

**MINUTES OF THE TWO HUNDRED AND FORTY-EIGHTH MEETING OF  
THE OFCOM BOARD HELD ON 16 JANUARY 2018**

**Present**

Terry Burns	Chairman
Sheila Noakes	Deputy Chairman
Sharon White	Chief Executive
Graham Mather	Member
Jonathan Oxley	Executive Member and Group Director, Competition
Nick Pollard	Member
Tim Suter	Member
Steve Unger	Executive Member and Group Director, Strategy, International, Technology and Economists
Ben Verwaayen	Member

**By invitation**

Gill Whitehead	Senior Director of Client Solutions and Analytics at Google (minute 14)
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**In attendance**

Lindsey Fussell	Group Director, Consumer (minute 7)
Philip Marnick	Group Director, Spectrum (minute 8)
Polly Weitzman	General Counsel
Steve Gettings	Corporation Secretary
Jenny Leyland	Assistant Secretary to the Corporation

Other Ofcom Colleagues

**Chairman’s Introduction – oral**

1. The Chairman welcomed all to this his first Board meeting since joining Ofcom on 1 January 2018. He looked forward to working with everyone.

2. Changes to Members’ portfolios: There were none to report.

**Minutes of the meeting held on 13 December 2017 matters arising – Board Minutes 247(17)**

3. The minutes of the Ofcom Board meeting held on 13 December 2017 were **APPROVED** for signature as an accurate record. There were no matters arising.

**Chief Executive’s Report – Board Paper 1(18)**

4. Sharon White presented her report which set out key developments since the last Board meeting and looked forward to major milestones for the coming year. On 20 December 2017 Government had announced that it would not be pursuing BT’s voluntary offer made in July to provide

near 100 per cent availability of 10 Mbit/s broadband and that it would instead be asking Ofcom to introduce a regulatory Universal Service Obligation (USO), under the powers taken in the 2017 Digital Economy Act. This would require secondary legislation to enact, with a Statutory Instrument anticipated in February 2017. The Board discussed Ofcom's role and the likely timetable for implementation of the USO. The Board noted that March 2018 would mark the point at which BT pledged to have in place all the elements of its 'voluntary commitments' to ensure the legal separation of Openreach, its network arm. In April Ofcom would be hosting a joint conference on investment in fibre with the Government, bringing together the main industry players. On mobile coverage a key deliverable for the year would be the auction of 2.3/3.4 GHz spectrum, and the Board was updated on planning for that, and on ongoing litigation by H3G due to be heard in the Court of Appeal in mid-February. The update also covered key milestones in relation to work on the BBC and other public service broadcasters, and the Competition and Markets Authority's consideration of the proposed Fox/Sky merger.

**Reports from other Non-Executive Members – oral**

5. Nick Pollard provided an update on the recruitment process for four new members of the Content Board.

**Domestic Public Policy/Political Outlook – Board Paper 2(18)**

6. The Board discussed an update on the recent Government reshuffle and on key political and public policy issues facing Ofcom in the coming year.

**Consumer Outcomes – Board Paper 3(18)**

7. The Board considered a proposed approach to setting out the high-level citizen and consumer outcomes that Ofcom is seeking to achieve across the range of its work, along with a set of metrics that could be used to assess delivery of those outcomes. The Board welcomed the work done to date. The Board asked that as a next step colleagues should focus down on some of the key issues that would resonate most with consumers, and the team agreed to discuss that revised approach with the Communications Consumer Panel in the first instance.

**Spectrum Update – Board Paper 4(18)**

8. The Board discussed an update on work to make additional spectrum available to support the growth of mobile services and enable operators to access spectrum to deploy 5G services. In particular the update covered plans to auction 2.3 and 3.4 GHz spectrum, and preparations for the auction of 700 MHz and 3.6 to 3.8 GHz spectrum.

**Ofcom's Risk Appetite Annual Review – Board Paper 5(18)**

9. Each year the Board reviews the risk appetite statements to ensure they remain appropriate for the organisation. The risk appetite statements had been reviewed at the Risk and Audit Committee on 4 December 2017 and no changes were proposed. The Committee had noted that risk appetite in relation to ensuring compliance with the General Data Protection Regulations effective from 25 May 2018 was at the lower end of the minimal level. The Board **APPROVED** the risk appetite statements.

**Strategic Risk Register – Board Paper 6(18)**

10. At the request of the Risk and Audit Committee the Strategic Risk Register had been reviewed and refreshed, and the changes made were summarised in the paper. The Board was provided with an

opportunity to consider whether the register was capturing the right risks facing Ofcom. The Board had no changes to make to the register.

**Proposal for the Review of Board Effectiveness 2018 – Board Paper 7(18)**

11. The Board agreed a proposal for an internal Board effectiveness review, to commence in January 2018 with the aim of reporting back to the Board at the April meeting.

**Board Forward Agendas – Board Paper 8(18)**

12. The Board reviewed the latest iteration of the Board forward agendas plan.

**Sector Briefing: Trends in Television Advertising and the Implications for Public Policy – Board Paper 9(18)**

13. The Board discussed a briefing on trends in television advertising.

**Presentation by the Senior Director of Client Solutions and Analytics at Google – oral**

14. The Board was joined by the Senior Director of Client Solutions and Analytics at Google, who had been invited to give her views on the future of the television advertising market.

**Appointments to Ofcom’s Committees/Communications Consumer Committees**

15. The Board **APPROVED** the appointments as recommended in the following Board papers, noting that the appointment to the Communications Consumer Panel/ACOD would be subject to approval by the Secretary of State for Digital, Culture, Media and Sport:

- Appointments to the Advisory Committee for Scotland – Board Paper 10(18)
- Appointments to the Advisory Committee for England – Board Paper 11(18)
- Appointment to the Communications Consumer Panel/ACOD – Board Paper 12(18).

**Information items**

16. The following information papers were noted with comment:

- Proposed Disney/Fox Merger update – Board Paper 13(18)
- Delegations Framework: Recording of decisions – Board Paper 14(18)
- International Communications Market Report 2017 – Board Paper 15(18)
- Content Board: Editorial Standards: Summary and Review – Board Paper 16(18)
- Management Information Report – Board Paper 17(18).

**Any Other Business**

17. Carillion plc: On 15 January 2018, a winding up order was made against Carillion plc and the court had appointed the Official Receiver as the liquidator. Carillion was a major supplier to the telecommunications sector. The Board was updated on the current understanding of the implications for the sector.

**Date of the Next Meeting**

18. The next scheduled Board meeting will be held on Tuesday, 27 February 2018.