

Minutes of the 92nd meeting of the Advisory Committee for Scotland – hybrid meeting in person and virtually over Microsoft Teams on 6 June 2023

Present

Elizabeth Partyka	Chair
Stephen Speirs	Member (on-line up to Agenda Item 5)
Gerry Crawley	Member (on-line)
Jess McBeath	Member
Ashe Hussain	Member
Polly Tolley	Member

In attendance

Maggie Cunningham	Content Board Member for Scotland
Amanda Britain	Consumer Communications Panel Member for Scotland
Bob Downes	Ofcom Board Member for Scotland
Glenn Preston	Ofcom Scotland Director
Stefan Webster	Ofcom Scotland
David Bagshaw	Ofcom Scotland
Ali Bland	Ofcom Scotland
Debbie Hughes	Ofcom Scotland
Ami Jack (observing)	Ofcom Content Policy
Other Ofcom colleagues	

Welcome, introductions, conflicts, and apologies

1. The Chair welcomed everyone to the meeting and introduced new member, Polly Tolley. Ali Bland and David Bagshaw, the new Graduate and Regulatory Affairs Advisor in the Ofcom Scotland Nations Team were also introduced.
2. No apologies had been received but it was NOTED that Stephen Speirs needed to leave the meeting from Agenda Item 6.

Minutes of the 91st meeting held on 22 February 2023

3. The minutes of the 91st meeting were APPROVED. In the discussion of actions which arose from the February 2023 meeting, it was NOTED that:
 - The Ofcom Scotland Director and Ofcom Scotland colleague met with David Smith, Chair of Screen Scotland in April. It was suggested that Ofcom host a meeting in Edinburgh for members to meet with Screen Scotland.
 - It was NOTED that there were lessons to be learned in relation to BBC Scotland's radio changes which will be addressed in Ofcom's final *Statement on the BBC's Operating Licence* report.

- The Chair thanked the members for their input into the Committee's Strategy Report. It was NOTED that September's meeting will focus on *Internet we can rely on*, and November's will focus on *Online Safety*.

Members' updates

4. A member highlighted that there is huge pressure on Data Protection within the Online Safety Bill on how to safeguard children.
5. A member NOTED the decision not to privatise Channel 4 and the possibility of C4 pursuing inhouse production and wondered how this could impact the Scottish Indie sector in Scotland.
6. It was advised that there is a Diversity Audit being published in the next few months which looks at Scottish companies who focus on diversity.
7. A member highlighted that there is concern that the cost of living crisis is getting worse from where it was 2 years ago. There are around 2.5m consumers who are looking for advice across a range of issues and it was felt that firms needed to be more pro-active in getting information on social tariffs to low-income households.
8. It was NOTED that business mail postal costs could go up by almost 40% since January 2023 in October 2023.
9. The Chair advised that the reception, hosted by Baroness Stephanie Fraser (Digital & Comms Committee) with the Scottish members of the House of Lords on 16 March was cancelled. It was NOTED that it had been rescheduled for the 16 June.

Director's Report / Public Policy update

10. The Ofcom Scotland Director presented their written report and highlighted a few key points to NOTE:
 - A new Scottish Government has been formed since the last meeting with 3 or 4 new Ministers.
 - There is no meeting in the diary yet with Angus Robertson MSP, Cabinet Secretary for Constitution, External Affairs and Culture.
 - Ofcom's Chief Executive, Ofcom's Scotland Board member and Ofcom's Scotland Director are due to meet with Richard Lochhead MSP, Cabinet Secretary for Small Business, Trade and Innovation later in the month. The focus of the meeting will be on digital and telecoms.
 - Jenny Gilruth MSP, Cabinet Secretary for Education and Skills, has approved the re-appointment of Marion Sinclair to the MG Alba Board.
 - Ofcom's Scotland Board member and a member of the Ofcom Scotland team are attending the MG ALBA Reception in Stornoway later in the month. They would be meeting the MG ALBA Chair, John Morrison.
 - Consumer Scotland were interested in coming to speak to the Committee on a range of issues, including post.
 - Ofcom's Chief Executive and Board member for Scotland met with the Secretary of State for Scotland on 3 May.
11. Moving to the Public Policy update, an Ofcom colleague gave a brief summary of their report, NOTING:

- There had been a number of Government changes and a range of developments with UK legislation effecting Ofcom’s responsibilities.
- The significant interest in AI regulation with Ofcom’s Public Policy Team continuing to engage with the UK Government and other regulators on developments in this area.

BBC Scotland Presentation

12. BBC Scotland gave an oral update on their strategy and priorities in Scotland. These included the collaboration of teams in radio, tv and online, integration of Gaelic, and increased investment in the creative industry across Scotland.

- They NOTED that their biggest challenge is adapting to changes in audience behaviour from linear to digital. Of particular importance is ensuring the prominence of PSBs on smart TVs, and that Scottish PSBs (BBC Scotland and BBC ALBA) are included in legislation on prominence in the Media Bill.
- They responded to members' concerns over the poor communication to audiences on cuts to Classic Unwrapped and Jazz Nights and, NOTED that improvements would be made around transparency.
- They also outlined plans for improving diversity in their workforce and outputs, as well as plans for accessible communications.

Media Nations Scotland Report 2023

13. Ofcom colleagues provided the Committee with a summary of the upcoming Media Nations report.

14. Members NOTED the update and commented on the finding that linear and catch-up TV viewing have both dropped. They NOTED that this figure would be of particular interest for broadcasters in Scotland, and a need to include data on where these audiences have moved to. There was discussion around the broadcast TV measure referring to 'consolidated viewing' which includes linear TV and catch-up within 28 days and it was **ADVISED** that this is made clear in the report. They also suggested that audience viewing figures should be broken up by broadcast channel, and by age group.

15. Members were also surprised on the finding that analogue listening had increased against digital, given past trends. They wanted the team to confirm the accuracy of this, and to provide some context as why it has increased.

16. Members also highlighted that media nations results on BBC satisfaction differ with results in the BBC Audience Review. They NOTED an interest in including satisfaction by socio-economic group.

Channel 4 licence renewal

17. Members had been provided with a ‘For information’ written paper which set out the progress of two projects in Ofcom’s Content Policy team and asked for views on the draft Media Bill and the relicensing of Channel 4.

18. Members NOTED that DCMS has recently published a draft Media Bill which, if introduced and passed by Parliament, will create new powers and duties for Ofcom.

19. There was a short discussion regarding local non-news quotas to be delivered online. Committee members were encouraged to explore routes for engagement with DCMS on this matter.

<p>20. Members NOTED that the current Channel 4 licence is due to expire at the end of 2024 and the process that we need to undertake for its renewal.</p> <p>21. There was a short discussion around Channel 4’s “out-of-London” quotas and whether there was appetite for change. An Ofcom colleague advised that this is being considered but ultimately any licence conditions needed to be attainable for the broadcaster.</p>
<p>BBC Programme overview & BBC Audiences Review</p> <p>22. An Ofcom colleague provided an overview of the thematic approach being taken to its ongoing programmatic work of regulating the BBC.</p> <p>23. Ofcom colleagues then summarised the BBC audiences review that will look at how it serves what are traditionally called D and E groups who may have lower socio-economic status or come from working class backgrounds.</p> <p>24. Members NOTED that satisfaction with the BBC has typically been lower amongst this audience group and the research will look to understand why that is. Members were asked for suggestions of groups or organisations in Scotland who may be able to offer insights that would support the research’s aims.</p>
<p>Connected Nations Scotland Report 2023</p> <p>25. The Ofcom Scotland Director provided an update on the Connected Nations 2023 Report and asked Members for feedback on the proposed structure.</p> <p>26. There was a short discussion around whether the report could include more consumer data. A Member questioned whether a deeper dive needs to be done on the population that is not currently connected rather than on the whole population.</p> <p>27. Members NOTED that the September ACS meeting will focus on telecoms and there will be updates from the report with initial data findings.</p>
<p>Consumer Panel/ACOD update</p> <p>28. Members had been provided with a ‘For Information’ written paper and the Committee NOTED its content.</p>
<p>Ofcom Contact Centre Information</p> <p>29. Members had been provided with a ‘For Information’ paper with Scotland’s data and the Committee NOTED its content.</p>
<p>Annual Review 2023</p> <p>30. Members had been provided with a ‘For information’ written paper and the Committee NOTED its content.</p>
<p>ACS Strategy Report 2023/2024</p> <p>31. Members had been provided with a ‘For Information’ written paper and the Committee NOTED its content.</p>
<p>Any Other Business</p> <p>32. The Ofcom Scotland Director advised the members that:</p>

<ul style="list-style-type: none">• The next meeting in September will be offsite at Openreach’s Training Centre in Livingston
Date of the Next Meeting 33. The next scheduled Committee meeting is being held on 27 September 2023.

Approved: _____

Chair

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Date: _____