

## Minutes of the 80th meeting of The Advisory Committee for Wales held via Microsoft Teams on 9 March 2021

### Present

Hywel Wiliam	Chair
Andrew Board	Member
Peter Trott	Member (items 11-18)
Ruth McElroy	Member
Rem Noormohamed	Member

### In attendance

David Jones	Ofcom Board Member for Wales
Aled Eirug	Content Board Member for Wales
Sian Phipps	Communications Consumer Panel Member, Wales
Katie Pettifer	Public Policy Director, Ofcom
Eleanor Marks	Director, Ofcom Wales
Elinor Williams	Regulatory Affairs Principal, Ofcom Wales
Meleri Evans	Regulatory Affairs Manager, Ofcom Wales
David Symons	Welsh Language Associate, Ofcom Wales
Liz Nash	Regulatory Affairs Assistant, Ofcom Wales

Other Ofcom colleagues

### Apologies

Robert Andrews	Member
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Agenda items	Action
<p><b>Introduction</b></p> <p>1. The Chairman welcomed attendees to the 80<sup>th</sup> meeting of the Advisory Committee for Wales.</p>	
<p><b>Declaration of Members' Interests – oral</b></p> <p>2. Ruth McElroy advised she will be undertaking a skills mapping exercise across Wales for the screen sector on behalf of the Creative Wales.</p>	
<p><b>Minutes of the meeting held on 16 December 2020 and matters arising – Minutes ACW 79(3)</b></p> <p>3. The minutes of the meeting held on 16 December 2020 had been previously circulated to Members. Following an additional amendment, the minutes were <b>APPROVED</b> as a true account of the meeting.</p> <p><b>Matters arising/outstanding Actions -</b></p> <ul style="list-style-type: none"> <li>Min 3 - Visibility of the ACW – it was agreed a fuller conversation would be required with Governance and Accountability colleagues in light of the forthcoming election in Wales and purdah requirements. <b>ACTION – Ofcom Wales</b></li> </ul>	EM

<ul style="list-style-type: none"> <li>• Min 6 – Diversity and Equal Opportunities in TV and Radio. Ofcom Wales reported an Ofcom Wales colleague had discussed with the Digital &amp; Inclusion team and they confirmed they had enough data at present. BBC Cymru Wales and S4C have recently appointed Diversity Officers and Members suggested inviting them to attend a forthcoming meeting. <b>ACTION – Ofcom Wales</b></li> <li>• Members discussed the two IWA reports on Screenwork (produced by Ruth McElroy) and the soon to be published Media Audit Report. RMcE agreed to circulate links to members.</li> <li>• Min 7 – National Infrastructure Report – authors still to be invited to a future meeting but it was agreed the Committee should meet in advance to discuss. <b>ACTION - Ofcom Wales to circulate link to report.</b></li> <li>• Min 11 – BBC Studios – agenda item on today’s meeting.</li> <li>• Meeting with Prof Stephen Cushion took place on 2 March 2021. A research piece on network news coverage and the nations is being considered by Ofcom, and a procurement exercise will be undertaken accordingly.</li> </ul>	<p>EW</p> <p>RMcE</p> <p>EW</p>
<p><b>Chairman’s Report – oral</b></p> <p>4. The Chairman gave an oral update of his activities since the last meeting including attending:</p> <p>IWA Media Summit online sessions;</p> <ul style="list-style-type: none"> <li>• Spectrum Auction Management Strategy webinar;</li> <li>• Ofcom Wales’ Plan of Work event;</li> <li>• BBC Cymru Wales update meeting;</li> <li>• Discussion meeting regarding Ofcom’s Review of BBC Studios;</li> <li>• WISP meeting (with Ofcom Board Member for Wales).</li> </ul> <p>5. Members discussed recent small-scale DAB applications in Wales and were pleased that GTFM has been awarded the licence for the Welsh Valleys.</p> <p>6. The Chair raised the ongoing Consultations rolling grid which was discussed in greater detail at a later agenda item.</p>	
<p><b>Update: Ofcom Board Member for Wales – oral</b></p> <p>7. The Board Member for Wales gave a full oral update and a summary of key topics over the last few months. These included:</p> <ul style="list-style-type: none"> <li>• Current corporate activity including appointments at BBC, Royal Mail, BT. He also reported the advert for Ofcom’s Chair has been published with interviews taking place at the end of April.</li> <li>• Upcoming announcements – Wholesale Market Review and 5G</li> <li>• Publication of The Digital Regulation Cooperation Forum (DRCF)’s priorities for the coming year. Ofcom will work closely with CMA and ICO.</li> <li>• Telecoms Security Bill and latest large cyber-attacks.</li> </ul>	
<p><b>Report – Public Policy</b></p> <p>8. Ofcom’s Public Policy Director had previously circulated an update report outlining key UK Government and Parliamentary developments since the last meeting. In addition to topics already mentioned, additional highlights included:</p> <ul style="list-style-type: none"> <li>• Access Review and statement on fixed telecoms to be published shortly. Includes BT pricing regulations and copper switch off plans. The focus is on investment for consumers.</li> </ul>	

<ul style="list-style-type: none"> <li>• Spectrum Management Strategy - A member raised the issue of market sensitivity and concerns around area 3 (promoting spectrum sharing). The Chair requested he send members an explanatory note to provide some market intelligence.</li> <li>• The Content Board Member for Wales asked about Ofcom’s plans for recruiting and locating additional colleagues to work on its Online Harms obligations. Ofcom confirmed discussions around a location strategy are currently taking place with proposals for a possible new premise in the north of England being considered and expansions of existing nations offices.</li> <li>• In relation to the point made about affordability of communications services in the report, the CCP Member for Wales asked if Ofcom had data relating to Wales. Ofcom is currently analysing the data in regard to geographical location and will be able to provide further information in due course.</li> </ul>	<p>RM</p> <p>KP</p>
<p><b>Update: Ofcom Content Board Member for Wales</b></p> <p>9. The Content Board Member for Wales had previously circulated an update paper. Highlights included:</p> <ul style="list-style-type: none"> <li>• Online Harms - The Government has confirmed Ofcom as the future regulator, and DCMS has agreed to the initial proposed budget.</li> <li>• Ofcom to employ up to an extra 100 people around the UK in the first year, and the majority of whom will be located in a North of England location, the Member for Wales welcomes the opportunity to see posts coming to Wales.</li> <li>• Broadcast Standards – the revocation of CGTN’s television service due to contravention of the Broadcasting Code, as it was owned by the Chinese Communist party.</li> <li>• Meetings – accompanied the Director Wales at meetings with Tinopolis, BBC Cymru Wales and ITV Cymru Wales to discuss their responses to the ‘Small Screen, Big Debate’ consultation and Ofcom’s Review of BBC Studios. He is also due to attend the meeting with Prof Stephen Cushion with Ofcom Wales colleagues.</li> <li>• BBC Issues – discussions continue around the review of BBC Studios. The Member for Wales had met with BBC colleagues and Ofcom colleagues to discuss its impact in Wales.</li> <li>• Public Service Media – the Member for Wales and ACW Members will meet next week to consider its recommendations as part of its response to the consultation.</li> </ul>	<p>AE/ ACW</p>
<p><b>Communications Consumer Panel Update</b></p> <p>10. The Communications Consumer Panel Member for Wales had previously circulated an update report on the Panel’s activities since the last meeting.</p> <p>11. She had also recently chaired the CCP Wales Hub meeting and reported the following topics were discussed:</p> <ul style="list-style-type: none"> <li>• Discussion on debt and affordability – it was agreed there is a need for a cross sector approach on affordability and better signposting for consumers.</li> <li>• A note of all Hub meetings is to be circulated in due course which will be forwarded to Members.</li> <li>• A meeting of the Hub Chairs is to take place on 10 March and topics for discussion include digital inclusion and skills, accessibility of services and personalised pricing.</li> <li>• A future presentation on VoIP and consumer awareness if also scheduled to be given at all Hub meetings around the UK.</li> <li>• The next Wales Hub is 21<sup>st</sup> April and the Panel is currently gathering suggestions for agenda items</li> </ul>	<p>SP</p>

<p>12. In addition, the Member for Wales reported that, with the Director Wales, she had attended a meeting with Citizens’ Advice Cymru and hopes to build a good working relationship which will include attendance of a Citizens’ Advice team member at future Wales Hub meetings. Currently the Citizens’ Advice UK team does not have a specific representative for Wales which they will be addressing. The CCP Member for Wales will also be meeting with the Older People’s Commissioner for Wales later in March.</p> <p>13. Final touches are being put to the Panel’s Forward Strategy for next year with a greater emphasis on increasing direct communication with consumers. A draft will be circulated in due course and she invited members to respond.</p> <p>14. She reported five new pieces of research have been commissioned (details outlined in the report).</p> <p>15. There was a discussion on how smaller providers of broadband and mobile services could be invited to address the Panel and how a better communications campaign could be launched to alert consumers to alternative, affordable suppliers.</p> <p>16. In addition, the Member for Wales reported the Panel has engaged with external organisations including FutureDotNow – an organisation bringing together other organisations to motivate people and businesses across the UK to boost their digital skills; and the debt advisory body, StepChange, who provided an overview of UK Government’s forthcoming Breathing Space Scheme – aimed to help consumers who are struggling financially.</p>	
<p><b>Report – Wales Recent Developments</b></p> <p>17. Members noted the contents of an update paper previously circulated commenting on topics including:</p> <ul style="list-style-type: none"> <li>• The discussion at a recent meeting between Ofcom’s Chief Executive and Shan Morgan, Welsh Government Permanent Secretary which included telecommunications, broadcasting, Ofcom’s location strategy and the possible establishment of an office in the North of England to house online harms policy work and expansion plans for the offices in the nations.</li> <li>• Ofcom Wales’ virtual Plan of Work event - attended by 50+ stakeholders.</li> <li>• Elinor Williams’ appearance in front of the Economy Infrastructure and Skills Committee discussing Broadband connectivity.</li> <li>• Topics raised at the IWA summit</li> <li>• Recent meeting with BBC Cymru Wales with an invitation for Members to visit the Central Square studios now they are fully occupied. <b>ACTION – Ofcom Wales</b></li> <li>• Ofcom’s current thinking on its location strategy. Members again stressed the importance of growing the office in Cardiff.</li> <li>• BBC funding of S4C – Director Wales and the Content Board Member for Wales will raise at a future meeting with Owen Evans.</li> </ul>	<p>EM/EW</p> <p>AE/EM</p>
<p><b>Shared Rural Network - Mobile UK</b></p> <p>18. The Chairman welcomed Gareth Elliott to the meeting who gave a comprehensive presentation on Mobile UK’s activities. This included a newly launched communications campaign ‘5G Check the Facts’ which is being used to address any misinformation regarding 5G and effects on health. This has been welcomed by the Welsh Government and local authorities. Mobile UK is happy for it to be used for public education services and for Members to advertise the campaign. Any help from beyond the industry would be grateful appreciated eg Department of Health, schools etc.</p>	

<p><b>Future of Public Service Media</b></p> <p>19. Ofcom colleagues joined the meeting and gave a refresher overview of the team’s presentation in December. The consultation officially closes on 16 March, but the team agreed that the Committee could provide its response in the coming week once they had met to discuss.</p> <p>20. There was a discussion on the definition of PSM, licence fee funding for S4C and its impact on the production sector. The team reported that what had been said by stakeholders in their responses to the consultation was being considered and Ofcom would provide advice to the UK Government sometime during the summer. It was reiterated that Licence fee funding is a matter for the UK Government.</p>	
<p><b>Fixed Wireless Access</b></p> <p>21. Ofcom colleagues joined the meeting and gave a brief overview presentation which Members found very useful. As mentioned previously there was a discussion on how consumer awareness of FWA as an alternative technology to providing broadband could be raised with the team It was noted coverage from WISPs in Wales is significantly higher than for the other UK nations due to the contribution from WISPs such as Airband, ResQNet and Secure Web Services.</p>	
<p><b>Review of BBC Studios</b></p> <p>22. The Ofcom team gave a brief overview of its work advising that the findings of last year’s Call for Evidence are due to be published in the summer. The team proposes engaging with the ACW again ahead of its findings, publication of which is planned in Summer 2021. The three main areas of interest are around operational separation, transfer pricing and market rate of return. Commissioning was not included in the review, but some stakeholders raised concerns in their responses to the Call for Evidence and Ofcom will consider undertaking further stakeholder engagement in this area separate from the Review.</p> <p>23. The team reported it had already met with the Content Board Member for Wales to discuss the transparency and fairness between Studios and commissioning in greater detail. It was agreed that one to one meetings with stakeholders should be held to discuss Wales specific issues and the team asked Members to provide suggested contacts.</p> <p><b>ACTION - ACW</b></p> <p>24. The team agreed to attend a future ACW meeting to present its findings later in the year.</p>	ACW
<p><b>Diversity and Equal Opportunities in TV and Radio</b></p> <p>25. The report update was published in November with plans for roll out this year. The findings were consistent with previous years. Areas which need improvement continue to be disability and lack of recruitment from minority ethnics groups at senior management level. The team was pleased to learn that S4C and BBC Cymru Wales have recently appointed Diversity Officers and are keen to hold introductory meetings. Contact details to be provided to the team. <b>ACTION - Ofcom Wales/RMcE.</b></p> <p>26. This is the fifth year of the monitoring exercise and a large stakeholder event is planned in the Autumn.</p>	EW/ RMcE

<p><b>Future of Digital Terrestrial Television</b></p> <p>27. Ofcom colleagues joined the meeting. An information paper had previously been circulated. The team requested that Members note Ofcom’s proposed areas of focus for its forthcoming discussion document on the Future of Digital Terrestrial Television and would welcome the Committee’s views on the hypothetical scenarios it has set out which may impact consumers or the broadcasting sector in Wales.</p> <p>28. The Communications Consumer Panel Member for Wales suggested the team could address future CCP meeting to also ascertain its view. <b>ACTION - DTT team/CCP to arrange.</b></p>	<p>DDT team</p>
<p><b>Consumer complaints update</b></p> <p>Contents <b>NOTED.</b></p>	
<p><b>Forthcoming Consultations &amp; Publications</b></p> <p>29. PSM to be discussed on 16 March by Members</p> <p>30. The Chair to circulate a list of forthcoming consultations for individual Members to monitor following the meeting.</p>	<p>ACW HW</p>
<p><b>Any Other Business and future agenda items</b></p> <p><b>AOB – N/A</b></p> <p><b>Future meeting dates confirmed as:</b></p> <p>Tuesday 15<sup>th</sup> June</p> <p>Wednesday 22<sup>nd</sup> September</p> <p>Tuesday 24<sup>th</sup> November</p>	