

Minutes of the meeting of the Communications Consumer Panel and ACOD

on 23 February 2023 at 10.30 am

Meeting held in hybrid format at Riverside House and via Microsoft Teams

Present

Consumer Panel/ACOD

Rick Hill (Chair)

Kay Allen

Amanda Britain (items 1 to 6)

Helen Froud

Clifford Harkness

Richard Spencer

Sian Phipps

Michael Wardlow

Richard Williams

Apologies

Amanda Britain (items 6 to 12)

In attendance

The Panel's Executive team

Representatives of the Department for Business and Trade

Ofcom colleagues

Item
<p>1. Welcome and introduction</p> <p>1.1 The Chair welcomed Members and attendees to the meeting, particularly Sandiswe Dhlamini who would be observing the Panel for the next 12 months as part of the Next Generation NEDs initiative, led by Ofcom and the Panel in association with UKRN.</p>
<p>2. Declarations of Members' interests</p> <p>2.1 There were no new declarations of interest.</p>
<p>3. Minutes of the meeting on 26 January 2023 and matters arising</p> <p>3.1 The minutes of the meeting of 26 January 2023 were APPROVED, subject to minor</p>



amendments.

4. Chair's update

4.1 The Panel noted the Chair's update, which provided an overview of the Panel's recent activities including recent engagement with UK Government on the Panel's continuing concerns regarding migration to voice-over IP (VoIP) and plans to undertake further research to help inform policymakers of the potential issues facing telephony users. The Panel's Nations' Members also provided updates on recent activity and stakeholder engagement across each of the UK Nations.

5. Consumer policy update

5.1 The Panel received an update from Ofcom's consumer policy team on its key consumer priority areas.

5.2 The Panel welcomed and supported Ofcom's review of mid contract price rises linked to inflation for phone and broadband customers. Members questioned the fairness of mid contract price rises and were concerned that some CPs' consumer communications advising of the price rises lacked transparency. A future update from the team on how the review was progressing would be added to the forward plan.

5.3 Members noted that Ofcom's affordability report was due to be published in the coming months and flagged their interest in understanding the impacts of recent prices increases on communications consumers and whether social tariffs were helping to mitigate these impacts.

5.4 The Panel noted Ofcom's ongoing work to gather insights on customer service and complaints handling in the communications sector and asked for an update at a future meeting.

5.5 Members noted Ofcom's recent engagement with industry on appointeeship policies and asked for some further background information.

5.6 The Panel discussed its ongoing concerns surrounding migration to VoIP (discussed further under item 8) and asked for further information on how Ofcom identified and collected complaints data on migration to VoIP. The Panel's Member for Wales also flagged that Ofcom Wales was holding a session at the Senedd about migration to VoIP to help raise awareness and asked if similar activities were happening in the other UK Nations.

6. Ofcom research: Switching experiences tracker



6.1 The Panel received an update on the latest findings from Ofcom's switching experiences tracker and discussed the findings with interest.

6.2 The Panel raised ongoing concerns regarding the language used in the tracker and urged Ofcom to move towards adopting the social model of disability to shift away from focusing on medical conditions, and move towards understanding the barriers that exist in the communications sector that make it difficult for consumers with specific access requirements to engage.

6.3 The Panel believed that more should be done to secure fair deals for less engaged consumers who may not be aware of the benefits of switching or would find the process too daunting and/or difficult to engage with. Ofcom colleagues undertook to analyse and further understand the switching behaviours of people with specific access requirements and advised that the soon to be implemented One-Touch Switch process should help to streamline the switching process.

7. Ofcom research: Impacting/Limiting Conditions tracker findings

7.1 The Panel received an update on the findings of Ofcom's research that explores the experiences of people with specific access requirements using communications services.

7.2 The Panel expressed its ongoing concerns and disappointment that Ofcom continued to use language associated with the medical model of disability in its research. Whilst Members recognised the need to consider consistency of data collection and benchmarking across government, they once again urged Ofcom to adopt the social model of disability to help remove barriers to access and promote inclusivity in the communications sector and be a leader in this field.

7.3 Ofcom colleagues recognised the Panel's concerns and advised that they planned to hold a workshop to further understand the requirements of people with specific access requirements to help intertwine the social model of disability into future work. Members offered their assistance for any future workshops and looked forward to a progress update in due course.

8. Migration to Voice-over IP (VoIP) update

8.1 The Panel received an update on migration to VoIP and raised again its continuing concerns regarding a lack of a coordinated consumer communications campaign and highlighted its plans to undertake a further round of research to inform the debate. The Chair encouraged Ofcom to consider the approaches adopted by its international counterparts, for example, Comreg Ireland, Mobile and Broadband Taskforce had stated its intention to tender for a wide-ranging communications campaign for the rollout of VoIP.

8.2 The Panel was advised of Openreach's plans to prompt engagement from CPs who had not yet engaged with them and end-consumers who had not yet migrated to VoIP in the



trial areas of Salisbury and Mildenhall. The Panel was alarmed that the plans could detrimentally impact consumers with specific access requirements and potentially conflict with statutory equality requirements. Expressing significant concern, Members warned that not all consumers with specific access requirements would have flagged these with their CP, and therefore relying on CPs' data to identify these consumers was flawed. The Panel noted that, in accordance with Ofcom's General Conditions [1], regulated providers must consult the Panel on request to ensure that the requirements and interests of consumers with specific access and support requirements were fully considered in the development and provision of their services. The Panel highlighted its intention of raising its concerns directly with Openreach.

9. Department for Business and Trade - Review of Economic Regulation

9.1 Representatives of the Department for Business and Trade provided an overview of its review of economic regulation in the energy, water and telecoms sectors and sought the Panel's input from a telecoms perspective.

9.2 Amongst other matters, Members highlighted:

- its belief that communications access was a basic consumer right and more needed to be done to incentivise CPs to ensure that all consumers, particularly those with specific access requirements, had equal access to services.
- the value of its unique statutory role in being able to input the consumer interest into communications policy development early-on to help avoid fixing issues retrospectively.
- that regulatory bodies should have the power to act in the consumer interest and cross-sector learnings would help to deliver better consumer outcomes.

9.3 The Panel would respond to the consultation in writing, once published in the Spring.

10. Ofcom postal services monitoring update

10.1 The Panel received an update from Ofcom's postal monitoring team and raised its ongoing concerns regarding the resilience of postal services, including quality of service, the consumer impacts of recent postal strikes; and the sustainability of the USO - a critical service for some UK citizens.

10.2 The Panel raised concerns that Royal Mail had consistently failed to meet its performance targets and asked what regulatory levers were available to improve quality of service.

10.3 Members asked for further information on how effectively Royal Mail was tackling a back log of post following the recent cyber-attack as postal delays were likely to have a significant impact on some consumers, particularly micro-businesses.

11. 2G/3G switch-off update



11.1 The Panel received an update on 2G/3G switch-off, having previously raised with Ofcom and industry its concerns about the potential consumer impacts of the switch-off, including that consumers may lose access to certain services if they default to 2G and cannot access 4G. The Panel also highlighted the importance of other services currently delivered via 2G/3G connectivity such as telecare devices, vehicle e-call, prisoner tags and smart meters. The Panel also remained particularly concerned that emergency video relay calls would not function on 2G connectivity and highlighted the importance of ensuring consumers who would be affected continued to have access post switch-off.

11.2 Members asked if location information on vehicle e-call services would still function post 3G switch-off.

11.3 The Chair advised that whilst the Panel remained concerned about the potential consumer impacts of 2G/3G switch-off, it was encouraged by the steps Ofcom and industry were taking to mitigate and rectify any impacts.

12. AOB

12.1 There was no other business.