch-up meeting with BT. The Panel emphasised its support for a co-ordinated approach to this issue and encouraged Ofcom to review its first stage letters to providers. The Ofcom team would consult Fiona Lennox to determine when best to return to the Panel for further discussion.

11. Consumer Forum for Communications/CCP collaboration

11.1 Panel representatives attended meetings of the Consumer Forum for Communications (CFC). Following discussion between the Panel and CFC chairmen it was suggested that to facilitate closer working between the two bodies, a note of collaboration be copied to members of both bodies.

Members suggested small drafting points and, subject to those, were content to endorse the note and welcomed closer links with CFC.

12. Any other business

12.1 Members **NOTED** the following points: solutions were being tested to resolve problems some Panel members had experienced receiving attachments to Ofcom originated emails; members had been copied an update on media literacy related to children's and parents' media use and attitudes and this research would be discussed at a future Panel meeting; Fiona Lennox was in discussion with the *Advice to Ofcom* blog owner about ACOD involvement; Ofcom's Annual Plan team was giving consideration to Panel comments, including the suggestion of a review of disability access at Riverside House; and the Scottish government had published its first annual progress report and update on the actions set out in its strategy for Scotland's digital future.