

Minutes of the 84th meeting of the Communications Consumer Panel
on 26 January 2012 at 9.00

Riverside House, 2A Southwark Bridge Road, London SE1 9HA

Present

Consumer Panel

Bob Warner (Chair)
Fiona Ballantyne
Kim Brook (ex-officio member)
Colin Browne
Roger Darlington
Maureen Edmondson
Chris Holland (co-opted member)

In attendance

David Edwards
Fiona Lennox
Graham Howell, Ofcom Corporation Secretary (item 9)
Digital UK and Help Scheme colleagues (item 8)
Other Ofcom colleagues (items 3, 4, 6 and 9)
PhonepayPlus colleagues (item 5)

1. Declarations of interest

1.1 Roger Darlington reported that his membership of the Consumer Focus board had ended on 24 January. He declared his chairmanship of the DCMS Digital Consumer Expert Group in advance of the later agenda item on digital switchover.

2. Minutes of the meeting on 7 December 2011, matters arising and progress on actions

- 2.1 Members **APPROVED** the draft minutes for signature by the Chair, subject to a minor amendment.
- 2.2 Members had received an updated actions list.
- 2.3 Members **NOTED** that the Panel's work plan stakeholder event would be held on the day of the next Panel meeting on 22 February; colleagues from *midata* would attend the Panel's 21 March meeting; and the Chairman would discuss Ofcom's consultation processes at his next catch-up with Graham Howell, Ofcom's consultations champion.
- 2.4 Members **NOTED** the information in the latest Panel Implementation Plan, providing a summary and strategic overview of Panel activities. The Chairman would attend a ministerial roundtable on the open internet at the end of March.
- 2.5 Fiona Lennox would draft a Panel submission in response to Ofcom's *Draft Annual Plan 2012/13* consultation.

3. Review of General Condition 9

3.1 Members had received a paper outlining Ofcom's review of general

Condition 9 (GC9). GC9 contained requirements on communications providers relating to contracts. The Panel welcomed Ofcom's review. On the previous day the Panel had issued a news release expressing its concern about the trend for some providers to use the small print in contracts to increase their charges. Ofcom colleagues joined the meeting for discussion. The key points **NOTED** were:

- the definition of material detriment;
- the dependence of a number of low income households on a mobile only service and the consequential risk of them experiencing greater disadvantage as a result of increased call charges;
- consumers required adequate information about price changes and advice on how, and the opportunity, to cancel their contracts.

3.2 Members **NOTED** that Ofcom was at the evidence gathering stage in its review. The review was expected to take approximately six months. If changes to GC9 were required, a consultation would take place. It was further **NOTED** that Ofcom had the option to initiate individual investigations of particular providers should the need arise. It was **AGREED** that the Chairman would write to Ofcom to follow up the concerns expressed in the Panel's news release.

4. Economic Geography

4.1 Members had been provided with a paper and an Ofcom colleague joined the meeting and outlined an Ofcom project that would examine Nations perspectives on matters of economic geography, including not spots, spectrum and Local TV, distil existing research findings and include case studies.

4.2 Members **NOTED** that the project had its origin in discussions between the Ofcom Chairman and the chairmen of Ofcom's National Advisory Committees. It was expected to culminate in the publication of a report aimed at Ministers, academics and other opinion formers. Members welcomed the project and emphasised the need for Ofcom to give careful consideration to a communications plan to ensure the report's dissemination.

5. PhonepayPlus

5.1 Members had received a paper and annexes, including PhonepayPlus' (PPP) response to the DCMS open letter relating to the Communications Review, submitted jointly with three industry trade bodies; the PPP consultation document on its Business Plan 2012/13 and Budget; and PPP's call for inputs around extension of regulation of remaining revenue-sharing ranges. PPP colleagues joined the meeting for discussion.

5.2 At an earlier meeting the Panel had raised questions related to PPP's bi-yearly report to the Panel which were addressed in discussion.

5.3 Members **NOTED** that in its response to DCMS, PPP had argued that the current model for regulation of premium rate services (PRS) was working well but that the Government should review the current definition of PRS within the wider context of the micropayments market. There was discussion of telephone helplines and the issue of delays and the unreasonableness of consumers having to pay whilst queuing. It was **NOTED** that PPP was engaged in discussion with Ofcom concerning the latter's review of non-geographic numbers. It was **AGREED** that the Panel would respond to the PPP's consultation and call for inputs.

6. Switching

6.1 An Ofcom colleague joined the meeting for discussion. Ofcom was close to publishing its consultation on proposals to change the processes for switching fixed voice and broadband providers (on the Openreach copper network). Subject to responses to the consultation, Ofcom's view was that the Third Party Verification option would be the most proportionate way of dealing with current switching problems. It was **AGREED** that the Panel would respond to Ofcom's consultation.

7. 2012/13 Panel work plan

7.1 Members had been provided with a paper and a draft of the Panel's work plan 2012/13 for discussion. Members **AGREED** a proposal to de-couple the Panel's work plan and annual report, recent practice had been to publish both in a single document. Members made brief comments on the text of the work plan, it would be revised accordingly, and were content with the timetable for publication and consultation. The final work plan was expected to be published in April.

8. DSO London

8.1 Colleagues from Digital UK (DUK) and the Help Scheme joined the meeting to brief the Panel on preparations for the impending London TV region switchover. Matters discussed included issues related to communication and community outreach activity; work to reach the private rental sector; communal aerials; DUK's telephone advice line, their take-up and capacity. Reference was also made to switchover activities in the Tyne Tees region and in Northern Ireland, where switchover would also take place in 2012.

9. Governance

9.1 Graham Howell joined the meeting and there was brief discussion of Ofcom plans for recruitment to refresh the membership of the Panel, with current appointments due to terminate at the end of March. The Panel would be kept informed of developments.

9. Olympics update

9.1 An Ofcom colleague joined the meeting to brief members on Ofcom's Olympics project. This was a considerable undertaking and included activities to acquire spectrum, to assign and then license it, to manage any interference and to deliver a post-games legacy, the latter being planning for Glasgow 2014 and the transfer of skills and learning to future Olympic cities.

10. Any Other Business

10.1 Chris Holland reported that he had represented the Panel at an event

entitled "The case for spectrum" at the International Institute of Communications and that he had attended a meeting of the Ofcom hosted Consumer Forum for Communications, both held in December.