

## Your response

Question	Your response
<p data-bbox="204 465 775 499">Do you have any comments on our proposals?</p>	<p data-bbox="809 465 963 499"><b>Introduction</b></p> <p data-bbox="809 539 1386 640">We welcome the priorities set out for the year, and the recognition of the significant challenges faced by the regulated industries.</p> <p data-bbox="809 680 1374 1317">We recognise the challenges from the past two years of pandemic, and the responses by industry and Ofcom. The need for work and education to take place from home has highlighted the critical role played by communication services, TV and streamed video content, and the postal service. It has continued to highlight the needs of those whose finances are tight or who suffer ill health. The year has also once again highlighted slow progress in addressing the needs for decent communications services, particularly to rural areas. Rural areas tend to suffer through multiple layers of exclusion and vulnerability, as they often represent low-income families, with poor broadband and mobile connectivity, alongside poor postal services.</p> <p data-bbox="809 1357 1386 1783">The fire at the Bilsdale transmitter, and time taken to repair damage, illustrates how vulnerable infrastructure can be. The resulting impact it had on radio, TV and telecoms services was significant, and causes us to question how able providers are in practice to deliver strong, secure networks. Similarly, the time taken to restore subtitling to TV services following a fire alarm incident at Red Bee Media places a focus on the need for resilience across the supply chain, and we note that this is now the subject of an Ofcom investigation.</p> <p data-bbox="809 1823 1374 1998">We have also worked with Ofcom to improve the diversity of the workforce in TV and media, to ensure that this reflects the diversity in the England population in a more representative way. This is a critical element of serving and</p>

protecting audiences where we believe there is more to be done.

The regulation of online safety is at an early stage, but this is an important role for Ofcom to build and develop over the year.

The UK's critical national infrastructure (CNI) is a complex network of industry specific infrastructure (Gas, Electricity, Road, Rail, Agriculture, Food production, distribution of goods etc.) which is underpinned by effective communications networks. There needs to be more recognition of the interconnectedness of these industries and the role of communications networks in ensuring they operate effectively under conditions of stress. In many cases existing networks rely on legacy technologies (PSTN, 2G and 3G mobile) which are now being phased out.

We welcome the expansion of the Ofcom team to address new skills, in particular seeking diversity of thought and the opening of the North of England hub. We look forward to the publication of the diversity and inclusion strategy update as this has been an area of focus for the England committee.

Over the coming year, ACE will continue to draw on its broad expertise, and that of external networks, to provide advice and support to Ofcom. Our goal is to ensure that the needs of consumers and businesses in England are met as consistently and effectively as possible regardless of where they reside in England or what additional needs they may have.

#### **Investment in strong, secure networks**

We welcome this as a priority area of focus for Ofcom, and the need for both coverage and resilience to be considered. The gap between rural and urban coverage still remains in England, as in the other nations of the UK, and is not closing as fast as it needs to. The pandemic has shown just how critical the broadband and mobile networks are as people have moved to working and educating at home.

As the communications networks evolve from copper-based delivery towards full fibre, with the closure of the PSTN in 2025 and imminent closure of 2G and 3G services by some operators, we will provide advice to ensure that consumers are kept fully informed. It is important that those with particular needs are not disadvantaged during the changes. We will also provide advice to help to ensure that the quality of the voice connection must be maintained to a high standard as the technology used to deliver voice calls over fixed and mobile networks evolves.

### **Getting everyone connected**

Ofcom's Connected Nations report shows that England has 354,528 premises (at Sept 2021) unable to receive broadband at 10Mbps or greater. This is worse than the figure of 302,060 in September 2020. 33,240 premises are unable to receive 2Mbps, reduced from 36,887 in the year to September 2021, a change of just 3647 premises, implying that it will take another 9 years to close this gap. More needs to be done through Government intervention and industry response to meet the needs of unserved individuals and businesses. Progress is too slow, and Ofcom should continue to apply pressure to both industry and government to ensure the gap in coverage is closed in the most cost efficient way.

It is encouraging to see that England's Mobile not-spots have reduced from 3% to 2% of the nation over the past year, but the pace of change is still very slow. The Strategic Rural Network initiative should be making a material impact on this gap, but once again, progress is very slow.

The impact of above-inflation price rises will be seen over the coming year, and Ofcom should monitor the impact this has on financially vulnerable customers.

Legacy network switch off is moving forward at pace, with a number of Mobile Operators declaring end of service dates for 2G and 3G services. This, together with the PSTN switch

off and move to VoIP, will disrupt consumers significantly.

The postal service has seen significant challenge through the pandemic due to staff illness and the need for workers to socially distance in processing facilities. Anecdotally this has led to significant issues in very late delivery, or inability to deliver to some locations, which has led to unacceptable customer service. We note the challenges of reducing volumes under the USO, but more work is needed to find a solution which enables delivery targets to be met while maintaining an economically viable and sustainable operation.

#### **Fairness for customers**

We welcome the initiatives in place to improve information on best tariff notifications, improve switching and to tackle nuisance calls and scams, by pushing for more intervention to prevent fraudulent calls from being presented to customers. These are typically identified by having an invalid CLI (Calling Line Identity), or a UK CLI when the call originated internationally and can be stopped within the telecom operator's domain.

The ability of individuals and organisations to hide behind a false persona (i.e. a recognised CLI) gives a false sense of security to users receiving scam calls. The ability to ensure that individuals and organisations are genuine, through specific technical measures (such as those implemented in the US), should continue to be explored and considered for implementation as VoIP technology becomes more prevalent in the UK.

#### **Enabling wireless services in the broader economy**

We welcome the wider availability of spectrum for innovative use cases, and specifically the recognition of the needs of the utilities sector. Having the appropriate communications technologies in place, with appropriate spectrum support, is key to supporting CNI such as utilities. This is a key enabler as legacy

technologies (PSTN, 2G, 3G) are retired from service.

### **Supporting and developing UK media**

We recognise the challenges of the ongoing shift from live TV to on-demand services, and the associated challenges faced by Public Service Media (PSM) providers. The work on the future role of the BBC, alongside channels 3, 4 and 5 will be key in this area. It is essential that a sustainable model is found for both local and national TV and Radio networks. On local radio in particular ensuring the financial security of culturally diverse radio stations is essential to ensure all groups are adequately served.

We remain concerned that the diversity of employment in the media sector does not yet mirror the wider UK population, and recommend that local radio and TV services should have more scrutiny in this respect. Ensuring targets on diversity have been met at all broadcasters is something we would like to see upheld, but in particular the BBC as the broadcaster in receipt of the licence fee should not only be held to account in staffing terms to represent the diverse culture of the country but also in terms of dedicated programming. We would also like to see a more focussed representation of local and National demographic when referencing diversity. If programming is linked to a geographical area such as Leeds or Manchester then the cultural diversity should reflect that area and nationally too rather than diversity being seen as a catch-all and delivering opportunities for super served groups at the expense of others.

### **Serving and protecting audiences**

We will continue to focus on the needs of disabled audiences to access subtitles, audio description and other aids to accessibility. The importance of subtitles has come into sharp focus following the fire alarm incident in the Red Bee Media Centre in September 2021 and raises a wider issue of supply chain resilience. Unless all parts of the content creation and

production supply chain are resilient, failures like this can and will occur.

#### **Establishing regulation of online safety**

The high level of UK internet users reporting that they have been exposed to harm is a real concern and presents a regulatory challenge. The Online Safety Bill will address some issues, but the market place is likely to evolve, so this area should be kept under close scrutiny. While the specific role of Ofcom is constrained to the regulation of UK-established video-sharing platforms, it should remain concerned about the wider harm which can arise from access to inappropriate content or unwanted and misleading telephone calls. We will monitor the first full year of Ofcom's operation as Video Service Provider regulator and we will work with Ofcom colleagues to identify how this can become more effective in preventing online harm.