

Minutes of the 88th meeting of the Advisory Committee for Scotland – hybrid meeting in person and virtually over Microsoft Teams on 14 June 2022

Present

Elizabeth Partyka	Chair
Laura Anderson	Member
Stephen Speirs	Member
Jess McBeath	Member
Gerry Crawley	Member
Ashe Hussain	Member (Online)

In attendance

Maggie Cunningham	Content Board Member for Scotland (Online)
Amanda Britain	Consumer Communications Panel Member for Scotland
Bob Downes	Ofcom Board Member for Scotland (Online)
Glenn Preston	Ofcom Scotland Director
Stefan Webster	Ofcom Scotland
Mark Smith	Ofcom Scotland
Shraddha Rathi	Ofcom Scotland
Debbie Hughes	Ofcom Scotland
Other Ofcom colleagues	
Colleagues from Scottish Government (Item 20)	

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<p>Welcome, introductions, conflicts, and apologies</p> <ol style="list-style-type: none"> The Chair welcomed everyone to the meeting and introduced Shraddha. There were no conflicts of interest to note. Apologies were received from Lauren Galloway and Mairéad Reid. 	
<p>Minutes of the 87th meeting held on 15 February 2022</p> <ol style="list-style-type: none"> The minutes of the meeting held on 15 February 2022 were APPROVED for signature by the Chair as an accurate record. In the discussion of actions which arose from the February 2022 meeting, it was NOTED that: <ul style="list-style-type: none"> Ofcom’s Making Sense of Media session was taking place on the 16 June, and it was NOTED that the Committee’s Online Safety member was presenting at it. The Chair thanked Stefan and Mairéad for organising the recent session with representatives from Young Scot which had proved to be very insightful across the range of Ofcom’s regulatory duties. 	

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<ul style="list-style-type: none"> • The Chair advised that there were still no Scottish TV Working Group meetings organised and that Creative Scotland were no longer facilitating these. • The Ofcom Scotland Director confirmed that he and members of the team had recently met Consumer Scotland to discuss their priorities. The ongoing issue relating to telecoms advocacy had also been discussed (the UK Government continued to be committed to legislating to create advocates but it was not clear when this may happen). It was NOTED that they are due to meet again and that Ofcom’s Board member for Scotland would be meeting the Consumer Scotland Chair over the summer. • The Ofcom Scotland Director and members of the team had also met with the Head of the Scottish Government’s new Digital Citizen Unit (DCU) with the focus being on the Connecting Scotland programme. One of the main things flagged was what happens to consumers at the end of their contracts; how are they supported? The programme was currently paused to review this and other issues but it would be further progressed in line with the SNP’s manifesto commitment to increase the reach from 60,000 to 300,000 people. • The Chair thanked a member for their input to the response to Ofcom’s Consultation on the Future Approach to Mobile Markets which was submitted on behalf of the Committee. 	
<p>Members’ updates</p> <p>6. A member advised that violence against women is an area of public interest at this time and how that debate links with the online environment.</p> <p>7. It was advised that a recent DCMS Committee’s influencer culture report had demonstrated a huge rise in children creating content and there is concern that in every third class in a high school there is a child who is an influencer producing content online.</p> <p>8. A member raised concern on the cost of living rising across all communications and what that means for consumers especially those who are living in poverty and who may be in vulnerable circumstances. It was suggested that some of Ofcom’s work on consumer protection may need to be accelerated.</p> <p>9. A member NOTED that fibre coverage is a lot better and has improved significantly. It was also advised that Cyber-attacks are increasing and to take care as they are a huge risk for all organisations.</p> <p>10. A member advised that Ofcom launched an investigation into Royal Mail’s 2021/22 performance and advised that there was nothing to NOTE from a Scottish perspective.</p> <p>11. It was highlighted that all the Public Sector bodies in Scotland are attempting to move from paper to digital. A discussion then followed on the recent Census form sent out by Scottish Government to households to complete. It was NOTED that the intended target rate of 94% completion was not reached and that only 88% of households had actually completed the forms, with poor levels of public awareness.</p> <p>12. A member advised that BBC4 and CBBC are set to stop being broadcast as linear channels and go online as part of plans by the BBC to be "digital-first" including Radio 4</p>	

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<p>Extra. There was a question about what impact this would have on the broadcasting sector in terms of commissioning and budgets. There was also concern expressed about what this could mean for children’s TV.</p> <p>13. The Chair advised that she had recently met with STV and would be meeting with BBC Scotland on 15 June. One of the things that would be raised was a request for further information following the announcement from the BBC that they are planning on bigger investment of programmes from the Nations & Regions.</p>	<p>EP</p>
<p>Director’s Report / Public Policy update</p> <p>14. The Ofcom Scotland Director presented their written report and highlighted a couple of key points to NOTE:</p> <ul style="list-style-type: none"> • The First Minister announced that a publication was due to be published on a second Independence Referendum for Scotland. It was NOTED that in the coming months further publications would likely focus on currency, tax, and defence. It was NOTED that Ofcom have not been asked to contribute, at this time. • It was highlighted that Ofcom’s CEO, Melanie Dawes, met with Angus Robertson MSP, Cabinet Secretary for the Constitution, External Affairs, and also with BBC Scotland and STV during her visit to Scotland. • The Committee was provided with an overview of Melanie’s meetings where discussions were centred around: <ul style="list-style-type: none"> ➢ concern about proposals to privatise Channel 4 and what this could mean for Scotland’s creative industries; ➢ changes to the BBC’s Operating Licence and impact on quotas; ➢ internal prominence (how BBC Scotland’s content is given prominence within the BBC, particularly on iPlayer); ➢ the introduction of ITVX. <p>15. The Chair highlighted the issue of Channel 3 licence obligations in the context of the independence referendum debate and that in 2013/14, STV had sought assurances their C3 licences would continue. The same issues would likely arise again.</p> <p>16. Moving on to the Public Policy update, an Ofcom colleague gave a brief summary of their report.</p> <p>17. The Chair raised concern on the wording of the White Paper around STV and SC4C’s prominence and asked if the DCMS are recognising its importance. It was confirmed that the importance is recognised, although it was not yet clear the final form any legislation would take.</p> <p>18. It was NOTED that the Committee had been invited to speak to the DCMS about their BBC Charter mid-term review. The Chair suggested the Committee should meet privately before that to discuss the priorities that they want to raise.</p> <p>19. A short discussion followed on the Online Safety Bill where concern was expressed from the Committee that there is not a figurehead in Scotland to engage with. The</p>	<p>EP/DH</p>

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<p>Ofcom Scotland Director noted Ofcom’s CEO had recently done an online safety focused interview with Holyrood Magazine as a hook for further engagement with Scottish Ministers and parliamentarians. Ofcom would also be using the publication of a regulatory roadmap as a catalyst for further stakeholder engagement.</p>	
<p>Scottish Government: Digital Connectivity and Strategy</p> <p>20. Scottish Government officials provided an update on the Scottish Government’s Digital Strategy and the Reaching 100% (R100) and Scottish 4G Infill (S4GI) digital connectivity programmes.</p> <ul style="list-style-type: none"> • <u>Digital Strategy for Scotland</u>: Officials provided an overview of the strategy (which was published in March 2021), including the range of actions across the three strategic themes of: “People and Place, “A Strong Digital Economy”, and “Digital Government and Services”. A committee member asked about potential gaps in the strategy regarding online safety issues. Officials confirmed that a governance structure had been introduced to provide oversight of delivery and could act as a suitable forum for considering emerging policy issues, such as online safety. • <u>R100 programme</u>: Officials noted that the majority of connections via the three R100 contracts will now be full fibre, including in the North Lot, where there is currently work underway to connect 15 Scottish islands via 16 subsea fibre cables. Further detail was provided on the R100 Scottish Broadband Voucher Scheme (R100 SBVS), highlighting the importance of fixed wireless access in addressing superfast connectivity gaps in rural and remote areas. A committee member asked about the provision of LEO satellite in delivering connectivity to very hard to reach premises. It was noted that regular discussions are taking place with all satellite broadband providers – to note, there is currently no LEO satellite operator that can offer coverage to all of Scotland and some services don’t currently meet the affordability requirements of the R100 SBVS scheme. • <u>S4GI programme</u>: Officials presented an update on the S4GI programme, noting that 28 mast sites have now been activated and the programme is on track to deliver against the target of up to 55 masts by March 2023. As part of the programme, the Scottish Government is working collaboratively with the Home Office and DCMS to identify alignment opportunities with the ESN and SRN programmes. It was NOTED that there was recent heightened interest for use of S4GI sites by MNOs, driven by their SRN obligations. • Officials also updated on recent developments on the Scottish Government’s Full Fibre Charter which now has 8 signatories and a first Ministerial Full Fibre Charter Forum took place on 26 May 2022. The UK Project Gigabit programme was discussed, including recent concerns raised by the Cabinet Secretary for Finance and Economy, Kate Forbes MSP, around timescales and funding for Scotland. A committee member asked about prioritising the very hard to reach premises in Scotland going forward and it was NOTED that the Scottish Government’s focus was to ensure Scotland received its fair share of ‘Project Gigabit’ funding including early investment in Scotland’s island communities. 	

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<ul style="list-style-type: none"> Ofcom agreed to circulate the presentation slides (including the R100/S4GI case studies) to ACS members following the meeting. 	MS
<p>Connected Nations Spring update 2022</p> <p>21. Ofcom colleagues provided a brief update on the key figures in Ofcom’s Connected Nations Spring update 2022 report and how these have changed since the last report.</p> <ul style="list-style-type: none"> In the discussion that followed, a committee member raised concerns over storm resilience, particularly on battery packs and infrastructure. It was NOTED that problems posed by storms intersected with both the communications and energy sectors. A member raised the importance of consumers having choice in the mobile market, and asked if Ofcom’s Connected Nations data could be interrogated in such a way that demonstrates which geographic areas of Scotland currently benefit from 4G coverage from more than one operator (in addition to the “all” and “any” metrics). It was also NOTED that lived experiences of consumers could be further considered in the Connected Nations reports. 	
<p>Climate Change Team</p> <p>22. Ofcom colleagues presented on Ofcom’s regulatory context, how it relates to climate change, and the activities that Ofcom has been taking forward in this area. It was noted that the project was concerned with environmental matters within Ofcom’s regulated sectors, as opposed to Ofcom’s own organisational environmental footprint, which is a separate project.</p> <ul style="list-style-type: none"> It was NOTED that the Scottish Government has an aim of reaching net zero by 2045 at the latest (five years ahead of the UK Government’s 2050 target). Committee members also NOTED the interdependence between the energy and communications sectors through the use of domestic smart meters, and potential issues arising as a result of poor connectivity in rural areas. It was also NOTED that responses to Ofcom’s Plan of Work 2022/23 consultation highlighted heightened interest in Ofcom’s role in this area, but without formal duties, Ofcom would be focussing on research and consumer awareness. A member raised concerns regarding Royal Mail’s climate impact, particularly around centralised delivery offices, the lack of digitisation in its operations, and the environmental impact of its vehicle fleet. The ACS invited the team to a future meeting to update on the project with a focus on the environmental impact of postal services. 	MS
<p>Media Nations</p> <p>23. Ofcom colleagues gave a summary of the Media Nations publications and the structure of the Scotland report, including changes since the last report.</p>	

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<ul style="list-style-type: none"> • A member asked about differences in industry trend reporting in the Scotland report compared to the UK-wide report. It was NOTED that this data was more applicable at a UK-wide level. • A member also asked about device viewing trends and how this was captured. • It was NOTED that almost all types of viewing had decreased since the anomalous increase in 2020 due to Covid-19. This included television, but also streaming and other video platforms. • It was NOTED that media handling of the Media Nations report required sensitivity given the Public Service Media (PSM) context. Ofcom agreed to talk to ACS to communicate the Scottish perspective on this. 	
<p>Call for inputs: Diversity in Broadcasting:</p> <p>24. Ofcom colleagues provided a summary of the recent review into the data we collect as part of our diversity in broadcasting project. The committee NOTED that the project team are currently working through the responses they received to the call for inputs.</p> <p>25. In the discussion that followed, the Committee NOTED the initial views of broadcasters on extending the data they provide to Ofcom, the challenges around collecting data for the freelance sector, the relationship between our work and that of Project Diamond and the importance of understanding why people are leaving the industry.</p> <p>26. In closing, the Committee NOTED the team’s publication plans for later in the year which include a Statement on the recent call for inputs, a new look survey for broadcasters and the most recent diversity figures for the UK’s largest broadcasters provided on a voluntary basis.</p>	
<p>Draft Strategy 2022/23 & Draft Annual Report 2021/22</p> <p>27. Members had been provided with a ‘For information’ written paper and the Committee NOTED its content.</p> <p>28. Ofcom’s Scotland Director confirmed that the Committee’s Strategy and Annual Report will be shared with Ofcom’s Chair and CEO.</p>	<p>GP</p>
<p>Content Board update</p> <p>29. Members had been provided with a ‘For Information’ written paper and the Committee NOTED its content.</p>	
<p>Consumer Panel/ACOD update</p> <p>30. Members had been provided with a ‘For Information’ written paper and the Committee NOTED its content. A couple of points to NOTE:</p> <p>31. The Chair advised that there is a meeting on 22 June with the Advisory Committee Chairs and the Chair of CCP to informally share information between the Committees.</p>	

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32. The CCP member advised that there is a Consumer Hub meeting on 28 June on Digital Privacy & Ethics and it was NOTED that member, Laura Anderson will attend on behalf of the Committee.	
Ofcom Contact Centre Information 33. Members had been provided with a 'For Information' paper with Scotland's data and the Committee NOTED its content.	
Any Other Business 34. None	
Date of the Next Meeting 35. The next scheduled Committee meeting will be held on 4 October 2022.	

Approved: _____

Date: _____

Chair

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