

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 17 January 2019 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

Craig Tillotson

Richard Williams

Apologies

Richard Spencer

In attendance

Jenny Borritt

David Edwards

Fiona Lennox

A colleague from the Broadband Stakeholder Group (item 8)

Ofcom colleagues

Item
<p>1. Welcome and introduction</p> <p>The Chair welcomed Members and attendees to the meeting. Richard Spencer was not present but had provided comments on meeting papers.</p>
<p>2. Declarations of Members' interests</p> <p>There were no declarations.</p>
<p>3. Minutes of the meeting on 13 December 2018 and matters arising</p> <p>Subject to amendment, the minutes of the meeting of 13 December were APPROVED for signature by the Chair. Matters noted:</p> <ul style="list-style-type: none">• Ofcom Post tracker data on satisfaction split by geography, requested by the Panel at the previous meeting, had been copied to members for information.• Tenders had been received for the Panel's two research projects, an audit of websites and a study of low income consumers' experience of communications markets, services and providers.

- The organisation contracted to work on the latter project would attend the next Panel meeting. Members would be able to provide input to interview questions and be copied the research brief.
- An update given on activity undertaken or planned to promulgate findings from the Panel's recent *Still Going Round in Circles* research, including correspondence with communications providers, briefings, meetings and stakeholder events planned to take place in the Nations.

4. Consumer update

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

- Review of the premium rate services condition; Members would be copied a link to Ofcom's information, connection and sign posting services statement.
- Compliance and enforcement; Ofcom would discuss its new consumer enforcement programme with the Panel.
- Mobile handsets; consumer research was being designed and the Panel requested to see the brief.
- Super-complaint; later in the year Ofcom would issue an update on its work and the Panel requested sight of that in due course.
- Automatic compensation; Ofcom was working on a communications plan and expected that communications providers (CPs) would do the same.
- Vulnerability; in December an Ofcom webinar with BT had taken place to demonstrate forthcoming improvements to the next generation text service. The Panel requested more information about this.
- Migration to VoIP; Ofcom would be meeting BT to discuss the latter's plans to ensure that no customers would be worse off as a result of migration.
- Unfair practices, loyalty penalties and whether some consumers were benefiting from switching because many others did not do so.
- Post; the Panel remained keen to see the outcome of Ofcom's investigation of Royal Mail's compliance with its quality of service performance targets.

5. Access Services: On-Demand Programme Services (ODPS)

The Panel was updated on Ofcom's work to improve access services on ODPS. In December Ofcom had published its statement *Making on-demand services accessible*, containing recommendations to the Government. In due course, new regulations would be complemented by an Ofcom code of guidance setting out how ODPS providers should meet requirements and Ofcom would consult on the code before publication. Issues raised by Members included:

- The ideal of a single portal for ODPS.
- Quality of subtitling and best practice guidelines.
- Findability of accessible on-demand services.

<ul style="list-style-type: none"> • Appropriate timescales (Ofcom recommending that within 4 years of regulations coming into force, providers should offer subtitling on 80% of their catalogue, audio description on 10% and signing on 5%). <p>In due course, Ofcom would seek the Panel’s input to the proposed code of guidance.</p>
<p>6. Directory Enquiries (DQ)</p> <p>The Panel was updated on Ofcom’s Directory Enquiries statement, and Members noted that a cap on charges on 118 numbers would come into effect on 1 April 2019. Issues raised by Members included:</p> <ul style="list-style-type: none"> • Whether DQ service providers would be incentivised by design of the cap to charge high call set-up charges. • Whether some DQ service providers would exit the market. • DQ services for speech or visually impaired consumers and the need for increased awareness of the free 195 DQ service. • Market failure (domination by two big players and high prices) and whether this should have been addressed much sooner.
<p>7. Panel/ACOD workplan 2019/20</p> <p>A draft workplan had been copied to Members and there was an in-depth discussion of priorities for 2019/20, commensurate with the current level of Panel resourcing. The draft would be revised to take account of discussion. The draft workplan would be consulted upon publicly, with versions available in English and in Welsh.</p>
<p>8. Broadband Stakeholder Group: superfast take-up</p> <p>The Panel was briefed on superfast broadband coverage in the UK, noting data on premises passed between May 2017 and September 2018, up from 91% to 94%; a superfast coverage map for the UK; residential download broadband speeds; that half of households that have access had taken up service; and figures for average data use. The briefing touched on Ofcom’s <i>Boost Your Broadband</i> campaign and the broadband USO, the latter at the design stage. Issues raised in discussion included:</p> <ul style="list-style-type: none"> • Whether there was real widespread demand for the top super high speeds. • The situation in Northern Ireland, with the longest average line lengths and four times the UK average number of telegraph poles per capita and whether fibre would run between them. • Lack of superfast broadband in some urban areas and community schemes to fill the gap.
<p>9. Ofcom review of broadband pricing</p> <p>Members were briefed on Ofcom’s review of broadband companies’ pricing practices, examining why some customers paid more than others, and whether vulnerable customers needed extra protections to ensure that</p>

they received a good deal. Issues discussed included:

- Introductory offers with reduced prices for new customers only, with a price hike on expiry of the offer.
- Understanding of loyalty penalties.
- The ability of existing customers to negotiate a better deal with their providers when contracts expired but with little transparency of this practice.
- Definition(s) of vulnerability, including the social and medical models of disability.

Ofcom expected to consult in September and Panel would be updated further in the interval.

10. Nuisance calls and SMiShing

Members were updated on Ofcom’s Nuisance Calls enforcement programme, including its strategic approach, actions taken, outcomes achieved and key priorities for the year ahead. Three workstreams had been prioritised: work with industry to block/disrupt calls; enhancing CLI reliability; and enforcement of rules. Issues discussed included:

- Spoofing on VoIP; whether this would be easier than the practice on the PSTN network; and work on a new technical standard (the Secure Telephone Identity Revisited - STIR) to support CLI verification on IP networks.
- Accessibility of CLI, including a speaking version.
- Blocking of problematic calls at the network level by six of the largest CPs. The Panel would raise data sharing between CPs at its next catch-up with BT.
- Tackling scams; the recent launch of “SMS PhishGuard” (designed to raise awareness of phishing by SMS, reduction and reporting) and the new SMS SenderID Protection Registry scheduled for launch in early 2019.

11. End of contract/best tariff information

Members were briefed on Ofcom’s work on end-of-contract and annual best tariff notifications, including a consultation *Helping consumers get better deals*, published in December. A response by the Panel was in draft. Proposals consisted of a number of requirements on CPs, including provision to customers of lists of linked contracts and end dates and options and of notifications to be sent to end users, some being out-of-contract. The Panel had previously argued the need for consumers to receive clear, timely, communication from CPs and welcomed Ofcom’s proposals. Members reiterated the importance of using plain language that consumers could understand and suggested that Ofcom monitor the effectiveness of end-of-contract communications.

11. Any other business

It was noted that Jo Connell’s term of appointment as Panel Chair would

end on 31 March 2019 and all Members had been invited to express interest in the role. Recruitment of a new chair was in progress.

It was agreed that the Panel would respond to the Older People's Commissioner for Wales' consultation on how to make Wales the best country in the world in which to grow old and to the Consumer Council for Northern Ireland Draft Forward Work Programme 2019/20, as well as the above-mentioned consultations by Ofcom.