

MINUTES OF THE SIXTY-EIGHTH MEETING OF THE OFCOM ADVISORY COMMITTEE FOR ENGLAND HELD AT RIVERSIDE HOUSE ON 4 JULY 2019

Present

Paula Carter	Chair
Aaqil Ahmed	Member
Matthew Littleford	Member
Alan Nunn	Member
Caroline Roberts-Cherry	Member (via conference call)

Apologies

Emma Davison	Member
Mark Smith	Member
Monisha Shah	Content Board Member for England

In Attendance

Chris Holland	Communications Consumer Panel Member for England
Tim Suter	Ofcom Board Member
Katie Pettifer	Public Policy Director
Emma McFadyen	Director, England
Louisa Thompson	Public Policy Graduate
Other Ofcom Colleagues	

1.	<u>Introduction and declarations of interest</u> There were no interests to declare.
2.	<u>Minutes of the meeting held on 5 March 2019 and matters arising</u> The minutes of the meeting held on 5 March 2019 were approved.
3.	<u>Members' open session</u> The chair expressed a preference for the Advisory Committee to hold some committee meetings outside London and to make best use of technology. Members discussed how matters raised at Advisory Committee meetings were taken account of and informed Ofcom's work. It was noted that Ofcom wished to increase contact between policy teams and members of Advisory Committees outside formal committee meetings and at earlier stages in the policy cycle. The Ofcom Board Members attending the Committee meetings fed back to the Ofcom Board on broader areas of focus. Members expressed an interest in feedback on how the Committee's discussions impacted Ofcom's work. Connectivity, English devolution (including planning) and provision of services for vulnerable consumers (connectivity, broadcasting) were cited as good examples of where Committee input had been valuable. It was noted that there were plans to hold a more strategic Committee meeting once the draft Annual Plan had been published and to use that to inform topics to discuss in forthcoming meetings in the next year. The Chair suggested that a technological solution could be found to give members a more timely and informal way of discussing updates. The

	<p>Committee would also welcome external speakers/guests attending future Committee meetings to provide more insight.</p> <p>The Committee discussed the challenges of identifying specific 'England-centric' issues, which made the framing of Committee input more complex than for other Nations Committees. The Chair highlighted the North/South divide as an issue that should be included in any debates of the Committee, and an interest in focusing on the potential impacts of an increasingly technologically-focused civil society on those who are not technologically literate or who do not have access to adequate connectivity. Members also drew attention to the importance of regional vs rural, particularly in relation to 5G rollout.</p>
4.	<p><u>Ofcom Board and Content Board update</u></p> <p>The Committee was updated on recent topics discussed by the Ofcom Board, including mobile coverage discussions between Government and the network operators and how this might impact Ofcom's spectrum auction, Post (in particular financial health), assisting debates on online regulation using Ofcom's media literacy work, BBC i-Player and the appointment of a new Chief Executive for Ofcom. The appointment of a Board Member for Wales was noted and the continued vacancy in Northern Ireland (in the absence of a functioning Northern Ireland Assembly).</p> <p>Members were particularly interested in the mobile coverage discussions and the minimum bandwidth that would be stipulated by coverage obligations; noted that realistic pricing for backhaul would be crucial and the picture for not-spots and coverage in England, specifically in regard to premises coverage compared to geographical coverage and where not-spots were in England.</p> <p>Matters considered by the Content Board had included changes to the licensing of digital radio, guidance on production outside London, and preparation for the PSB Review, Ofcom's rules and guidance on participants in reality television programmes (potential extension of guidance on children to adults) and the challenges of handling complaints which were potentially harmful (eg hate speech, politically sensitive topics) but related to content with a small or niche audience, often originating outside the UK.</p>
5.	<p><u>Communications Consumer Panel update</u></p> <p>Members noted the paper setting out recent work by the Communications Consumer Panel (CCP).</p> <p>Members were updated regarding Panel appointments and briefed on the primary issues in the Panel's Work Plan. These included: greater interaction between the Panel, consumer stakeholder groups and devolved nations; improving vulnerable consumers' experience of communications services; prevention of consumer harm and promotion of greater participation and inclusion; and research into low-income consumers' experience of interacting with providers.</p>

	<p>It was noted that the Panel intended to set up a consumer stakeholder hub and facilitate a collaborative forum for providers.</p> <p>The Committee thanked the CCP Member for England, Chris Holland, for his contributions to the Advisory Committee and wished him well for the future, this being his last meeting.</p>
<p>6.</p>	<p><u>BBC News review</u></p> <p>The Committee was updated on the BBC News review project. It was noted that the project was currently gathering evidence. Members were briefed on emerging findings from the team's research (stakeholder meetings, a 'deep dive' study in news conducted with participants and focus group research based on table workshops and 'friendship pair' discussions).</p> <p>Members were advised that the review was planned to be published at the end of October, and that it would likely contain recommendations to the BBC (excluding matters of editorial judgement). Members discussed the regional picture in England and the role of BBC local radio in informing research participants' views. Members noted that regional issues were important, particularly because geography was so strongly linked to demographics and diversity. It was suggested that any Members wishing to obtain further detail on the project could contact the team directly.</p>
<p>7.</p>	<p><u>Consumer work programme update</u></p> <p>Members noted the paper made available to them in advance, setting out Ofcom's consumer priorities for this financial year. Broadly this divided into the themes of universality and fairness for consumers.</p> <p>The Committee noted work on information remedies, connectivity in relation to travel, and work to ensure that as many premises as possible have access to a good broadband connection.</p> <p>On fairness, it was noted that Ofcom was in the advanced stages of work on end of contract notifications (ECNs). Two key projects were ongoing: fairness in relation to bundled mobile handsets; and broadband price differentials when in contract, re-contracting or being outside a minimum contract period. Ofcom was also working with providers via its fairness commitments to drive a cultural change that included putting a focus on ensuring customers got a fair deal.</p> <p>The Committee discussed internet connection being considered as a necessity, and how the regulatory environment (including negotiated voluntary agreements) could ensure good outcomes for providers. It was noted that the measures set out in the European Electronic Communications Code (EECC) were indicative of a growing understanding of the internet and mobile services as public utilities. The Committee thought it might be able to bring examples from England of how this was translating into practice.</p> <p>Members discussed how the fairness agenda would be monitored and noted that providers had been cooperative, taking the fairness commitments seriously. Ofcom's proposals to monitor through</p>

	<p>enforcement of General Conditions (GCs) where applicable were welcomed, but it was recognised that cultural changes would not be caught by GCs. It was noted that Ofcom would write to providers with specific concerns, asking them to report on their work to address these and that this correspondence would be published. Consumer research and metrics would also be introduced, including an industry-wide scorecard which would be managed and led by Ofcom. It was reported that Ofcom would engage collaboratively with operators in order to advance voluntary cultural change where this was more effective than using regulatory powers.</p> <p>There was interest in work on silent and unsolicited calls. It was reported that there had been an overall decline in the number of nuisance calls and that Ofcom had a strong relationship with the ICO. There was still further work for Ofcom to do in this area, including in collaboration with other organisations. The Committee would welcome further discussions on this work.</p>
8.	<p><u>Public Policy update (including Government and Parliamentary matters)</u></p> <p>Members had received a paper to provide an update on key UK Government and Parliamentary developments since the last Committee meeting. Issues discussed included the current political uncertainty, with the prospect of a reshuffle and a change of Prime Minister later in July, and the Government's Telecoms Supply Chain Review.</p>
9.	<p><u>Media Nations report</u></p> <p>Members noted a paper made available to them in advance, outlining the key findings of the 2019 Media Nations report. The Chair noted that the Committee would be particularly interested in hearing about the findings in relation to England. The Committee discussed linkages between the report and the BBC performance report, due for publication in October.</p> <p>The Committee were interested in the impact of use of different devices in the findings and how this affected age groups. Members also discussed viewing and the role of podcasts on listening habits, whether people were finding new times to consume content, eg during their commute.</p>
10.	<p><u>Information items</u></p> <p>Made outside London guidance: Members welcomed Ofcom's guidance that production companies would be able to set up an out-of-London office <i>after</i> commission, rather than before, and noted that out-of-London producers had largely welcomed the guidance. Members noted that a protected characteristic, as outlined in paragraph 2.17 of the guidance, should be 'sex', not 'gender'.</p> <p>Members were interested in how the legacy impact of regional production would be measured and would welcome further information. The Committee suggested that the 'sustainability' of out-of-London</p>

	<p>production should be considered and would again welcome more information on this.</p> <p>Telecoms and broadcast complaints: The paper was noted and welcomed.</p>
11.	<p><u>AOB</u></p> <p>It was noted that the Committee would welcome a presentation on Connected Nations data in relation to England-specific coverage.</p> <p>The date of the next meeting was to be confirmed. The Committee would explore the option of meeting in Warrington and would plan to spend time with the Ofcom teams based there.</p>