

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 21 February 2019 at 10.30

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

Present

Consumer Panel/ACOD

Jo Connell (Chair)
Amanda Britain
Rick Hill
Chris Holland
Karen Lewis
Richard Spencer
Craig Tillotson
Richard Williams (by telephone)

Apologies

Kay Allen

In attendance

Jenny Borritt
David Edwards
Fiona Lennox
Holly Terry
A colleague from the Institute of Customer Service (item 5)
Colleagues from PwC (item 9)
Ofcom colleagues

Item
<p>1. Welcome and introduction</p> <p>The Chair welcomed Members and attendees to the meeting.</p>
<p>2. Declarations of Members' interests</p> <p>Chris Holland reminded the Panel of his role as the Independent Complaints Reviewer for CEDR (Centre for Effective Dispute Resolution) ahead of item 6. Craig Tillotson reminded members of his role as Chief Executive of the Smart Request Company Limited, a FinTech, ahead of item 9.</p>
<p>3. Minutes of the meeting on 17 January 2019 and matters arising</p> <p>Subject to amendment, the minutes of the meeting of 17 January were APPROVED for signature by the Chair. Matters noted:</p> <ul style="list-style-type: none">• The Panel confirmed its interest in the findings of Ofcom's investigation into Royal Mail compliance with its QoS targets.

- The Panel had submitted a response to Ofcom's consultation *Proposed Annual Plan 2019/20*, under cover of a letter to the Ofcom Chairman. The letter would be copied to Members.
- The Panel's work plan for 2019/20 had been published on its website and was open for consultation until 18 March 2019.

4. Consumer update

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

- Nuisance calls; the Panel requested an update on Operation Linden and a note would be provided.
- Comparing service quality; Ofcom expected to publish a research report in April. This work area would be added to the monthly progress update on consumer priority areas paper and the relevant Ofcom team would be invited to meet the Panel.
- Treating consumers fairly; Ofcom would share its thinking as it develops plans for a conference, expected to take place in April.
- Mobile handsets; the Panel requested sight of the first wave of Ofcom's handset research when available.
- Review of price differentials in fixed broadband; the Ofcom team would discuss the review with the Panel at a future meeting.
- Super-complaint; the Ofcom team would return to the Panel ahead of publication of its half-year update.
- Standalone voice; Ofcom to report back to the Panel on how customers have been affected by its recent standalone remedies.
- Migration to VoIP; Panel members for the Nations to be invited to Ofcom's stakeholder roundtable events in the Nations.
- The Panel requested more information about a recent media story concerning a failure by mobile network operators to agree to share infrastructure to fix rural 'not spots'.

5. Institute of Customer Service

The Panel was briefed on the work of the Institute of Customer Service, a not-for-profit membership body whose purpose was to help organisations to improve their performance. It was noted that the Institute provided a secretariat to the All Party Parliamentary Group for Customer Service. A query would be followed up with the Institute related to segmenting into individual services within the communications sector.

6. Complaints update

The Panel was updated on the priorities for Ofcom's work to ensure communications provider (CP) compliance with complaints handling rules. The priorities were reduction in consumer complaints generally; monitoring of ADR signposting metrics and engagement with poor performing CPs; and close engagement with the industry to secure greater compliance with complaints handling provisions. It was noted that a reduction in complaint numbers had been seen over the last 12 months. Issues raised by Members

included:

- Reduction in complaint numbers, which was welcome but slow to achieve.
- Reliance on customer inertia appeared to be the strategy of some CPs.
- Use of % figures disguised the fact that many thousands of consumers were experiencing poor ADR signposting.
- The importance of monitoring CP complaints processes to ensure that they were accessible to all customers.
- CP self-compliance obligations.
- The importance of sharing best practice in complaints handling.

7. EU Electronic Communications Code (EECC)

The Panel was briefed on Ofcom's work to transpose the end-user provisions of the EECC in a proportionate and appropriate way. Issues raised by Members included:

- The need to make amendments to the General Conditions.
- The need for alignment of contract end-dates for a bundle of services.
- Disquiet that customers were signing time-bound contracts but could experience price rises during the lifetime of the contract.
- How the code would define 'end-users with disabilities', the Ofcom team would feedback on this.
- Consumption measures, to pre-empt bill shock.
- Under the Code, Ofcom could require CPs to publish comprehensive, comparable, reliable, user-friendly and up-to-date information on the quality of service and the Panel was in support of this requirement.
- Switching, this should involve minimal loss of service.

It was noted that the Ofcom team would return to the Panel in May/June 2019.

8. Consumer compliance and vulnerability update

Ofcom would be launching a new consumer compliance and advocacy programme to help to drive a stronger compliance culture and with emphasis on consumer fairness and protection against harmful practices. In addition, a new General Condition had come into effect in October 2018 designed to ensure fair and appropriate treatment of vulnerable consumers. Issues raised by Members included:

- Analysis of complaints should include those raised with the Consumer Council in Northern Ireland and the new Consumer Scotland body (when set up).
- A need for consistency in the way that CPs classify vulnerability and disability.

- Negative connotations of ‘compliance culture’, eg as a box-ticking exercise. Language was important and branding as a ‘treating customers fairly’ culture could be beneficial.
- Senior CP management buy-in and the power of consumers’ personal stories in driving change.
- The need for ambition, improvement and going beyond best practice.
- Ofcom’s expectations on compliance should be promoted amongst CPs and consumers.
- As the communications regulator, Ofcom needed to ensure that it treated all consumers fairly, at the very least by mirroring the CPs.
- Positive commercial benefits versus a cost of failure for CPs, ie the importance of getting things right first time.
- Whether an accreditation scheme for fair providers could be beneficial.

9. Panel research into the experiences of low income consumers

Members were updated by PwC on the progress of the Panel’s research project on the experience of low income consumers. The object of the research was to explore their relationship with communications services (landline, mobile, broadband, pay TV) and with CPs in particular. The research would be based on 40 in-depth interviews and a desk research component (on ease of finding debt/disconnection policies and related support on-line) and include video output.

Members commented on the research sample and the proposed discussion guide, for use with research participants. PwC would take account of issues raised by Members and return to the Panel in March to provide an update on initial research findings.

10. Market research update

Members were updated on recently completed research projects and provided with details on current/forthcoming projects of interest to the Panel. Members noted the research that was underway, commenting on the QoS and future of number projects. The Panel expressed interest in the research underway related to end of contract notifications and requested further details.

11. Any other business

Craig Tillotson had attended the 20 Feb Which? roundtable on mobile coverage and gave a brief report back. He would report further by providing some bullet points.