

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 22 February 2018 at 10.30

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

Present

Consumer Panel/ACOD

Jo Connell (Chair)

Amanda Britain

Jaya Chakrabarti

Rick Hill

Chris Holland

Craig Tillotson

Richard Williams

In attendance

Jenny Borritt

David Edwards

Adam Gayton

Millie Hyde-Smith

Fiona Lennox (items 1 - 8)

Colleagues from Futuresight (item 11)

Other Ofcom colleagues

1. Welcome and introduction

1.1 The Chair welcomed Members and attendees to the meeting and Richard Williams in particular. He was attending his first Panel/ACOD meeting.

2. Declarations of Members' interests

2.1 Richard Williams reminded members that he had undertaken consultancy work with Virgin Media.

3. Minutes of the meeting on 18 January 2018 and matters arising

3.1 Subject to amendment, the minutes of the meeting of 18 January were **APPROVED** for signature by the Chair.

3.2 Members made suggestions for Panel research topics. These included the growing and changing use of the internet; tensions between privacy and the sharing of personal data; consumers' experience of price comparison websites; research to gauge consumers' own concerns, ie asking for views on the outstanding issues in the communications market; the accessibility of communications providers' websites; Post and the value consumers placed on the universal service or an examination of their experience of parcel surcharging. Other considerations would be a topic, or topics, that the Panel could follow up with specific actions, that might

build on a previous research exercise and avoidance of duplication. In addition, stakeholders had been invited to submit views on specific areas of harm to consumers where evidence would be helpful to inform policy-making, as part of the consultation on the Panel's draft workplan 2018/19. Members were invited to submit any further suggestions by email.

4. Consumer update

4.1 Ofcom colleagues joined the meeting. An update paper/grid had been provided to give Members an overview of Ofcom's consumer priority work areas, progress, next steps and milestones.

4.2 There was discussion of issues arising from the grid, including nuisance calls, Ofcom's work to reduce volumes would continue and a next step would be consumer research about which Ofcom would engage with the Panel, and it was reported that MNOs were due to update Ofcom on their number blocking efforts in March; complaints handling, the Panel would seek a conversation with Ofcom about findings from the Panel's effective complaints handling research; mobile switching, Ofcom was now working with industry on the implementation of reforms and the Panel requested that Ofcom paper/grid reinstate reporting of Ofcom activity in this area; broadband USO, the Panel would take a keen interest in Ofcom's work to implement this; review of call costs, Ofcom was looking at remedies to reduce harm and the Panel suggested that pre-emptive measures be considered; ADR, the Chair requested that the Ofcom team engage with the Panel at its next meeting; and vulnerability, the Panel asked for early sight of Ofcom's access and inclusion research plans. In relation to process, the Panel requested that the update paper include an explanatory note when a priority work area was removed from the grid.

4.3 [Withheld from published minutes.]

5. Corporate Social Responsibility

5.1 Members had received papers and Ofcom colleagues joined the meeting for discussion. Ofcom's consultation *Ofcom Diversity and Inclusion Programme 2018-2022* would close the following day and the Panel would submit a response. There was discussion of issues including Ofcom ambition in the areas of diversity and inclusion and whether there were constraining factors; cognisance of diversity in the broadcasting sector regulated by Ofcom; the value of 'persona' work, to understand behaviours and expectations from an organisation; colleague development and Ofcom's Future Leaders Programme; activity to build Ofcom's profile in local educational settings. The recent Ofcom colleague survey had included questions to measure and monitor socio-economic background. A Member suggested that Ofcom might wish to similarly survey its non-executives, eg appointees to its Board and Advisory Committees.

6. Brexit

6.1 Members had been provided with a paper and colleagues joined the meeting to update the Panel on Ofcom's Brexit work programme, key priorities concerning consumer protection being to ensure that, post-Brexit, Ofcom's rule making, investigation and enforcement powers

remained robust and appropriate; and that consumers' rights were not diminished.

7. Mobile coverage

7.1 Ofcom colleagues joined the meeting to brief the Panel on 700 MHz proposals to improve mobile coverage, inside and outside premises. Ofcom expected to consult shortly on up to three obligations, relating to wider area coverage, improved indoor coverage and Nations safeguards; and later on a spectrum auction structure. Ofcom was seeking to maximise the availability of mobile services and to promote both the efficient use of spectrum and competition.

7.2 Issues raised in discussion included network sharing; site sharing; identification of priority areas for coverage; not-spots as the main focus for improving indoor coverage; availability of coverage data sets; and equality impact assessment.

8. Parcel surcharging

8.1 An Ofcom colleague joined the meeting to discuss parcel surcharging, eg by online retailers, and affecting consumers in remote mainland and island areas. It was **NOTED** that Ofcom would be giving evidence at Westminster, the following week, and at a one-off session of the Scottish Affairs Committee on delivery charges in Scotland. It was **NOTED** also that the Consumer Protection Partnership, bringing together various consumer, regulatory and governmental bodies, was conducting a review of excessive delivery fees experienced by Scottish consumers. The Panel would be updated on Royal Mail Quality of Service in April.

9. Migration to VoIP

9.1 Ofcom colleagues joined the meeting and Members had received a paper seeking views on the principles that Ofcom was developing as guidance for communications providers (CPs) in relation to General Condition 3, ie measures to ensure uninterrupted access to emergency services, as they migrate to IP-based core networks.

9.2 The Panel was concerned that some consumers could require protection beyond an hour in the event of a power outage. Battery back-up was raised and the reluctance of some consumers to keep batteries charged. Members shared Ofcom's view that resilient solutions should be suitable to meet customers' needs and offered free of charge to those who were at risk and dependent on a landline. Members discussed the importance of identifying at risk customers, now and in the future, and the need for effective messaging of resilience options to those customers. The Panel raised the threat that cyber-attacks posed for IP network resilience and Ofcom colleagues confirmed that this was an issue included in Ofcom's wider thinking about migration to VoIP. Ofcom would continue to engage with the Panel as its work on migration to VoIP develops.

10. Update of relay services

10.1 Ofcom colleagues joined the meeting and Members had received a paper to provide background to the provision of relay services in the UK, including the legislative context, and on the latest developments in other jurisdictions. It was **NOTED** that there was potential for improvements to BT's Next Generation Text Relay Service (NGTR), that these would require funding and that it would be important to know about the priority of improvements from users.

10.2 There was discussion of issues including reasonable adjustment under the Equality Act; relay improvements being sought by Deaf Access to Communications; and the NGTR KPIs set by Ofcom. The KPIs would be shared with the Panel.

11. Futuresight (Panel research)

11.1 Colleagues from Futuresight and an Ofcom colleague joined the meeting. Futuresight presented findings and video material from the Panel's effective complaints handling research, having completed all the in-depth qualitative interviews. Futuresight would begin report drafting shortly, after agreeing a structure, and the aim was to publish the research in June.

12. Any other business

12.1 A Member would be meeting officials in the Northern Ireland Executive to discuss broadband rollout.

12.2 The Panel's recent access services research had been presented to Ofcom's Advisory Committee for Scotland (ACS) on the previous day. The research had been presented to Ofcom's Advisory Committee for Wales during the previous week. ACS had suggested that the research would be of interest to the Cross Party Group in the Scottish Parliament on Digital Participation. Consideration would be given to this and other potential audiences for the research.

.....ChairDate