



## **Note of the 305th Meeting of the Ofcom Board, held on 19 July 2023**

Members were welcomed to the 306th 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. The Board noted a paper on the approach to managing a potential conflict of interest and a new interest notified by David Jones.

### **Minutes of the meeting held on 21 June 2023 and matters arising**

2. The minutes of the Ofcom Board meeting held on 21 June 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 said he had attended the House of Lords for its consideration of the Online Safety Bill and noted that amendments to the Bill could have implications for Ofcom's workload. He had participated in interviews for the Channel 4 Board vacancies and had also held fireside chats with candidates for the role of Group Director Media and Online Content. Along with Melanie Dawes, he had given evidence to the House of Lords Communications Committee on Ofcom's role in the changing media landscape.
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 flash results of the colleague survey, her attendance at a roundtable with other regulators and the Chancellor of the Exchequer, potential new duties for Ofcom, the departure of the BT CEO, Ofcom's continuing work on impartiality, and updates on the work of the Spectrum team and Royal Mail.
7. The Board noted the report.

## **Update on work to help improve resilience on communications networks**

8. The Board discussed a paper on the resilience of communications networks. The Board noted that network resilience was a key priority in Ofcom's three-year plan and was of critical importance to society in general. The Board discussed enforcement options and the importance of having the current rules clearly articulated.
9. The Board noted that thresholds for reporting outages meant that providers may not be obliged to report outages affecting isolated communities even when they were for significant periods. Operators were sensitive to this and the reporting of outages in areas dependent on a single mast may be an area for Ofcom to revisit in future.
10. The Board noted the importance of communications providers maintaining accurate asset registers to enable outages to be resolved quickly and reliably. Ofcom was working with one operator to improve its systems, which should lead to improved resilience without the need for significant capital investment.
11. The Board noted that operators were working on backup capabilities to improve resilience of the 999 emergency service. It was encouraging that industry was looking to exceed minimum requirements in this area.
12. The Board noted the paper.

## **Content Board**

13. **Key themes and lessons from Content Board's editorial standards work**
14. The Board discussed a paper on the key themes and emerging lessons from the editorial standards and audience protection team's work to 30 April 2023. The Board noted the prioritisation of casework relating to due impartiality and potentially harmful material.
15. The Board discussed draft proposals from DCMS relating to its Mid-term Review of the BBC in the area of BBC complaints-handling.
16. The Board noted the paper.
17. **Work programme 1 October 2023 to 31 March 2024**
18. The Board discussed a paper on the Content Board's work programme for 1 October 2023 to 31 March 2024, and noted the planned forthcoming Content Board discussion items. It was noted that once the Online Safety regime was confirmed Ofcom would need a clear governance plan satisfying the Board's responsibility for its new duties, including integration with the work of the Content Board.
19. The Board approved the content standards team's work programme for 1 October 2023 to 31 March 2024 and agreed the means by which the Content Board would contribute to policy areas in Ofcom's Plan of Work.

## **Ofcom's 2023/24 research plan**

20. The Board discussed a paper on Ofcom's overall research plan for 2023/24. The Board noted that the plan took Ofcom's three-year plan as its starting point and categorised activities as either programmatic, specific to a particular policy issue, or innovative, where new approaches were developed to answer policy questions. Research carried out by the Economics and Analytics Group aimed to support policy groups by providing evidence to inform policy decisions and looking at how markets were developing and working. All areas of research supported the priorities set out in the three-year plan.
21. The Board welcomed the paper and the strategic nature of the plan. The Board noted the budget currently allocated to external spend by out-sourced providers and the team outlined the continual focus on keeping the costs of research down including utilising more cost-effective data collection methods, reducing frequency of some trackers, minimising boost samples, in-house analysis and increasing the use of automation.
22. The Board noted that the report was wholly forward-looking and that it was also important to review previous research projects for value for money. It would be helpful to evaluate the difference being made by the various research projects and the interventions they supported. The Board was also interested in understanding how Ofcom's research impacted on the perception of it as a thought leader.
23. The Board noted the rapidly developing nature of the big tech market and that Ofcom's research supported the broader horizon scanning work led by the Strategy & Research Group.
24. The Board discussed the team's ambitions to carry out additional innovative research in the future. It was noted that the role of the Research Committee included consideration of the innovative questions and forward-looking issues that could be explored through research. Many of the research projects considered by the Research Committee were intended to be automated after the first iterations so that they could operate cost-effectively and at scale.
25. The Board noted the paper.

#### **Online Safety Bill update**

26. The Board discussed a paper updating the Board on the Online Safety Bill. It was noted that the third reading of the Bill was pencilled in for September with royal assent expected shortly afterward. Some contentious issues, such as age assurance and age verification in relation to pornographic material and access to data for bereaved families, had been resolved, although there were still some outstanding issues.
27. The Board noted report.

#### **Communications strategy**

28. The Board discussed a paper on the 2023/24 communications strategy and noted the key campaigns and objectives.

29. The Board noted the importance of the comms strategy fully serving the devolved nations. It was noted that colleagues in the nations were media trained and empowered to speak about issues affecting their areas. In addition, the strategy included proposals to produce more bespoke material in the Welsh language.
30. The Board noted the importance of identifying supportive voices who would be able to support Ofcom's position in the media. Karen Baxter said she may be able to assist with stakeholder engagement in Northern Ireland and would pick this up with the team offline.
31. The Board noted the paper.

#### **Appointment to the CCP/ACOD as member for Wales**

32. The Board approved a recommendation being made to DSIT for the appointment of Rachel Burr to the Communications Consumer Panel/ACOD as the Member for Wales for a three-year term commencing 1 September 2023.

#### **Information items**

33. The Board noted the following information items:
  - Non-executive member updates
  - Diversity and Inclusion progress report
  - Planning for the Board Strategy Day
  - Performance update
  - Ofcom's whistleblowing and grievance policies
  - Board work programme and publications schedule
  - Minutes of the Communications Consumer Panel (18 May 2023) and Risk and Audit Committee (6 June 2023).

#### **Any other business**

34. A Board member raised concerns about deteriorating services for consumers seeking to change or amend their telecommunications services. A Board member requested further information on the data in the Diversity and Inclusion report. These matters would be picked up with the Board members after the meeting.

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

35. The next Board meeting would be held on 20 September 2023.

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