

## Your response

Confidential? – N

### **ACNI Response to Ofcom's Proposed Annual Plan 2019/20**

The Ofcom Advisory Committee for Northern Ireland welcomes this opportunity to respond to Ofcom's consultation on its proposed Annual Plan for 2019/20. The ACNI is pleased that its request for early engagement on the proposed workstreams was met and hopes this engagement was of use in the consideration of Northern Ireland (NI) consumers' interests during the development of the plan.

#### **Universal Availability of high quality and secure communications networks**

Given the rural and dispersed nature of the population in Northern Ireland, there remain significant complex coverage challenges for Broadband, Mobile, and, indeed, DAB radio. ACNI notes the focus in the draft plan to improve coverage particularly with the Broadband USO and the 700MHz spectrum allocation. ACNI would urge that in every case that plans are delivered which will help resolve the coverage challenges in an area like NI. ACNI welcomes the technical advice being given by Ofcom to the supply sector in NI and believes Ofcom should assist in every way, within their remit, to help deliver Project Stratum.

#### **Maintaining high-quality broadcast content for audiences**

ACNI would take the view that all UK citizens deserve high-quality content and therefore NI concerns will be specific in terms of locally produced content and portrayal. Given the value NI audiences attach to local content, prominence in EPGs remains important.

#### **Protecting consumers from harmful pricing practices**

We welcome the initiatives to protect consumers from harm, and the recognition that, due to their characteristics, some consumers can experience detriment. We would be interested to know more, as it is important to ensure consumers have access to clear concise information in order to make informed choices, but also that they know how and where to seek redress. It is essential that Ofcom helps drive the policy agenda to ensure that the skills gap doesn't widen, leaving some of our most vulnerable behind. It is vital that those that would benefit most from the choice that the internet has to offer are able to avail of it.

#### **Continuing to innovate in approach to regulation**

As the world of communications changes and adapts at such a fast pace, it is clear that Ofcom, as a regulator, cannot stand still. The ACNI welcomes this commitment to innovation and believes that, as well as learning from other regulators in a multidisciplinary environment, it is also essential to capture the views and experiences of those consumers that regulation is designed to protect in order to ensure there are no negative unintended consequences of new policy or regulatory decisions.

ACNI also believes that as the Openreach NI organisation develops, Ofcom needs to continue to maintain a high level of diligence in the regulation of the local market to ensure that equivalence

continues across all CPs here. ACNI recognises the work Ofcom has carried out in the past and just wish to note that this needs to continue.

#### **Engaging during changes to UK legislation**

ACNI accepts that Ofcom takes no view on the merits or otherwise of Brexit but will work with Government for continued effective regulation and support the transposition of relevant European legislation into UK law. However, we urge Ofcom to fully consider the unique situation of NI, its consumers and its businesses working in the communications sector. As the only part of the UK that will share a land border with an EU member, there will be numerous issues that will need to be carefully and comprehensively considered. ACNI will continue to keep a careful watching brief and will use our interactions to flag issues of a relevant and significant nature to Ofcom at the earliest opportunity.

#### **Promoting Competition and ensuring markets work effectively for consumers**

Nuisance and fraudulent calls remain a significant issue. We welcome Ofcom's ongoing work in supporting number management which all seeks to address authentication of calls. If numbers can be authenticated this will help to protect consumers and increase consumer confidence.

The issue of online delivery charges and postal exclusions still effect consumers in NI and the Highlands and Islands of Scotland. Whilst recognising Ofcom's limited regulatory authority in this regard, ACNI would value Ofcom's continuing support in seeking and promoting an equitable market solution.

ACNI believes that the presentation and availability of future consumer data to ensure they can make informed choices is critical. It is important to fully understand if and where consumers look for, and access this information. To ensure maximum benefit this information must be easy for consumers to understand. Ofcom should consider recommending the best way to distribute and promote this information.

Ofcom should continue to work with NI partners to achieve solutions for NI consumers.

#### **Securing Standards and improving quality**

ACNI encourages Ofcom to continue working towards consistency in the availability and quality of access services such as audio and subtitles across the range of broadcasters. Current support is frustratingly inconsistent.

The Connected Nations report provides a wealth of information, and the data contained within it is extremely useful to help understand the detriment potentially faced by consumers. In addition to the data it would be very interesting if the report were to be 'peppered' with qualitative information, such as case studies and consumer and business case studies describing the impact of poor-quality service.

#### **Protecting consumers from harm**

ACNI welcomes initiatives to protect consumers from nuisance calls but does not believe that these currently go far enough and would encourage Ofcom to continue in its efforts to seek innovative ways, along with strategic partners, to go further in this regard.

The planned migration to voice over IP (VOIP) services has the potential to cause major disruption, and the ACNI would wish to be kept informed about the challenges, risk and mitigation measures of this work stream.

ACNI supports Ofcom's commitment to strengthening the Communications Consumer Panel's work going forward and in turn strengthening the consumer voice across the UK.

**Enforcement**

ACNI would find it very helpful if an enforcement report on the key priorities (nuisance calls, protecting vulnerable customers, minimum term contracts and security and resilience of CP networks) could be provided on a quarterly or six-monthly basis. This would help us understand the issues, trends and any factors particularly affecting NI.

**Market Intelligence**

Ofcom commissions and has access to a wide array of research data and intelligence about the various communications' sectors performance and consumer behaviour. ACNI commends this research and analysis but seeks assurance that maximum value is gained via the sharing of information with strategic or social partners beyond government, which may be able to support areas such as, for example, improving media literacy.

**Delivering Goals Across the UK**

Ofcom is aware of the view of the ACNI regarding recruitment of an NI Ofcom Board member. We appreciate the support and involvement of Bob Downes as an interim measure. In the absence of a devolved government in NI, ACNI seeks assurance that Ofcom continues to engage with NICS Departments and highlights instances of impeded decision-making, so the ACNI can support and champion locally as necessary.

Ends.