



65th Meeting of the Advisory Committee for Northern Ireland (ACNI)

Thursday, 23 November 2017

Minutes

Present:

Maureen Edmondson	ACNI
Alan Meban	ACNI
Kathy Graham	ACNI
Paul Wilson	ACNI
John Ellison	ACNI
Fiona Macmillan	ACNI
Brendan Mulgrew (from 11.30)	ACNI
Rick Hill	CCP
Jenny Borritt	CCP
Lindsey Fussell	Ofcom
Jonathan Rose	Ofcom
Sinead Lee	Ofcom
James Stinson	Ofcom
Rebecca Robinson	Ofcom

1. Welcome, apologies, minutes from last meeting and matters arising

The Chair welcomed Lindsey Fussell (Consumer Group Director) and Jenny Borritt (Communications Consumer Panel) to the meeting.

Minutes from the last meeting were agreed. Matters arising:

- It was confirmed that the proposed Code of Practice for members was not yet available.
- Corrections regarding the Connected Nations presentation at the previous meeting were confirmed as having been made.
- Members were provided with a written response to a query about vulnerable telecoms consumers posed as part of the Annual Plan discussion in the previous meeting.
- It was confirmed that nuisance call data would be provided to the Committee in future at a Northern Ireland level, split by fixed-line and mobile.
- A response from the Committee to DCMS's consultation on the broadband USO had been submitted.

2. Government and Parliament Update: Ed Leighton

Ed briefed the Committee on current issues.

Members noted:

- That an announcement on the Government's preferred option for universal broadband was expected before the end of the year.
- That there was limited further information on the status of the £150m for ultrafast broadband agreed as part of the DUP-Conservatives deal.
- Initiatives around 5G, full-fibre funds and future proofing new housing were announced as part of the recent budget.
- That DCMS had published an Internet Safety Strategy Green Paper. Ofcom has partial duties in this area and is a member of the UKCCIS.

Action: *Note of recent meeting on internet safety to be distributed to Committee members..*

3. Consumer Group Update: Lindsey Fussell

Lindsey gave an overview of Ofcom's consumer orientated initiatives and activities.

She highlighted:

- Ofcom's very strong focus on getting better outcomes for consumers of fixed-line (telephone and broadband) and mobile services.
- Ofcom is looking at how it can use licence conditions in future spectrum auctions to improve mobile coverage in rural areas.
- Ofcom is helping create the right conditions to facilitate more and faster full-fibre investment.
- Present and future initiatives to address poor quality of service by telecoms companies, including:
 - Auto compensation
 - Publishing complaints data
 - New powers to gather and publish information relating to quality of service
 - Publishing data from Alternative Dispute Resolution providers
 - Setting higher minimum standards for Openreach
- Work Ofcom is doing looking at barriers to switching and engaging with communications providers.
- Tackling nuisance calls, including imposing fines and, increasingly, working with carriers to stop calls at source.
- The cost of calling Directory Enquiries and whether these should be capped.
- Ofcom is also looking at the future of traditional telephone services (delivered over copper).

The Committee noted that the Consumer Communications Panel was taking a similar interest in the future of voice services.

The Committee also asked for more information on Ofcom's work in improving DAB coverage; its role as part of the UK Regulators Network (UKRN); Spectrum auctions and how these might be set to benefit rural consumers; and faster repairs for vulnerable consumers and whether this could be extended to broadband and mobile customers.

Action: *Lindsey to respond to the Committees request in writing due to time pressure at the meeting.*

4. Openreach Monitoring Unit: Suzanne Cater, Joe Woolmer, Tor Ahjem, Sinead Lee

The Openreach Monitoring Unit (OMU) provided the Committee with an update on its work. The OMU was set up by Ofcom following the Commitments BT made on the further separation of Openreach. The update included details on the implementation of the new arrangements and the progress made so far, including a specific update for Northern Ireland.

The Committee:

- Stated that the paper was a good basis for managing the Northern Ireland relationships.
- Queried some of the wording around branding of BT in Northern Ireland, suggesting that this was an issue for some but not all Communications Providers (CPs). The Committee said it was important to be mindful that many consumers find the BT branding trustworthy, especially when it comes to consumer security.
- Recommended that Ofcom receives specific feedback and hard evidence from stakeholders (CPs especially) as to how the new arrangements are working in practice.
- Underlined the importance of good governance in Northern Ireland particularly with regards to confidentiality of CP information.
- Noted that confidential discussions would take place between Openreach / BTNIN and individual CPs then investment proposals shared with other CPs during implementation phase.
- Noted that it is Ofcom's intention to visit and scrutinize BTNIN and interview senior staff members to ensure the principles of the Protocol are being implemented in practice.
- Stated the requirements on BTNIN had to be proportionate and balanced so that the benefits of not extending Openreach to Northern Ireland still outweighed the extra regulation/s.

5. Annual Plan 2018/19: Ana Serodio, Matt Bourne, Oli Rawlings.

The Committee received a briefing from the Annual Plan team.

The Committee was content the recommendations it had made at the last meeting had been incorporated into the upcoming draft Annual Plan.

It was noted that there would be a stakeholder event in January to discuss the draft Annual Plan.

Action: *The Committee to submit a response to the draft Annual Plan when it is published.*

6. Director's Report: Jonathan Rose

Jonathan noted several items from his paper:

- The extensive and positive coverage in the media and online that the CMR report received.
- BT's £20m investment in ultrafast broadband. He noted there would be a Broadband Discussion Forum in the office on 6 December.
- The parcel surcharging issue which has been discussed between the Scottish and the UK Governments. He noted that this will be a topic at the next ACNI meeting.

Action: *Note from the debate in the Scottish Parliament to be sent to members*

7. Nations Committee Report: Maureen Edmondson

Maureen advised members that Tim Suter is the new chair of the Nations Committee.

From the last Nations Committee meeting she noted:

- Patricia Hodgson attended the meeting, the last before she would leave Ofcom in December.
- Lindsey Fussell also attended to give an update on consumer issues and auto compensation.
- Other discussions included Connected Nations, Brexit, BBC and 700MHz.

There was a discussion on the appointment of new Board Members for the Nations – members agreed that the Committee should write to DCMS asking that it takes the decision to appoint a Board Member for Northern Ireland in the absence of the Executive. The Committee also agreed it would like Ofcom to advocate for this outcome.

Action: *Letter from the Committee to DCMS to be drafted.*

8. Content Board Update: Jonathan Rose

Jonathan noted:

- Ofcom has started to engage with the independent review of the Welsh TV Channel, S4C.
- Content Board discussed the guidance for Out of London production by PSBs
- There will be a review of Children's Programme on PSBs provision by Ofcom
- Content Board received a presentation from Facebook's head of Public Policy

9. CCP Research on Access Services: Rick Hill, Jenny Borritt

Rick and Jenny gave a presentation on qualitative and quantitative research on access services (subtitling, sign language and audio description) on Video on Demand and Subscription Video on Demand services.

It was noted there are gaps in provision of these services between linear and catch-up TV, availability and awareness of these services as well as the quality of access services.

The Committee thanked Rick and Jenny and said it supported the Panel's efforts to increase awareness, availability and quality of these services.

10. Channel 4 discussion and AOB: Maureen Edmondson

Members discussed Channel 4's nations production targets ahead of the following item.

11. External Presentation – Channel 4: Deborah Dunnet, Briony Robinson

Channel 4 gave a presentation on its production from Northern Ireland and the other nations from the previous year.

The Committee:

- Discussed its perceived lack of representation and portrayal of Northern Ireland on Channel 4, aside from news stories – for example, there are no NI families on *Gogglebox*.
- Asked whether 9% was too low a figure for nations production as the channel had already reached this target. They heard that Channel 4 intends to keep pushing upwards from 9%.
- Noted that Channel 4 is continuing to work with the independent production sector from Northern Ireland to develop further production, widen the focus of programmes from Northern Ireland and to gain better slots on the channel.
- Raised the fact that Scotland has a much higher proportion of productions than Northern Ireland and, to a lesser extent, Wales. Channel 4 said that this was because Scotland indies had been successful in obtaining long-running daytime series.

Date of next meeting: 1 March 2018