# Minutes of the 87<sup>th</sup> meeting of the Advisory Committee for Scotland held virtually over Microsoft Teams on 15 February 2022

**Present**

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| Elizabeth Partyka | Chair |
| Laura Anderson | Member |
| Stephen Speirs | Member |
| Jess McBeath | Member |
| Gerry Crawley | Member |
| Ashe Hussain | Member |

**In attendance**

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| Maggie Cunningham | Content Board Member for Scotland |
| Amanda Britain | Consumer Communications Panel Member for Scotland |
| Bob Downes | Ofcom Board Member for Scotland |
| Mairéad Reid | Observer |
| Glenn Preston | Ofcom Scotland Director |
| Stefan Webster | Ofcom Scotland |
| Mark Smith | Ofcom Scotland |
| Lauren Galloway | Ofcom Scotland |
| Alexandra Stephenson | Ofcom Scotland |
| Debbie Hughes | Ofcom Scotland |
| Other Ofcom colleagues | |
| Colleagues from Citizens Advice Scotland (items 26-30) | |

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| **Welcome, introductions, conflicts and apologies** |
| 1.      The Chair welcomed everyone to the meeting and introduced Mairéad Reid to Jess McBeath and Stephen Speirs who had missed the last meeting. |
| 2.      There were no conflicts of interest to note. |
| 3.      There were no apologies. |
| **Minutes of the 86<sup>th</sup> meeting held on 8 December 2021** |
| 4.      The minutes of the meeting held on 8 December 2021 were APPROVED for signature by the Chair as an accurate record. |
| 5.      In the discussion of actions which arose from the December 2021 meeting, it was NOTED that: |
| • The Chair agreed to set out the Committee's priorities for 2022/23 to allow the Scotland Director to share this at a future meeting of Ofcom's Policy and Management Board (consisting of Ofcom's Senior Management Team). |
| • An Ofcom colleague agreed to organise a session with the Making Sense of Media Team or to tailor it into an Induction and Training session for the members. |

- A member agreed to pull together the Committee's response to the Postal Review Consultation drawing on input from the CCP member following the February Consumer Hub meeting.

- The Chair to confirm a date for a session with representatives from Young Scot.

- The Ofcom Scotland Director confirmed that the Consumer Scotland slides had been sent out to the members.

- It was confirmed that the Ofcom team working on climate change issues were happy to present at the next ACS meeting. Alternatively, it would be possible to organise a separate meeting with the team in a single session with the other Advisory Committees.

**Members' updates**

6.      A member thanked everyone for their input to the response to Ofcom's Plan of Work Consultation. The Ofcom Scotland Director confirmed that two responses had been received from Scottish Government; Angus Robertson MSP, Cabinet Secretary for the Constitution, External Affairs and Culture on broadcasting and screen issues, and from Kate Forbes MSP, Cabinet Secretary for Finance and the Economy covering digital. It was NOTED that these would be shared with the Committee.

7.      A member thanked colleagues from the Ofcom Nations team for their excellent input at the recent Police Scotland Multi Agency meeting, which had covered Video Sharing Platforms and developments in relation to online safety.

8.      A member advised that there were ongoing service issues with Royal Mail but NOTED that these were not Scotland specific. It was also advised that Royal Mail had introduced a slower service of between 4-5 days to business customers with a reduction in pricing. It was NOTED that was not impacting consumers.

9.      The Chair advised the members that she had held recent meeting with STV and BBC Scotland. It was NOTED that there has been a lot of interest in the amount of screen productions taking place in Scotland, for example Bat Girl. There was concern that whilst the contribution to the Scottish economy was growing that these large blockbusters were not necessarily sustainable or returnable.

10.     It was confirmed that Screen Scotland were about to publish an independent economic analysis on the contribution of the screen sector to the Scottish economy.

11.     An Ofcom colleague asked if there were any TV Working Group meetings in the diary and the Chair agreed to follow this up.

**Director's Report / Public Policy update**

12.     The Ofcom Scotland Director presented their written report and highlighted a few key points. A short discussion followed with a few key points to NOTE:

- On Online Safety it was advised that the focus at the upcoming meeting with the Scottish Minister for Children and Young People in March would most likely be on the child sexual exploitation and abuse elements of the proposed Online Safety Bill. It was advised that the Ofcom Scotland Director would seek feedback from a member ahead of that meeting.

- A member expressed concern that digital landlines don't work in the event of a power cut with consumers unable to contact emergency services. An Ofcom colleague advised that Ofcom has rules in place for communications providers to ensure that customers that are reliant on a landline are identified and provided with resilient back-up solutions.

- Concerns were raised about telecoms and power resilience for consumers following Storms Malik and Corrie. It was advised that there weren't any reporting from any of the networks that consumers were as significantly affected as had been the case with Storm Arwen but Ofcom was contributing to ongoing reviews relating to power and telecoms being led by the UK Government that would also include learnings from Malik and Corrie. In conversation, the committee also highlighted concerns with the ongoing migration to VOIP/ PSTN switch off process. The Ofcom Scotland Director noted his team was directly engaging with the Scottish Government's resilience team and other Scottish stakeholders on these issues.

- It was highlighted that the Scottish Budget had recently passed and that there were no changes to the Scottish Government's spending commitments on Connecting Scotland, R100 or the 4G infill programme. In relation to Connecting Scotland, it was advised that colleagues from the Ofcom Scotland team would be speaking to the Connecting Scotland delivery team to understand what happens when consumers reach the end of their contact and move out of the scheme.

- A member asked if an update could be provided on R100 as it was not particularly clear what had been committed to and what had been delivered. The Ofcom Scotland Director agreed to speak to the Scottish Government and noted his understanding that the programme was due for completion in 2026/27.

- Moving on to the Public Policy update, an Ofcom colleague gave a brief summary of their report.

- The Chair asked about the creation of Consumer Scotland and if this was going to be an area of confusion in the future. It was advised that there were ongoing conversations about issues such as telecoms advocacy, which were focused on ensuring clarity for consumers. The Ofcom Scotland Director noted his team had recently met representatives of Consumer Scotland and there was a already a good working relationship.

- A member agreed to look at the Consultation on the future of mobile markets and spectrum to see if the committee should respond.

**C3/C5 Relicensing Project/Proposed Broadcasting White Paper**

13.    Ofcom colleagues provided an update on the Channel 3/5 relicensing project and how Ofcom is contributing to the UK Government's proposed broadcasting White Paper.

14.    Members discussed the relationship between STV and ITV and highlighted that renewal is taking place at a key time for broadcasting in Scotland.

15.    Members NOTED that the next stage in the relicensing work will be a report on the financial sustainability of the licences over the next ten-year period, which is required to be submitted to the Secretary of State this summer.

16.    It was agreed that Ofcom colleagues would keep the Committee updated as the relicensing project progresses.

**On-line Safety Bill**

17.    Ofcom colleagues recapped recent developments regarding the Online Safety Bill and future key milestones.

18.     Members were advised of the key recommendations produced by the Joint Committee on the Online Safety Bill and the Department of Culture, Media and Sport Sub Committee on Online Harms in their reports on the draft bill.

19.     Members NOTED the main changes that have recently been announced, including the announcement that all sites hosting pornography online will be required to introduce age checks to ensure users are 18 or over.

20.     The Chair advised that it would be useful to have a copy of the slides used by the team for future reference.

**Video Sharing Platform update**

21.     Ofcom colleagues provided an overview of the new powers and duties Ofcom has been given to regulate Video Sharing Platforms, noting which services are in UK jurisdiction and, therefore, regulated by Ofcom.

22.     The Scotland Board member NOTED the legal limits on Ofcom's role as a result of the VSP regulation being based on a country-of-origin principle.

23.     Members NOTED the duties that VSPs are required to meet without chilling freedom of expression.

24.     Ofcom colleagues set out their approach to enforcement, noting that we are working with notified VSPs to drive improvement via targeted engagement if required. They gave an overview of engagement with regulated services to date. Members NOTED the importance of this engagement being genuinely constructive and effective for ensuring that companies adhered to their duties.

25.     An Ofcom colleague advised that there was less of a Scotland specific angle to the VSP regime, but that it was important to understand the approach to enforcement and how our work on Video Sharing Platforms helps provide a foundation for our work on Online Safety.

**Citizens Advice Scotland Presentation**

26.     The Citizens Advice Scotland Stronger Communities team gave a presentation on issues facing consumers of communications networks in Scotland.

27.     CAS welcomed Ofcom's announcement calling on broadband providers to do more to help customers on benefits. CAS provided an overview of telecoms affordability issues and the need for more public awareness and take-up of social tariffs. They noted their support for mandatory provision of social tariffs and the current limited scope of Ofcom's regulatory powers in this space.

28.     CAS highlighted issues relating to the migration to Voice over Internet Protocol and remained concerned that consumer awareness of migration is low and the solutions for power outages are significantly limited. CAS were also concerned that there may be an opportunity for scammers throughout the migration.

29.     CAS also provided an update on issues experienced by users of postal services in Scotland, highlighting concerns around affordability, parcel surcharging, complaints, quality of services and postal exclusion.

30.     Members flagged ongoing issues relating to parcel surcharging in the Highlands and Islands, and quality of service issues particularly for those living in island communities. The Consumer Communications Panel Member for Scotland also referenced issues raised at the recent Consumer Hub for Scotland meeting on signed for deliveries and postal exclusion.

**Content Board update**

31.    Members had been provided with a 'For Information' written paper and the Committee NOTED its content.

**Consumer Panel/ACOD update**

32.    Members had been provided with a 'For Information' written paper and the Committee NOTED its content.

**Ofcom Contact Centre Information**

33.    Members had been provided with a 'For Information' paper with Scotland's data and the Committee NOTED its content.

**ACS Annual Report 2021**

34.    Members had been provided with a 'For information' written paper and the Committee NOTED its content.

35.    The Chair asked if the Report could be shared with Ofcom's Chief Exec and Ofcom's Interim Chair and the Ofcom Scotland Director agreed to share this with them.

**Any Other Business**

36.    A member asked if the June meeting would be in person in the Edinburgh office. The Ofcom Scotland Director advised that this would not be an option within the current statutory rules, but that this could be revisited if further relaxation was announced by the Scottish Government.  The Ofcom Scotland team would advise members in advance of any change to meeting in person.

**Date of the Next Meeting**

37.    The next scheduled Committee meeting will be held on 14 June 2022.


**Approved**: _____          **Date**: _____
              Chair
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