

Note of the 315th Meeting of the Ofcom Board, held on 19 June 2024

Members were welcomed to the 315th meeting of the Ofcom Board. In addition to Board members, Martin Ballantyne (General Counsel), Veronica Branton (Corporation Secretary), Francesca Carter (Head of Governance) and Sharon Malley (Governance Manager) attended throughout.

Declaration of members' interests

1. No new interests were declared.

Minutes of the meeting held on 22 May 2024 and matters arising

2. The minutes of the Ofcom Board meeting held on 22 May 2024 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 including constructive meetings with the new Chair of the BBC, Samir Shah, and the Chair of Openreach, Mike McTighe.

Chief Executive's report

5. Melanie Dawes presented a paper on her activities and said the announcement of the General Election on 4 July meant that the publication of a significant number of decisions had been delayed until a new Parliament was in place. There would be implications for scheduling relating to implementation of the Media Act and the Online Safety Act but these should broadly be recovered in time as delay for an election at some stage had been forecast. The Media Act and the Digital Markets, Competition and Consumers Act had both been passed in the washup and it was likely that the summer period would be busier than normal for Ofcom.
6. Melanie Dawes updated the Board on her visit to the United States and Canada. She said discussions in the US had moved from the principle of regulation in the online safety space to the substance of Ofcom's new regime and its implications. There had been strong support for the work of Ofcom's international and tech teams to help reach this stage.
7. Canada was seeking to enact regulatory legislation on online safety with a narrower scope than the UK's, encompassing 10 harms on 40 platforms and a new regulator, but there was some uncertainty over whether it would be passed before the Canadian election. It was

agreed that the Board would receive an update from the international team at a future meeting.

8. The Board discussed Melanie Dawes' meeting with the CEO of Snap and the BBC's proposals to introduce advertising for its podcasts when hosted on commercial platforms.
9. The Board noted that Ofcom had hosted the recent 6G Global Summit and agreed that it would be helpful to hold a Board workshop on Spectrum issues in the next few months.
10. The Board noted the paper.

Report from the Chair of the Risk and Audit Committee

11. Angela Dean presented the Risk and Audit Committee Annual Report to the Board. The Board noted the report.
12. Melissa Tatton presented paper 60(24), the 2023/24 Annual Report and Accounts and Section 400 Licence Fees and Penalty Accounts. The Board discussed the value for money of producing the report and noted that while it may be possible to reduce the cost by producing a slimmed-down report, this would have implications for transparency and accountability and would reduce its usefulness for outside audiences.
13. The Board approved the Annual Report and Accounts and the Section 400 Accounts, and delegated sign-off for any subsequent changes to the Chief Operating Officer, and noted that, as Ofcom's Accounting Officer, the Chief Executive would sign the Annual Report and Accounts and Section 400 Accounts.

General Election planning

14. The Board discussed a paper on Ofcom's approach to the forthcoming General Election and preparations for an incoming government. She said that timing was uncertain but she was currently assuming there would be a King's speech in mid-July and a later than usual recess in August, with potentially a combined Autumn Statement and spending review in November. The operational impact of the election for Ofcom was limited.
15. The Board discussed the policies relevant to Ofcom in the manifestos, including the approach to regulation, potential changes to the Online Safety Act and the direction of public spending. The Board noted the key messages that Ofcom would seek to set out for incoming ministers.
16. It was noted that the regular publication schedule had been paused until the conclusion of the election campaign, after which it would be reinstated, with around three publications a day scheduled until the end of summer.
17. The like issues of interest in the new Parliament were noted and engagement on these would continue.
18. The Board note the report.

Media Programme update

19. The Board discussed a paper on the implementation programme for the new Media Act. It was noted that there were some issues to resolve in secondary legislation which may impact the implementation timeline and that work was underway on the first two consultations.
20. The Board discussed timings of potential changes to radio deregulation and provisions requiring public service broadcasters (PSBs) to offer their streaming apps on TV platforms. It was noted that Ofcom had carried out research to inform its decisions on how it would define locally-gathered news in relation to deregulation of radio.
21. The Board discussed provisions relating to listed events and noted that Ofcom would need to produce regulations defining the meaning of 'adequate live coverage' and 'adequate alternative coverage'.
22. The Board noted the paper.

Channel 4 relicensing

23. The Board discussed a paper on Channel 4's Made Outside England quotas. The Board noted the paper and asked that they be kept updated.

CCP/ACOD outgoing and incoming Chairs

24. Rick Hill, the outgoing Chair of the Communications Consumer Panel and Advisory Committee for Older and Disabled People (CCP), and Helen Froud, the incoming Chair, spoke to the Board about their experiences and aspirations for the future.
25. Rick Hill said Ofcom's role had grown considerably during his 10 years on the Committee and that the CCP's programme of research had provided an evidence base used widely within Ofcom and by politicians and the industry. The Committee's advisory role occasionally led to it taking a different view to Ofcom but he hoped the relationship was constructive and useful.
26. Prior to the conclusion of Graham Mather's term on Ofcom's Board, he had attended CCP/ACOD meetings as a liaison and it would be helpful for this role to be introduced again once his replacement was in post. He would also welcome the opportunity for the new Chair to report more frequently to the Board.
27. Helen Froud said the Committee was now operating in a much more complex consumer environment and that with digital harms now added to its remit new members with relevant expertise were being recruited. The Committee acted as an early warning system for consumer harms and aimed to support Ofcom with the increasing scrutiny that was being faced by regulators. There was significant expertise within the Committee which Ofcom could draw upon.
28. It was agreed that the Chair and Corporation Secretary would give thought to how closer communications between the Board and the Committee could be achieved.
29. The Chair thanked Rick Hill for the work he had done as a member of the CCP and subsequently its Chair and welcomed Helen Froud as the new Chair.

30. The Board noted the update.

Information items

31. The Board noted the following information items:

- Non-executive member updates
- Monthly performance report
- Board work programme and publications schedule
- Minutes of the Communications Consumer Panel of 17 April 2024, Content Board of 30 April 2024 and Risk and Audit Committee of 15 May 2024.

Items in the Diligent Board reading room

32. The Board noted the paper on the Online Safety fees regime that was discussed by the Risk and Audit Committee on 10 June 2024, the CCP/ACOP quarterly update and the briefing on Ofcom's position on misinformation and disinformation.

Any other business

33. There was no other business.

Date of the next meeting

34. The next Board meeting would be held on 17 July 2024.