

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

**on 13 December 2018 at 10.30**

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

**Present**

Consumer Panel/ACOD

Jo Connell (Chair)

Kay Allen

Amanda Britain

Rick Hill

Chris Holland

Karen Lewis

Richard Spencer

Craig Tillotson

Richard Williams

In attendance

Jenny Borritt

David Edwards

Fiona Lennox

Holly Terry

Ofcom colleagues

<b>Item</b>
<p><b>1. Welcome and introduction</b></p> <p>The Chair welcomed Members and attendees to the meeting, Kay Allen and Richard Spencer, in particular, who were attending their first meeting.</p>
<p><b>2. Declarations of Members' interests</b></p> <p>Chris Holland reminded the Panel that he was the Independent Complaints Reviewer for CEDR (Centre for Effective Dispute Resolution) ahead of item 6 on Alternative Dispute Resolution (ADR). Under item 4, Craig Tillotson reminded members of his role as Chief Executive of the Smart Request Company Limited, a FinTech (SMiShing - SMS-phishing related to bank accounts came up during discussion of nuisance calls.)</p>

### 3. Minutes of the meeting on 15 November 2018 and matters arising

Subject to minor amendment, the minutes of the meeting of 15 November were **APPROVED** for signature by the Chair. Matters noted:

- A communications plan had been copied to members related to the Panel's *Still Going Round in Circles* research. Follow-up material was being prepared for the Panel website.
- Ofcom had undertaken work on digital accessibility and had shared details with the Panel.
- The Panel would continue to raise compliance with General Condition 5.2 (publication and compliance with clear and effective policies and procedures for fair and appropriate treatment of vulnerable consumers) at its catch-up meetings with communications providers (CPs).
- The Panel was briefed on matters related to the porting of telephone numbers raised at the previous meeting.

### 4. Consumer update

The Panel was updated on Ofcom's consumer priority work areas. Topics discussed and points raised by Members included:

- O2 outage; Members were updated on the disruption to service experienced by customers earlier in December and Ofcom's discussions with O2. The Panel highlighted the merits of national roaming in circumstances of this kind.
- Nuisance calls; Members noted that nuisance call volumes were falling, but remained high, and that SMiShing was on the increase. The Panel would be updated on SMiShing at its January 2019 meeting.
- Complaints handling; Members noted that Ofcom had met recently with BT/EE and Ombudsman Services to discuss discrepancies in the data used to report ADR signposting. Ofcom would provide further feedback outside the meeting to a query raised in relation to data discrepancies.
- Citizens Advice 'loyalty penalty' super-complaint; the Competition and Markets Authority was expected to publish its response by 27 December, including recommendations for action by Ofcom.

### 5. Post update

The Panel was updated on post, covering the letters and parcels markets; the views and behaviours of consumers and SMEs; the financial performance of Royal Mail, its Quality of Service (QoS) targets associated with the provision of universal service and Ofcom's investigation into performance. Topics discussed and points raised by Members included:

- Growth in parcel volumes, whether as a result of e-commerce or an increase in volumes of small packages.
- Levels of consumer satisfaction, high for items reaching their destination, intact and undamaged, but lower for cost.

- SME satisfaction split by geography, Ofcom would provide the Panel with more details.
- Ofcom’s interactive data (part of its annual monitoring update on the postal market), it being important that consumers were aware that the data was available.
- The progress of Ofcom’s investigation and issues of efficiency and enforcement.

The Panel would be updated on completion of the investigation.

#### **6. ADR case acceptance study**

The Panel was briefed on the findings of an ADR case acceptance study undertaken by Mott McDonald on behalf of Ofcom. Evidence had been provided by Ombudsman Services, the Communications and Internet Services Adjudication Scheme (CISAS) and CPs, with Mott MacDonald providing an independent view on whether cases should have been considered inside or outside terms of reference, on any trends and recommendations.

The study had been undertaken in response to a view expressed by some CPs that there was widespread acceptance of cases by the ADR schemes that were out of scope. The evidence challenged the veracity of this and the Panel queried whether those CPs should have funded the study. The Panel requested sight of the study report in due course.

#### **7. Ofcom’s Proposed Annual Plan 2019/20**

The Panel was updated on developments since Ofcom’s Annual Plan team attended the October Panel meeting. The Ofcom team had taken steps to reflect input received from the Panel and the Proposed Annual Plan 2019/20 had been published for consultation at the beginning of December. Members noted that Ofcom would be hosting a series of related stakeholder events, in Belfast, Cardiff, Edinburgh and London in January and February. The consultation was due to close in February and the final Plan would be published in March. Issues raised by Members included:

- Ensuring that Ofcom was equipped to ensure network resilience and learnings on resilience from the Principles for Financial Market Infrastructures.
- Cybersecurity for individual consumers.
- Brexit and implications for consumers in Northern Ireland.
- Communications services available to SMEs in Wales.

The Panel would respond formally to the Annual Plan consultation with a covering letter addressed to the Ofcom Chairman.

#### **8. Broadband USO**

The Panel was updated on Ofcom’s work on designation of the UK’s broadband universal service providers. Ofcom’s consultation *Delivering the Broadband Universal Service* had been published in the previous week and had proposed BT and KCOM as the providers and had set out the rules to be

followed. Issues discussed or raised by Members included:

- The need to avoid duplication of broadband schemes in the devolved Nations, egs Scotland’s R100 project.
- Ineligibility, where a connection and service would be provided by a publicly-funded rollout scheme in the next year.
- Provision based on service requests (not a roll-out).
- The cost of connection threshold of £3,400.
- The need for a communications plan to ensure consumer awareness of the broadband USO and its interaction with other broadband schemes.

The Panel would respond formally to Ofcom’s consultation.

## 9. Migration to VoIP

Members were briefed on Ofcom’s work regarding the migration of voice services to voice over IP (VoIP). It was Ofcom’s intention to publish a policy document for industry in the New Year setting out details of related workstreams and projects on numbering; number portability; caller line identification; end-to-end connectivity and interconnection; and a narrowband market review. Issues discussed or raised by Members included:

- Ofcom’s recent workshop; the Chair had been present and commented that there had been low awareness of migration amongst the consumer representatives at the event. The Panel recommended that Ofcom host a similar event at a date later in the migration process.
- The Panel noted that Ofcom’s role in migration was limited to creating the necessary conditions to ensure good outcomes for consumers, ie the onus would be on the CPs to make this happen.
- Following the recent O2 outage, the Panel felt that it was important that network resilience continued be a consideration for both Ofcom and CPs. Ofcom would be invited to discuss this matter further with the Panel.
- Re-siting of master sockets; the Panel reiterated its view that, where necessary, consumers should not be expected to meet the cost involved.
- Messaging, etiquette, information and support for consumers; number portability; equipment testing; and international comparisons and lessons learned from other countries.
- Regarding the latter, a link to the Broadband Stakeholder Group report *Preparing the UK for an All-IP future: experiences from other countries* would be copied to members.
- Ofcom had engaged with DCMS as coordinator of the Government’s role in response to migration. DCMS colleagues would be invited to meet the Panel to discuss migration, including network resilience.

## 10. Panel workplan

Members had an in-depth discussion of Panel/ACOD priorities for 2019/20, including review of the areas of engagement in the Panel’s current

workplan; feedback on issues raised at the recent Consumer Roundtable, hosted by DCMS and attended by the Chair; and Members noting Ofcom's intention, as stated in its Proposed Annual Plan 2019/20, to strengthen the Panel's ability to advocate on behalf of consumers. A workplan would be drafted to take account of input from Members.

**11. Any other business**

There was no other business.