

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

**on 17 May 2018 at 10.30**

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

**Present**

Consumer Panel/ACOD

Jo Connell (Chair)

Amanda Britain

Jaya Chakrabarti

Karen Lewis

Rick Hill

Chris Holland

Craig Tillotson

Richard Williams

In attendance

Adrian Ball

Jenny Borritt

Fiona Lennox

Colleagues from PSA (item 7)

Colleagues from Ofgem and BIT (item 9)

Ofcom colleagues

**Item**

**Welcome and introduction**

The Chair welcomed Members and attendees to the meeting, notably Karen Lewis, the panel's new member for Wales, attending the meeting for the first time.

**1. Declarations of Members' interests**

There were no new interests to declare but three members sought new and old activities to be recorded: Chris Holland reminded the Panel that he is the Independent Complaints Reviewer for CEDR (Centre for Effective Dispute Resolution) ahead of the item on ADRs; Rick Hill shared that he has joined an advisory board for a Northern Ireland museum for news; and Craig Tillotson stated that a new company of his will begin trading in the payments industry though it was noted that this would not present a conflict of interests.

**2. Minutes of the meeting on 19 April 2018 and matters arising**

The minutes of the meeting of 19 April were **APPROVED** for signature by the Chair with minor amendments.

Members **NOTED** that:

- Further enquiry was needed on the timelines and consumer outcomes for duct and pole access.

### 3. Consumer update

The Panel was briefed on the latest updates to the consumer priority work. Issues arising from the update and related matters included:

- nuisance calls: the Panel sought the nations breakdown and trends.
- engagement: the Panel advised that barriers to engagement mean different things to the Disability community whereas Ofcom use a broad definition. The Panel advised that engagement work ought to integrate the specific work on vulnerable consumers into the broader aims of the work as there are 6 million people in the UK with online access needs.
- standalone fixed voice: the team advised that all the notification letters had been sent out.
- broadband USO: the team are in ongoing dialogue with the devolved governments. The Panel sought clarity on the definition of rurality in a Scottish context.
- ADR: The team agreed to ensure the monitoring data could be easily found.
- migration to VOIP: discussed in item 5.

### 4. Complaints handling update

The Panel **NOTED** the positive trend in the reduction of complaints and welcomed the ongoing work on this issue. Points raised by the Panel included:

- there is not necessarily a correlation between complaints and satisfaction i.e. fewer complaints does not necessarily mean greater satisfaction; it is therefore important to assess complaints data alongside separately acquired satisfaction data.
- the Panel's research.
- the suggestion of aiming for 95-100% target for ADR notification.
- seeking clarity on the manner in which consumers may be inappropriately led to ADR schemes.
- asking if the consumer engagement work in this area included textphone users, which was confirmed; web chat was not considered accessible.
- settling before a decision could be positive for the consumer as it is a more efficient process but begs the question as to why the resolution could not have been found before going to ADR.

### 5. Migration to VOIP

Members engaged on a variety of issues relating to the risks to certain consumers from the migration to VOIP and the implementation of measures to provide access to emergency services. The Panel **AGREED** to invite the team back once consultation responses have been received and analysed, in September. Points raised by the Panel included:

- Scotland showed greater signs of readiness for migration to VOIP.

- the utility of researching the experiences of VOIP early adopters, albeit they are a self-selecting and likely narrower segment of society.
- checking whether Ofcom have received complaints from KCOM and/or Virgin Media's VOIP customers.
- the need for consumers identified as being at risk to receive free backup services (or an alternative solution e.g. free SIM).
- advising the team on considering an information campaign for any new equipment required.
- asking for clarity on references to emergency services but more broadly asking the team to consider other organisations and services such as utility provider or district nurse/GP services.
- that the consultation provides the opportunity to set expectations on broader approaches and to draw views on what factors and options are important regarding the risks to consumers: notably seeking input on the variety of potential access needs to be considered during a migration.
- asking the team to think about how consumers identify and notify providers that they are at risk, the self-selecting set is smaller than the real set of those at risk; it may be worth considering seeking information from local authorities or those providing services to vulnerable consumers.

## 6. Post update

Members were updated on Royal Mail's performance against targets. The Panel **NOTED** poor performance against various targets and discussed the reasons given by Royal Mail. Ofcom is opening an investigation into the cause of these results. Points raised by Members included:

- the degree to which weather, industrial relations, and potential labour shortages could adequately explain poor performance against most targets.

## 7. Update from Phone-paid Services Authority (PSA)

The Panel heard from the PSA on key issues such as the new code of practice for providers; and the effect of regulatory action on lowering complaints (from 4000 to 1000/month).

Information, Connection, and/or Signposting Services (ICSS) were discussed as potential sources of particularly sharp practice. ICSS are regulated by PSA through the 087 and 09 ranges but the PSA seek to regulate all ICSS regardless of number range. A Directory Enquiries price checker is in development. The PSA have also banned DQ services from directing consumers to their numbers in voicemail messages. Regarding ICSS, the PSA's research found that 9/10 consumers do not notice the small print about the nature of the service and that consumers are likely to trust the top results (adverts) on search engine pages. Points raised by Members included:

- the legality of ICSS using the trademarks of companies, the Panel were advised that this has been prohibited.

## 9. Consumer outcomes update

The Panel were updated on the high-level outcomes Ofcom is seeking to deliver for consumers. Points raised by Members included:

- the need to balance quantitative metrics with qualitative information;
- a recommendation to monitor the availability of services;
- that the paper appeared to lack an overarching vision for consumers;
- a suggestion to alter language on the reliability of services, so that it is clearer and more meaningful to consumers;
- the need to go beyond monitoring outcomes but to consider action and remedies (where appropriate);
- that points about disability are meaningful when focussing on the effects of disability, not the causes;
- clarity on what a good deal is for consumers;
- that increasing consumer engagement is not improved solely by approaching consumers; providers could be encouraged to do more;
- a suggestion to consider monitoring the range of prices for services, not just the averages;
- a suggestion to consider setting targets;
- consider drawing out the underlying issues on certain topics, not only the complaints and satisfaction data; and
- consider what change or action could be pursued.

## 10. Behavioural Insight Team & Ofgem

The Panel were presented with the study BIT and Ofgem have undertaken on consumer targeted letters aimed at improving switching in the energy market. The experiment with 138k participants sought to answer the question of whether a cheapest market offer letter (CMOL) increased switching. The team assessed whether the same CMOL from different bodies (Ofgem or the customer's provider) showed different results. Broadly, the letters improved switching by a factor of three (slightly less when sent from Ofgem). This effect was less pronounced for the customers with different attributes such as their payment method. Points raised by Members in discussion included:

- the data suggested that the resultant switchers were already engaged but that the letter prompted the already engaged to switch;
- that the letter shared consumers' individual usage information; and
- whether the team had looked into the data on consumers' affluence and debt which is known to affect switching behaviour (those in debt might find it harder to switch because of their credit ratings).

## 11. Consumer Green paper

The Panel noted the key points of the Green Paper and agreed that a draft response would be discussed at the next meeting.

**12. Any other business**

Richard Williams offered to discuss a broader strategy around vulnerability and disability with Ofcom colleagues