

Minutes of the 77th meeting of the Advisory Committee for Wales held via ‘Teams’ on 2 June 2020

Present

Hywel Wiliam	Chair
Andrew Board	Member
Peter Trott	Member
Rem Noormohamed	Member (part)
Robert Andrews	Member
Ruth McElroy	Member

In attendance

David Jones	Ofcom Board Member for Wales
Aled Eirug	Content Board Member for Wales
Rick Hill Wales member)	Chair, Communications Consumer Panel Member (in the absence of Wales member)
Fiona Lennox	Executive Director, Communications Consumer Panel
Eleanor Marks	Ofcom Director Wales
Elinor Williams	Regulatory Affairs Principal, Ofcom Wales
Meleri Evans	Regulatory Affairs Manager, Ofcom Wales
Emma McFadyen	Public Policy Principal (Nations)
Liz Nash	Regulatory Affairs Assistant, Ofcom Wales

Other Ofcom colleagues

Agenda items	Action
Introduction	
1. The Chairman welcomed attendees to the 77 th meeting of the Advisory Committee for Wales.	
Declaration of Members' Interests – oral	
2. None	
Minutes of the meeting held on 11 March 2020 and matters arising – Minutes ACW 76(3)	
3. The minutes of the meeting held on 11 March 2020 had been circulated previously to members and were APPROVED .	
Matters arising/outstanding Actions -	
<ul style="list-style-type: none"> • A summary note of the National Spectrum Centre event to be circulated. • The Chairman and Board Member for Wales attended the April WISP meeting. • The Committee was updated on the IWA Media Audit. The launch scheduled for late June at the Media Summit has been postponed but members are invited to engage informally with IWA. A final draft of the report is now available and members were invited to provide feedback. The Chair and some Members agreed to liaise from a working group. • Members discussed the response received from Ofcom to the Committee's letter in relation to their views on the Six Nations listing. They were 	PT RMcE/ HW

<p>disappointed by the neutral response and requested that Ofcom Wales now forwarded the letter to DCMS.</p> <ul style="list-style-type: none"> • Members had not received the link to the 'Don't Cut Me Off' research. A CCP colleague agreed to forward immediately. • Following the discussion on the PSB Review at the last meeting some members and the Content Board Member agreed to draw up a draft document outlining the Committee's thoughts and proposals. • Ofcom's Board Member for Wales to progress making contact with Lee Waters MS in respect of the possibility of establishing an inventory of PSTN dial-up services across the public sector. • On-going recruitment of CCP Member for Wales. Members were informed there appears to be some movement around appointments and an announcement is imminent. Members expressed their concern at the delay and the absence of an alternative plan. The Committee agreed to delay raising their concerns formally for a month. 	EW FL HW/AE /AB DJ
<p>Chairman's Report – oral</p> <p>4. The Chairman gave an oral update of his activities since the last meeting including:</p> <ul style="list-style-type: none"> • Feedback from the Communications Consumer Hub for Wales meeting on 16 April – very useful meeting. He reported the BSL had praised the Senedd for using sign language at the First Minister's daily Coronavirus press briefings. • Attendance at Wales Connectivity Network Meeting in relation to DAB radio. • Feedback from conversation with Mon FM following the meeting about its concerns for future investment. • Highlighted RTS Wales' forthcoming Zoom webinar 'Lockdown and Beyond' hosted by senior executives at BBC Cymru Wales, ITV Cymru Wales and S4C to be held on 15 June at 1500. HW to send Members the link. • Reported on plans to catch up with other Advisory Committee Chairs to discuss current issues. Ofcom Wales to arrange. • Drew Members' attention to an article written by Tim Hartley entitled 'Family Guy and Me' which may be of interest to members as he makes some interesting points about the BBC which could be useful for the Committee's wider discussion around PSB. HW to circulate link. 	HW LN HW
<p>Update: Ofcom Board Member for Wales – oral</p> <p>5. The Committee was updated on recent topics discussed by the Ofcom Board including:</p> <ul style="list-style-type: none"> • Online harms regulation and Telecoms security (in conjunction with the National Cyber security Centre). DCMS is beginning to talk to the devolved administrations about its legislative proposals and the shape of future regulation. • The Board Member for Wales and Members reflected on how internet take up has progressed faster due the Covid-19 outbreak, notably in the older demographic. It has also become evident that there is a widening divide between richer and poorer communities. The pandemic has highlighted multiple layers of digital exclusion. The internet has evolved quickly, and the pandemic has only highlighted the need to secure universal access. Internet take up has also increased significantly, underpinned by home schooling during the pandemic. We are beginning to see the complexity of social exclusion and digital illiteracy. Members agreed it was an area of work which needs further attention and Chair of CCP confirmed that this is an issue currently being considered by the Panel who will be raising the possibility of reinstating a media literacy agenda with Ofcom. 	

Update: Ofcom Content Board Member for Wales

6. An update paper had previously been received which highlighted matters being discussed by the Content Board which included the departure of Tony Close to be replaced by Ali Marsden as Director in Content, Standards, Licensing and Enforcement, Kevin Bakhurst joining the Ofcom Board and discussions on content of broadcasting.

7. He drew members' attention to several issues of concern highlighted in his paper.

- The PSB Review timetable has shifted and a virtual conference on Small Screen Big Debate has been proposed for November and a consultation document scheduled to be published by the end of the year.
- During a meeting of the joint Online Harms Steering Group, it was noted that the unfolding Covid-19 crisis has several specific implications for online harms and the Group is currently drawing up a business case and the funding model for the new regime. Concerns range from heightened exposure to harmful online material and the risks posed by disinformation and misinformation – currently the subject of intensifying public and political debate.

8. Members discussed the BBC Annual Plan with reference to the growth in BBC Sounds. A Member presented a graph to the meeting and commented that the growth in BBC Sounds' popularity could be attributed to the BBC's decision to remove distribution of BBC Radio live streams from TuneIn, its former syndication partner, in 2019. This decision had caused some listener unrest and raises a discussion about where and how best to maximise consumption of PSB content. Some audiences will have migrated from TuneIn to BBC Sounds. However, whilst BBC Sounds shows strong growth from a standing start, it is not clear that net online consumption of Radio Wales, Radio Cymru and other channels is any greater than it otherwise would have been had TuneIn syndication not been ended.

9. Members discussed the recent Bauer announcement and its implications for Swansea Sound which has been renamed Greatest Hits Radio Network South Wales. In response to a question Ofcom Wales colleagues stressed that a station's name and branding was a commercial matter for Bauer. It was agreed that the Committee would express their concerns in a letter. A subcommittee would be formed to discuss. Ofcom Wales to advise how to proceed.

EW

Report – Public Policy

10. An update report had previously been provided on the key UK Government and Parliamentary developments since the last meeting. Since the beginning of lockdown, Ofcom has been in close contact with the UK Government, the Welsh Government and other governments in the UK on the impact of the Covid-19 on the communications sector. An Ofcom colleague reported that initially operators had a similar approach to responding to the Covid crisis but now differences are beginning to appear such as some operators cutting customers off for non-payment and charging premium rates for hospital phones. Ofcom has a vital role to play in these matters.

11. Members discussed the different government's strategies for coming out of lockdown and how this will affect different sectors and timing of returning to an office working environment.

12. The UK Government continues to push its gigabit connectivity agenda to bring fibre broadband to the hardest to reach parts of the UK and Ofcom is working closely with DCMS on its online harms work.

<p>13. Concern has been raised about the continued disinformation regarding 5G and coronavirus which may give Ofcom new responsibilities regarding network security and resilience.</p> <p>14. Members discussed the community radio emergency fund and an Ofcom colleague confirmed that three eligible applications had been received from stations in Wales and an announcement was expected later in the week.</p>	
<p>Report – Wales Recent Developments</p> <p>15. Members noted the contents of an update paper previously circulated. The Director Wales drew out certain highlights including:</p> <ul style="list-style-type: none"> • The Director Wales attends regular stakeholder briefings with senior colleagues which is proving very useful to feed into cross-UK thinking at an early stage. Ofcom sees merit in continuing that forum to engage with stakeholders • Update on return to office. This is 99% complete and following social distancing guidelines it is envisaged a max of 8 people will be able to work from the office at one time. • Ofcom Wales has begun conversations with Welsh Government regarding digital inclusion and digital divide. Citizens' Advice will also be working with DCMS on the issue of consumer debts due to the coronavirus. <p>16. Questions from members included concern about lack of Welsh language content on Ofcom's social media platforms which had been highlighted during a recent interview on Radio Cymru. There is currently concern about reputational risk and Ofcom Wales has presented a paper to Ofcom's Policy Management Board outlining the possible risks and the need to move this forward. This issue could have resource implications for Ofcom's office in Wales.</p>	
<p>Media Nation 2020</p> <p>17. Members had received a comprehensive report prior to the meeting and the team followed by giving a brief background to this year's Media Nation Report explaining that Ofcom had taken a different approach this year but had not sacrificed details. The report will include the same breadth of coverage and include details of the changed patterns of news consumption during the current pandemic for each nation ensuring the report reflects the new media landscapes and change in media consumption due to Covid-19.</p> <p>18. A member congratulated the team on the excellent data detailed in the report and how this will help Ofcom understand the effect of the pandemic on production quotas and serious decline in advertising revenue.</p> <p>19. In answer to a question the team confirmed the deep dive chapters will not be able to provide details of how each nation has been affected specifically. However, the team reported that a survey has been carried out regarding news misinformation, but the data cannot be broken down into individual broadcasters or networks. EW reported that where possible the Ofcom Wales team would draw out figures regarding BBC, S4C and ITV, taking into consideration the number of households affected by overlap viewing mainly on the east border. The Wales report will include a specific case study on this topic.</p>	
<p>Revised Plan of Work 2020/21</p> <p>20. Colleagues joined the meeting and gave an oral update. The team thanked Ofcom Wales colleagues for hosting an excellent stakeholder event in January. Following the outbreak of coronavirus and to take account of the exceptional circumstances that have</p>	

<p>unfolded since our consultation, the timetable has been adapted and publication is now scheduled for September with quarterly updates on progress being provided.</p>	
<p>Communications Consumer Panel Update</p> <p>21. Members had received a previously provided update report. Highlights included:</p> <ul style="list-style-type: none"> • The impact of Covid-19 on consumers, specifically in relation to what happens when the debt holiday ends. RH confirmed he is in constant discussions with other consumer bodies and the major communications providers on this and other issues. • CCP commissioned independent qualitative and quantitative research into scams, which will be published in the coming months. This was in response to concerns for the impact of scams and fraudulent activity on consumers and to improve consumer protection wherever possible. • The ongoing work of the Communications Consumer Hubs. ACW Members will be invited to attend the forthcoming Wales meeting on 24 June. A link will be circulated. • The Panel's concern about the impact of PSTN switch off on consumers which is high on its agenda. Ofcom and CCP colleagues agreed to discuss ways of how the ACW input into this area of work. 	<p>FL RH/PT</p>
<p>Covid-19: Impact on broadcasting and production and its effects on the Telecoms Sector</p> <p>22. Ofcom colleagues gave an oral update on the current situation. A detailed summary was provided on how broadcasters and networks had adapted to the situation. Colleagues reported broadcasting seems to be showing some signs of recovery, albeit it is accepted across the sector that there will be many challenges for the foreseeable future. The ISPs have co-operated in reducing heavy traffic, such as new games releases, to certain times of the day/night. Mobile providers saw an initial increase in voice traffic, but overall networks have coped well.</p>	<p>HW</p>
<p>Small Screen Big Debate – update</p> <p>23. Colleagues had circulated an update paper prior to the meeting. The team outlined the revised timetable due to Covid-19 with publication now scheduled for the end of the year with publication of the Statement in Spring 2021.</p> <p>24. There was a discussion on the current situation with a member suggesting canvassing views from independent producers and all members to feedback any other comments received from stakeholders. Main concerns have been around accuracy of how Covid-19 has been reported on BBC news and misrepresentation of Wales and other nations in the UK news bulletins. There is obvious frustration building. The Committee agreed to meet outside the main meeting to discuss this further and include a discussion of the BBC Annual Report in relation to these areas. The Committee will then express its concerns formally. Ofcom Wales agreed to facilitate a meeting in the next few weeks.</p>	<p>ACW HW/ EW</p>
<p>Any Other Business and future agenda items</p> <p>25. It was agreed a shorter meeting would take place before the scheduled September meeting. In addition to subgroup meetings, interim catch up meetings should be diarised (max 2 hours).</p> <p>26. Future discussions/meetings:</p> <ul style="list-style-type: none"> • Discussion with IWA re Media Audit • Broadcasting/news discussion • BBC Annual Plan 	<p>EW RMcE HW/</p>

• AC Chairs catch up	Ofcom Wales
Items for information - Noted	