

**Minutes of the 95th meeting of the Communications Consumer Panel
on 23 January 2013 at 10.30**

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

Present

Consumer Panel

Jo Connell (Chairman)

Kim Brook (by phone)

Jaya Chakrabarti (appointment awaiting final confirmation)

Chris Holland

Libby Kinney (via video link items 1-5)

Mairi Macleod

Craig Tillotson (appointment awaiting final confirmation)

Bob Twitchin (by phone)

In attendance

Fiona Lennox

Paul Rogers

Other Ofcom colleagues (items 4-8, 10)

Apologies

David Edwards

Jonathan Pillinger-Cork

1. Welcome and introduction

1.1 The Chairman welcomed everyone to the meeting. It was NOTED that final confirmation was still awaited for the appointments of Jaya Chakrabarti and Craig Tillotson.

2. Declarations of interest

2.1 There were no declarations of interest.

3. Minutes of the meeting on 12 December 2012

3.1 Subject to two minor amendments, Members APPROVED the draft minutes for signature by the Chairman. Members NOTED the appointment of a new media adviser and that technical and security issues on the electronic circulation of documents were being followed up with Ofcom.

4. Transparency

4.1 Members had been provided with a paper and Ofcom colleagues joined the meeting to update the Panel on a research review of current practice in the use of consumer information and the extent to which it is an effective consumer empowerment tool. The review was due to be published in February. The review covered four common ways of providing information: by companies in a regulated framework (where disclosure is mandated), by companies in a self-regulatory framework (ie a code of practice), by the

regulator (through General Conditions/consumer laws) and by intermediary bodies (eg consumer organisations).

4.2 Members offered a number of comments on the paper which were noted by the Ofcom colleagues. Members discussed the suggestion that the Panel host a workshop to stimulate discussion with stakeholders. It was **agreed** that the Ofcom team would develop a proposal for discussion with the Panel.

5. DTT and 4G coexistence update

5.1 Members had been provided with a paper updating them on the 800 MHz and 2.6 GHz award, clearance and coexistence programme. The Chair of the interim Oversight Board joined the meeting. Members NOTED that arrangements were in hand for Digital Mobile Spectrum Ltd (DMSL) to be fully operational by 31 March 2013. DMSL would be primarily involved in the resolution of interference problems.

5.2 Members NOTED that the project would proceed on the same basis as that of DTT switchover - ie one free filter per household. Members were concerned that older and disabled people with more than one television set may be put at a disadvantage as it was not planned to fit a filter to any 2nd set by default. Members requested that their views were made known to DMSL. Members were also concerned about the scope for consumers being sold bogus filters; the Panel was assured that consideration was being given for a kitemark scheme to be in operation.

6. Nuisance Calls

6.1 Members had received papers outlining the action that Ofcom would be taking on nuisance calls. Ofcom colleagues joined the meeting to discuss Ofcom's Five Point Action Plan which would bring together industry, regulators and Government on the issue. Research projects were underway to give a clearer picture of the problems experienced by consumers and also to update understanding of call centre processes. Members discussed the detail of the research, the timeline for improvements in CLI technology, VOIP calls, spoof CLI, the potential of 'white lists', Ofcom's communication strategy with businesses around this issue and the importance of clearly distinguishing between silent calls and unsolicited marketing calls. While there appeared to have been improvements in relation to the use of predictive diallers, unsolicited marketing calls remained an issue of significant concern.

6.2 The Panel had been approached the Consumer Forum for Communications regarding a follow-up letter to that sent in June 2012 to Ofcom, the ICO and the Direct Marketing Agency (and copied to the DCMS). The latest draft suggested a number of actions to add to Ofcom's Action Plan. Members discussed the letter and a response would be drafted.

7. Citizens Advice/RIU update

7.1 An Ofcom colleague joined the meeting and provided an oral update on actions being taken to reform the consumer landscape. Members NOTED that Consumer Focus was developing the Regulated Industries Unit (RIU). There

was a current consultation on its draft work plan that would be circulated to Members.

7.2 Members NOTED that the RIU would be merged with Citizens Advice in 2014 and thought that differences between the four nations needed to be recognised as part of that process. It was agreed that views of the national committees should be sought and reflected in the consultation response.

8. Research update

8.1 Ofcom colleagues joined the meeting to update Members on research being undertaken in 2012/13 as well as to report on the Panel’s commissioned research project about consumers who did not complain to communications providers, despite suffering problems with their service.

8.2 Members discussed the proposed arrangements to carry out the research which aimed to input into a more holistic view of the consumer complaint journey and what support might empower these consumers. The proposed approach was qualitative in nature, consisting of in-depth interviews with a range of different types of consumers. The Panel approved the proposed approach and agreed that a progress report should be given at the next meeting.

9. Website

9.1 Members received a briefing on plans to update the Panel’s website. It was agreed that the team would work with Bob Twitchin and Jaya Chakrabarti to develop the site and its accessibility. The team would also liaise with Ofcom over the links between the Panel’s website and Ofcom. It was also AGREED that consideration would be given to the Panel/ACOD contributing to the Advice to Ofcom blog.

10. Ofcom’s draft Annual Plan

10.1 Members had been provided with a copy of Ofcom’s draft Annual Plan for 2013/14. Ofcom colleagues joined the meeting. Members offered a number of comments on the draft which were noted by the Ofcom colleagues. It was AGREED that, in addition to the informal feedback, the Panel would make a formal response on the draft Plan.

11. Panel workplan

11.1 Members discussed the Panel’s draft workplan which, when finalised, would be put out for consultation during February/March.

11.2 It was AGREED that the team would take into account the comments made by Members. The Chairman circulated a paper allocating proposed work areas for Members. Members were asked to contact the team if they had any issues to raise.

12. Any other business

12.1 Members AGREED that the Citizens and Consumer Summary should be a regular feature on the agenda for future meetings. Members also NOTED a paper providing an update on key developments in the Communications sector since the last Panel meeting.