

## Minutes of the 79th meeting of the Advisory Committee for Wales held via 'Teams' on 16 December 2020

### Present

Hywel Wiliam	Chair
Andrew Board	Member
Peter Trott	Member
Robert Andrews	Member
Ruth McElroy	Member

### In attendance

David Jones	Ofcom Board Member for Wales
Aled Eirug	Content Board Member for Wales
Sian Phipps	Communications Consumer Panel Member, Wales
Katie Pettifer	Public Policy Director, Ofcom
Emma McFadyen	Public Policy Principal (Nations)
Eleanor Marks	Director, Ofcom Wales
Elinor Williams	Regulatory Affairs Principal, Ofcom Wales
Meleri Evans	Regulatory Affairs Manager, Ofcom Wales
Liz Nash	Regulatory Affairs Assistant, Ofcom Wales

Other Ofcom colleagues

### Apologies

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Agenda items	Action
<p><b>Introduction</b></p> <p>1. The Chairman welcomed attendees to the 79<sup>th</sup> meeting of the Advisory Committee for Wales.</p>	
<p><b>Declaration of Members' Interests – oral</b></p> <p>2. David Jones advised that he has been appointed to the Board of Ofwat. Hywel Wiliam advised he will be working with the IWA on the Media Audit (approved by Ofcom).</p>	
<p><b>Minutes of the meeting held on 15 September 2020 and matters arising – Minutes ACW 78(3)</b></p> <p>3. The minutes of the meeting held on 15 September 2020 had been previously circulated to Members and the necessary amendments made so were <b>APPROVED</b> as a true account of the meeting.</p> <p><b>Matters arising/outstanding Actions -</b></p> <ul style="list-style-type: none"> <li>• A response had been received from Lord Burns to the ACW's letter regarding Six Nations.</li> <li>• Min 3 - Visibility of the ACW – work in progress. <b>ACTION - ACW</b></li> </ul>	

<ul style="list-style-type: none"> <li>• Min 11 – BBC Studios – Members to have a further discussion with Ofcom’s project team. <b>ACTION – Ofcom Wales.</b></li> <li>• The Committee asked to see the consultation responses – Ofcom to circulate a link to the website when available in the new year.</li> <li>• Min 16 – Online Harms. The UK Government confirmed Ofcom as the appointed regulator on 16.12.20. Ofcom to advise which (if any) video sharing platforms are based in Wales. <b>ACTION – Ofcom Wales</b></li> </ul>	ACW EW EW/EM cF EM
<p><b>Chairman’s Report – oral</b></p> <p>4. The Chairman gave an oral update of his activities since the last meeting including:</p> <ul style="list-style-type: none"> <li>• Attendance at the Communications Consumer Panel Wales Hub. Good discussion. However, the lack of awareness around PSTN switch off needs to be addressed.</li> <li>• Attendance at a meeting of Advisory Committee Chairs with Ofcom’s Chairman and Chief Executive. Key topics included 5G, broadcasting, Online Harms and expanded staffing requirements at Ofcom when new duties are imbedded.</li> <li>• Attended RTS event – Huw Thomas (BBC Cymru) interview with Rhodri Williams, Chairman, S4C.</li> <li>• Attended Making Sense of Media roundtable regarding adults and young people’s consumption of news.</li> <li>• Attended general update meeting with BBC Wales with Ofcom Wales Director.</li> <li>• Attended virtual Small Screen Big Debate event hosted by Ofcom Wales. He congratulated the team and Ruth McElroy (for chairing) on an excellent event. Ofcom Wales to circulated recording of event to Members.</li> <li>• Attended Channel 4 virtual roundtable.</li> </ul>	EW
<p><b>Update: Ofcom Board Member for Wales – oral</b></p> <p>5. The Board Member for Wales gave a full verbal update and a summary of key topics over the last few months. These included:</p> <ul style="list-style-type: none"> <li>• Reduced Government funding for fibre connectivity;</li> <li>• Royal Mail – ongoing pressures;</li> <li>• Spectrum auction early 2021;</li> <li>• Public Service Media – ongoing discussions with broadcasters;</li> <li>• Radio and DAB;</li> <li>• Online Harms – huge undertaking for Ofcom;</li> <li>• Diversity and Inclusion;</li> <li>• Telecoms Security Bill (The Board Member for Wales presented slides giving an overview of the current situation).</li> </ul>	
<p><b>Update: Ofcom Content Board Member for Wales</b></p> <p>6. The Content Board Member for Wales had previously circulated an update paper. Highlights included:</p> <ul style="list-style-type: none"> <li>• Online Harms – the impact on Ofcom and its additional staffing requirement circa 300+. The Content Board Member for wales is keen that the Cardiff office is considered as a prime location for future placements. The Director Wales reported that internal discussions are currently taking place about the impact of Ofcom’s new responsibilities and proposed location strategy. It is very much intended that the Cardiff office expands its resources.</li> </ul>	

<ul style="list-style-type: none"> <li>• Small Screen Big Debate – feedback received was the report was more radical than expected. It was felt that the Advisory Committee has a good opportunity to influence thinking in this area and should consider how best it could assist in ‘re-imagining’ the landscape for Public Service media, both within the present context and in the context of the future nature of PSM i.e. what PSM should deliver, how it should be delivered and funded, and what regulatory and policy tools may be needed in future.</li> <li>• Publication of Diversity and Equal Opportunities in Television and Radio report. The Member for Wales would like to hold follow up discussion with Ofcom colleagues to discuss in greater detail particularly minority ethnic representation, disability and geographical variation amongst senior management. <b>Ofcom Wales to arrange – ACTION.</b></li> <li>• A Member highlighted a planned launch of an IWA report looking at diversity ‘The Future of Screenwork’ on 11 January 2021. Details to be circulated to Members.</li> <li>• BBC Studios - The consultation on the Review of BBC Studios closes next week and it concentrates on the interaction between BBC Studios and the BBC Public Service.</li> <li>• Ofcom’s Report on the BBC - in relation to the Nations, the report referred to ‘concerns about the transparency of the BBC’s investment, strategy and performance in the nations and regions. Ofcom encourages BBC to be more expansive in its reporting here, and explicit in articulating its future strategy for the nations and regions. Committee Members may wish to take an interest in pursuing.</li> <li>• The Member for Wales reported he had not attended recent meetings with broadcasters in Wales with the Director Wales and welcomed the opportunity to attend any future formal meetings with broadcasters, independent producers or viewers/listeners organised through Ofcom.</li> </ul> <p>7. There was a discussion on the recent National Infrastructure Commission for Wales Report (Digital Communications Infrastructure in Wales ) which included reference to Ofcom. The Member for Wales suggested the authors should be invited to address a future ACW meeting. <b>Ofcom Wales to arrange ACTION</b></p>	<p>Ofcom Wales</p> <p>RMcE</p> <p>ACW</p> <p>EM/EW</p>
<p><b>Report – Public Policy</b></p> <p>8. Ofcom’s Public Policy Director had previously circulated an update report outlining key UK Government and Parliamentary developments since the last meeting. In addition to topics already discussed by Members, additional highlights included:</p> <ul style="list-style-type: none"> <li>• The Future of PSB – Melanie Dawes was interviewed on Radio 4 and Ofcom gave evidence to DCMS Select Committee at UK Parliament. The Final report to be published in summer 2021.</li> <li>• Ofcom is currently in an intensive phase of providing input into the UK Government’s proposals to legislate for Online Harms regulation. The Government is expected to publish its full response to the Online Harms White Paper this year but as yet, no date has been set for publication.</li> <li>• Ofcom became the regulator for UK-based video-sharing platforms (VSPs) on 1 November 2020. Following Brexit Ofcom’s jurisdiction for the VSP regime will remain broadly the same until such time as the new Online Harms regulatory framework comes into force.</li> <li>• The CMA published its advice to government on a future digital markets regime on 8 December and Ofcom has been working closely with the Digital Markets Taskforce.</li> </ul>	

<ul style="list-style-type: none"> <li>• Change in level of ambition of fibre roll out – UK Government to provide £1.2 bn in this spending review.</li> </ul>	
<p><b>Communications Consumer Panel Update</b></p> <p>9. The Communications Consumer Panel Member for Wales had previously circulated an update report on the Panel’s activities since the last meeting. She had also recently chaired the CCP Wales Hub meeting and reported the following topics were discussed:</p> <ul style="list-style-type: none"> <li>• The Panel will be discussing how to approach Digital literacy training and skills provision.</li> <li>• The Panel will look at digital connectivity during the pandemic.</li> <li>• Research into how consumers use current communications channels.</li> <li>• Research into the use of the postal service by vulnerable consumers including communications around how people in care homes and sheltered accommodation are provided for.</li> <li>• The recent research into ‘scams’ was published on the Panel’s website. The Member for Wales agreed to alert Members to any Wales specific mentions in the report. An ACW Member also offered to research if the Online Harms Bill specifically mentions scams as it covers a number of other potential harms.</li> <li>• The CCP and Ofcom Wales to co-host an event in 2021.</li> </ul> <p>10. The next Wales Hub will take place on Wednesday 3 February 2021 and will focus on the affordability of communications services and consumer debt in the communications sector.</p>	<p>SP</p> <p>PT</p>
<p><b>Report – Wales Recent Developments</b></p> <p>11. Members noted the contents of an update paper previously circulated. Most topics had already been addressed by the Committee. Additional comments included:</p> <ul style="list-style-type: none"> <li>• An update on a meeting between Wales’ First Minister, Deputy Minister for the Economy &amp; Transport and Ofcom’s Chief Executive. Various topics were discussed at a lively meeting. The FM welcomed the opportunity to have a good ongoing relationship with Ofcom.</li> <li>• BBC Studios – Director Wales to arrange a discussion with the team and Committee in the new year. <b>ACTION – Ofcom Wales.</b></li> <li>• House of Commons, Welsh Affairs Select Committee, Ofcom Wales gave evidence.</li> <li>• News coverage – ongoing discussions on accuracy. Members suggested arranging a meeting with Professor Stephen Cushion. Ofcom Wales to facilitate in the new year. Ofcom is also currently doing a large amount of work on diversity internally. <b>ACTION - Ofcom Wales.</b></li> <li>• Members discussed best ways to interact more fully with stakeholders (formally or otherwise). Director Wales to discuss with diversity team how best to progress. <b>ACTION – Ofcom Wales.</b></li> <li>• The team had received praise by the Welsh Language Commissioner on Ofcom’s annual report but still faces challenges around organising virtual stakeholder events to meet Standards. Discussions are ongoing internally.</li> <li>• Connected Nations Report to be published 17 December which will attract a lot of stakeholder and media interest.</li> </ul>	<p>EM</p> <p>EW</p> <p>EM</p> <p>EM</p>
<p><b>Shared Rural Network</b></p> <p>12. An Ofcom colleague joined the meeting and gave a comprehensive presentation on the latest situation and progress to date regarding SRN. There has been a delay due to Brexit</p>	

<p>and the pandemic Progress will be reported annually in Ofcom's Connected Nations Report; however, it was noted that MNOs have reported current restrictions have raised some issues and delays.</p> <p>13. Engagement is now underway with the devolved administrations and working groups in each Nation have been established.</p> <p>14. Members discussed the implications of the plans and felt it was positive for Wales and should improve rural connectivity for Wales and the Committee looks forward to seeing positive changes next year.</p>	
<p><b>Bauer Media Group</b></p> <p>15. The Chairman welcomed Graham Bryce, Managing Director to the meeting. There was a full discussion on the recent acquisition of Swansea Sound by Bauer. Members noted that digital listening has increased substantially since widening the listener area to include Cardiff Bay and that overall listeners have been positive as the station has retained and expanded local content, including Welsh language content. Members acknowledged that this was a good news story although still saddened by the loss of the Swansea Sound name.</p>	
<p><b>Spectrum Internet</b></p> <p>16. The Chairman welcomed Claire Brown, Director of Sales &amp; Marketing to the meeting who gave a detailed and comprehensive presentation to the Committee on the company's latest developments and shared future plans. Members welcomed the update and wished the company well in its future challenges. CB agreed to keep the Committee up to date on progress and invited them to visit the Next Generation Data Centre at any time and offered provide case studies of their work if helpful.</p>	
<p><b>Political landscape in Wales and Senedd Elections 2021</b></p> <p>17. An Ofcom Wales colleague gave a detailed presentation on the current political landscape in Wales including predictions for the forthcoming election in 2021. Members welcomed the content which provided food for thought. Ofcom Wales will be engaging with political representatives in the coming months to inform and update on current Ofcom issues and will continue to update Members.</p>	ME
<p><b>Connected Nations Wales Report 2020</b></p> <p>18. An Ofcom Wales colleague gave a synopsis of the key points included in this year's Wales report. The report is highly respected and welcomed by our stakeholders in Wales and is regularly used as a reference tool throughout the year. Members discussed some of the key findings and thanked Ofcom Wales for producing an excellent report.</p>	
<p><b>Consumer complaints update</b></p> <p>Contents <b>NOTED</b>.</p>	
<p><b>Forthcoming Consultations &amp; Publications</b></p> <p>19. Since the last meeting the Chair had allocated certain Members to keep a watching brief on specific consultations. Each Member fed back their findings and agreed to circulate any additional notes not previously supplied.</p>	RA/PT/ HW

<p>20. The Chair thanked members for their comments on next year’s Plan of Work consultation and agreed to discuss in the near year how the Committee can support Ofcom in meeting its priorities.</p>	
<p>21. There was a lengthy discussion on Ofcom’s Annual report on the BBC. On the subject of diversity, Members felt not a lot has changed from previous years and wondered how to assist in progressing. The Committee agreed that Ofcom Wales would arrange to meet with the team after Christmas and The Board and Content Board Members would raise at future meetings. <b>ACTION</b></p>	EM/DJ/ AE
<p>22. Inaccuracy of reporting was also discussed, and The Committee felt things are not changing quickly enough and more pressure needs to be executed on the BBC. It was suggested that Rhodri Talfan Davies, as newly appointed Nations Director for BBC, should be invited to attend a future meeting. In the meantime, Members should consider possible solutions which can be discussed at a late date. <b>ACTION – Ofcom Wales</b></p>	EM/EW
<p><b>Any Other Business and future agenda items</b></p> <p>NOTE change to 2021 meeting dates (confirmed):</p> <p><u>9<sup>th</sup> March</u> from 25<sup>th</sup> March</p> <p><u>24<sup>th</sup> November</u> from 25<sup>th</sup> November</p>	
<p><b>Items for information - NOTED</b></p>	