



## **Note of the 307th Meeting of the Ofcom Board, held on 20 September 2023**

Members were welcomed to the 307th meeting of the Ofcom Board. Martin Ballantyne (General Counsel), Veronica Branton (Corporation Secretary) and Sharon Malley (Governance Manager) attended throughout.

### **Declaration of members' interests**

1. No new declarations of interest were notified.

### **Minutes of the meeting held on 19 July 2023 and matters arising**

2. The minutes of the Ofcom Board meeting held on 19 July 2023 were approved for signature as an accurate record.
3. A summary of progress against action points was noted.

### **Chair's report**

4. The Chair updated the Board on his activities. He noted that the Online Safety Bill had now completed its progress through Parliament. He said he had interviewed candidates for the Board of Channel 4 Corporation and appointments to Ofcom's own Board were in train. He had held a positive meeting with Susannah Storey, the new Permanent Secretary at DCMS.
5. The Board noted the report.

### **Chief Executive's report**

6. Melanie Dawes presented her report updating the Board on her activities and key developments since the last Board meeting, including an update on the Online Safety Bill, Ofcom's decision on amending advertising regulations for public service broadcasters, an update on Royal Mail and changes in the telecoms market.
7. The Board noted the report.

### **Online Safety readiness update**

8. The Board discussed a paper on Ofcom's readiness for the launch of the online safety regime and welcomed the completion of the passage of the Online Safety Bill through

Parliament. The Board discussed the risks around the launch and the mitigations in place. The importance of managing stakeholder expectations in the early days of the regime was noted. The Board also noted the iterative nature of the regime and the need to continually monitor the changing online safety landscape.

9. The Board discussed the online safety budget. The resource envelope was tight and the team were conducting quarterly check-ins to ensure resources were being diverted to the correct priorities.
10. The Board noted the paper.

### **Supporting telecom customers with higher costs of living**

11. The Board discussed a paper on support for telecom customers with higher costs of living. The Board noted Ofcom's approach over the coming months would be focused on the review of in-contract price rises. The Board discussed Ofcom's work social tariffs and enforcement activity in relation to providers' conduct with rules on transparency of contracts.
12. The Board noted that "one-touch switch" for fixed broadband customers had been delayed due to lack of industry preparedness. This was an area Ofcom would monitor carefully ahead of the industry's revised planned go-live date in March.
13. The Board discussed the promotion of social tariffs and noted that although take-up rates remained low, awareness amongst eligible people was about 50% and the latest figures on this would be published in December.
14. The Board noted the paper.

### **Preparations for the World Radiocommunications Conference 2023**

15. The Board discussed a paper on Ofcom's preparations for the 2023 World Radiocommunications Conference including the government's objectives for the conference and possible outcomes in areas such as the Upper 6 GHz band.
16. The Board noted the work being carried out to protect the UK's position on its priorities and the liaison being carried out with other participants including the European Commission.
17. The Board noted the paper.

### **Digital Regulation Co-operation Forum: strategic considerations**

18. The Board discussed a paper updating the Board on strategy for the Digital Regulation Cooperation Forum (DRCF). She said the four regulators comprising the DRCF had all recently taken on, or were in the process of taking on, new or reformed digital responsibilities and this reinforced the need for cooperation. She highlighted areas where Ofcom's work intersected with other DRCF regulators. She said it was important to be

clear that the DRCF was a connector between regulators but did not have regulatory power itself.

19. The Board discussed the work of the DRCF, including the development of a cross-regulatory support service for AI innovators, with funding for the first year pilot provided by the government, and noted the challenges facing the organisation. The Chief Executives of the regulators met quarterly to set the direction for the DRCF and the importance of this senior engagement across the members was noted.
20. The Board discussed the International Network, which currently consisted of equivalent bodies in Australia, the Netherlands and Ireland, and noted the ambition for other countries to join should they adopt similar models of cooperation.
21. The Board noted report.

#### **BBC programme update**

22. The Board discussed a paper on Ofcom's work relating to the BBC, the recommendations arising from the Government's mid-term review of the BBC, and priorities for the forthcoming year.
23. Ofcom was preparing its annual report on the BBC, which would assess the BBC against the old licence but also reflect how Ofcom would approach regulation going forward. The Board discussed the likely recommendations of the mid-term review and the findings of Ofcom's annual report.
24. The Board welcomed the appointment of a BBC Board member for Northern Ireland.
25. The Board noted the paper.

#### **Public bodies review update**

26. The Board discussed a paper on Ofcom's approach to the follow-up questions raised as part of the initial stage of the Public Bodies Review.
27. The Board discussed the draft responses to the follow-up questions and noted the need to provide more details and examples in the answers. Board members were invited to send any suggested amendments to the executive team for inclusion.
28. Subject to the above, the Board approved the approach to the follow-up questions and delegated final sign-off to the Chief Executive.

#### **Content Board update**

29. The Chair of the Content Board gave an update on its work on future PSB licences and the importance of verified accurate duly impartial news from several PSBs; Information Challenges; and the future of Ofcom's Standards Codes.
30. The Board noted the update.

### **Delegations for enforcement decisions**

31. The Board considered a paper on delegations for enforcement decisions and approved the delegations set out in the appendix to the paper.

### **Modern Slavery Statement 2023**

32. The Board considered a paper on the Modern Slavery Statement and approved the Modern Slavery Statement 2023.

### **Scope and impact of regulation**

33. The Board considered a paper on the scope and impact of regulation and noted the processes in place to assess the extent of regulation in Ofcom's sectors, whether existing rules were still required and where deregulation would be effective.
34. The Board noted the paper.

### **Information items**

35. The Board noted a paper on the supply of cloud services in the UK.

### **Information items**

36. The Board noted the following information items:
- Non-executive member updates
  - Quarterly performance update
  - Board work programme and publications schedule
  - Minutes of the Advisory Committee for Scotland (6 June 2023), Advisory Committee for England (8 June 2023), Advisory Committee for Wales (13 June 2023), Communications Consumer Panel (15 June 2023), Advisory Committee for Northern Ireland (20 June 2023) and Content Board (4 July 2023)

### **Any other business**

37. There was no other business.

### **Date of the next meeting**

38. The next Board meeting would be held on 18 October 2023.