

Minutes of the 72nd meeting of the Advisory Committee for England held via Teams on 11 June 2020

Present

Paula Carter	Chair
Aaqil Ahmed	Member
Matthew Littleford	Member
Alan Nunn	Member
Mark Smith	Member
Emma Davison	Member

In attendance

Tim Suter	Ofcom Board Member for England
Richard Spencer	Consumer Panel Member for England
Stephen Speirs	Member of the Advisory Committee for Scotland (minutes 22 -23)
Emma McFadyen	Director, England
David Edwards	Governance and Accountability Team
Other Ofcom colleagues	

Introduction

1. The Chair welcomed Members to the 72nd meeting of the Committee, all taking part remotely via Microsoft Teams and in a context of the developing covid-19 pandemic.
2. It was **NOTED** that henceforth, and to avoid duplication, Monisha Shah, Content Board member for England, would attend Committee meetings only when Tim Suter, who was Chairman of the Content Board, was unable to do so.

Declaration of Members' Interests – Oral

3. Matthew Littleford declared recent appointments as a consultant at Jist Studios, a video production service, and at Resource Productions, a film & TV production company.
4. [Stephen Speirs, a member of the Advisory Committee for Scotland, was a product manager at CISCO. He would be presenting the 5G Trials item later in the meeting.]

Minutes of the meeting held on 12 March 2019 and matters arising – Minutes 71(20)

5. The minutes of the meeting held on 12 March 2020 were **APPROVED** as an accurate record and for signature by the Chair.
6. The Chair commented that topics suggested at the previous meeting as agenda items, on the Shared Rural Network (SRN) and on PSTN migration to VoIP, would remain part of future agenda planning.

Members' open session – Oral

7. The Chair raised the recent death of George Floyd in Police custody in the United States and the widespread protests by the *Black Lives Matter* (BLM) movement, both internationally and in the UK. Members then devoted the open session to discussion of diversity.

8. Members reported and reflected on diversity in the organisations with which they were connected professionally and on policies and practices. They discussed the requirement for real change across the UK communications sector and issues raised included the importance of changing behaviours and the need for actions that went far beyond data collection and statements from companies and organisations that they were 'doing better'; a lack of diversity amongst the leadership of organisations was highlighted, with steps to encourage a more diverse range of candidates applying for senior positions being just one requirement; organisations and all their people had to believe in the importance and value of a diverse workforce, it could not be left as a 'box ticking' exercise or just a matter for HR; in broadcasting, for example, diversity amongst both programme commissioners and makers was essential; and ethnic diversity needed to be fully inclusive and encompass all BAME groups. Other issues raised included lessons that could be learnt from companies and organisations that had a genuinely diverse workforce, the example of Channel 4 and the positive progress it had made in relation to disability was highlighted; and target setting that reflected demographics.

9. It was **NOTED** that the BLM protests had stimulated greater dialogue at all levels in Ofcom, on practical steps to improve diversity in the organisation and on a plan with specific milestones and measures of success. This included discussion between Ofcom's RACE: Raising Awareness of Culture and Ethnicity network and senior managers. Some individuals had shared their direct and personal experience of racism via articles on Ofcom's intranet. Diversity in relation to Ofcom colleague recruitment, promotion and progression were also matters under discussion. With respect to membership of the Ofcom Board, diversity was a consideration for DCMS when seeking candidates and in making appointments.

10. Members **NOTED** Ofcom's regulatory powers and its wider role in relation to diversity, which included collection and publication of industry data and the investigation of broadcast standards complaints, including instances of offensive and racist language. [Note: Television and radio broadcasters were also required, as a condition of their licences, to make arrangements to promote equality of opportunity in employment and for training.]

Ofcom Board/Content Board update – Oral

11. The Committee noted recent topics discussed by the Ofcom Board and the Content Board (minutes and notes of meetings being available on the Ofcom website).

12. In relation to the Ofcom Board, its focus had been on the impact of covid-19 on the sectors regulated by Ofcom. It was **NOTED** that since the last Committee meeting Jonathan Oxley, Group Director for Competition and Board member, had announced that he would be leaving Ofcom at the end of June and that Kevin Bakhurst, Content and Media Policy Group Director, had been appointed to the Ofcom Board.

13. With respect to the Content Board, discussions had also focussed on the impact of covid-19, on broadcasting, on licensees, on the production sector and standards, ie complaints about harmful or misleading covid-19 related content. It was **NOTED** that there had been changes to membership, with the departure of Tony Close and appointment of Alison Marsden as an Executive Member.

Consumer Panel update – ACE 5(20)

14. Members were updated on current Panel priorities and **NOTED** that covid-19 had provided the context for discussions at recent Panel meetings and at the Panel’s National Hubs. Those priorities included access to high-quality communications services for all and for vulnerable consumers in particular. The Panel recognised that overall communications providers had responded positively to the pandemic, had provided support to their customers and had adopted a more flexible attitude to debt. As the pandemic progressed, it had become apparent how well digital communication services were able to support people in isolation but this also brought into sharp relief the position of the digitally ‘have-nots’.

15. It was further **NOTED** that the Panel had commissioned independent qualitative and quantitative research into scams and the findings could be shared with the Committee in due course. Committee Members discussed the importance of education to tackle a lack of awareness about scams amongst vulnerable consumers. Consumer information was available but did not always reach its intended audience.

Public Policy update and Covid-19 briefing – ACE 6(20)A & B

16. Members were updated on key UK Government and Parliamentary developments since the last Committee meeting and noted a number of points, including that the use of Huawei equipment in UK 5G networks had come under increasing scrutiny; that DCMS had been talking to the devolved governments about its legislative proposals related to future online harms regulation; and that the UK Government had announced that the £400,000 Community Radio Fund, administered by Ofcom, would be re-purposed this year to provide support for community radio stations facing severe financial difficulty due to the covid-19 pandemic.

17. Members were briefed on the strategic implications of the covid-19 crisis for the telecoms, broadcasting and postal sectors, covering the short-term outlook, longer term implications and policy challenges for Ofcom and the Government. Issues raised in discussion included risks and resilience of public service broadcasters affected by a decline in advertising revenues; maintenance of a diversity agenda in a period of budget cuts; implications if there were to be a second wave of the pandemic; covid-19 impact on 5G rollout; and deployment of new fibre networks and the risks of overbuild.

Small Screen: Big Debate (SC:BD) update – ACE 7(20)

18. Members were briefed on Ofcom’s SC:BD PSB work programme. Members **NOTED** that since the Committee was last updated in March, the covid-19 crisis had resulted in

immediate and stark effects on the broadcasting sector, on production, content funding, broadcaster capability and audience demands. Simultaneously, the important role played by the PSBs and other media organisations in keeping the public informed, conveying Government instructions and advice, and providing relevant content for UK audiences, had been widely recognised. Ofcom was adapting its approach to SS:BD in response to this changing context and would also consider how to strengthen and maintain PSB beyond the current crisis. In addition, Ofcom had provided written evidence to the Digital, Culture, Media and Sport Committee inquiry into the future of PSB and this had been copied to Members. The Committee would be submitting its own response to the inquiry.

19. Issues raised in discussion included insurance, acting as one of the current barriers to production; a lack of programme commissioning; concern that PSB could be redefined to match the budgets available; protection and support for the freelance community; return to quality production, PSBs having developed some low cost programme formats during the pandemic; a need to consider PSB in its broadest sense; in a climate of budget cuts, the risk that content seen as marginal or attracting a smaller audience could be a target; low-cost and self-made content, eg *Isolation Stories* screened by ITV, being innovative and giving a voice to programme makers with limited means; and the risk of diversity becoming a casualty and seen as a 'nice to have'.

Media Nations report – ACE 8(20)

20. Members were briefed on the emerging high-level findings from this year's Media Nations report. A suite of Ofcom documents was due for publication in August: a UK report, separate Northern Ireland, Scotland and Wales reports, as well as an interactive data report. The main objective of the report was to review trends in the media sector including TV, radio and digital delivery. Covid-19-related trends would be a focal point. The Executive was seeking feedback from the Committee on the positioning of findings for publication.

21. Members expressed interest in a metropolitan/rural split of data, where this was possible; in findings related to local/regional media; suggested inclusion of data from before and after lockdown; raised changing consumption patterns for podcasts and subscription-based streaming services; and commented that when referring to 'households' the term needed to be defined.

5G trials

22. Members were briefed on 5G RuralFirst trials that had taken place in the Orkney Islands, Shropshire and Somerset. The project was led by Cisco, alongside the University of Strathclyde and some 20+ partners from business, government and academia. The aims of the trial included driving down the costs of service provision, connecting the unconnected in rural settings and driving up top line revenue.

23. Successful real-world applications as part of the trials included soil nitrogen sensing, monitoring the health of cattle and in salmon farming. 5G public health fears had been a challenge. In Orkney, for example, a mast had been sited on the roof of a

school, it being the highest point available, but in reality more power was coming from the local BBC transmitter mast.

Information Items

24. Telecoms, Broadcast & Postal Complaints (England) – ACE 9(20): A paper was **NOTED** and welcomed.

Any Other Business

25. A Member raised concerns about broadcast complaints related to race and intolerance. He highlighted a recent LBC radio broadcast in which a black guest had questioned the continuing presence of statues that glorified problematic figures, here in the UK, eg Cecil Rhodes, and as a tribute to Britain's imperial past. In response the guest had been asked why she chose to remain in the country. The topic stemmed from the removal of various monuments of slave traders.

Date of the Next Meeting

26. The next scheduled Committee meeting would be held on 24 September 2020.