Minutes of the 85th meeting of

The Advisory Committee for Wales

held via Teams/ some in-person on 23 June 2022

**Present**

Hywel Wiliam Chair

Robert Andrews Member

Aled Eirug Member

Tom Crick Member

Angharad Evans Member

**In attendance**

Ruth McElroy Content Board Member for Wales

Sian Phipps Communications Consumer Panel Member, Wales

Eleanor Marks Director, Ofcom Wales

Elinor Williams Regulatory Affairs Principal, Wales, Ofcom

Meleri Evans Regulatory Affairs Manager, Wales, Ofcom

Other Ofcom colleagues

**Apologies**

David Jones Ofcom Board Member for Wales

| **Agenda items** | **Action** |
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| **1. Introduction**The Chairman welcomed attendees to the 85th meeting of the Advisory Committee for Wales.  |   |
| **2. Declaration of Members’ Interests – oral**None |  |
| **3. Minutes of the meeting held on 22 March 2022 and matters arising** The minutes of the meeting held on 22 March2022 had been previously circulated to Members. The minutes were **APPROVED** unamended as a true account of the meeting.**Matters arising/outstanding Actions -*** Visit to BBC Central Square – it was noted that the BBC had opened its doors to tours of the building and visits, and this would be arranged for the Autumn.
* Network News Report - Members noted the session with Prof Stephen Cushion on the Ofcom commissioned research into the reporting of devolved issues on UK network news: It was noted that a one of the Senior Directors from Ofcom’s Standards team would attend the next ACW meeting in September.
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| **Chairman’s Report – oral**4. The Chairman gave an oral update of his activities since the last meeting including attending:* **Communication’s Consumer Hub Wales Meeting**: Telecommunications and broadband seen as essential services and given the current economic crisis, more should be done to promote the existence of social tariffs.
* **Mobile Strategy/ Spectrum discussion with ACW**: Looked at the developing policy issues, such as demand for data. Coverage in Wales continues to be a key issue and that new 5G technology being rolled out is still based largely on a 4G core. Ofcom will be holding an event to discuss mobile coverage at the Royal Welsh Agricultural Show on 19 July.
* **Climate Change, Environment and Infrastructure Committee, Welsh Parliament** – Senedd Cymru: ‘Digital Connectivity in Wales, Broadband Policies and Access to Broadband.’ The ACW provided submitted a paper in advance of the hearing. I took part in the Evidence Session on 11 May along with Sian Phipps and Rhian Connick (WI).
* **Making Sense of Media**: Networking event at Ofcom’s Cardiff office.
* **Meeting of CCP Nation Panel Members and AC Chairs**: focus on Affordability and debt in the communications sector. I raised the issue of social tariff visibility.
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| **Update: Ofcom Content Board Member for Wales** 5. The Content Board Member for Wales had previously circulated an update paper. Highlights included:* BBC has announced changes to governance of its commercial activities designed to strengthen its commercial, financial, and digital expertise. A re-named BBC Commercial Board (from Commercial Holdings Board) will have a majority of non-executive directors led by Sir Damon Buffini. Ofcom welcomed these changes and regarded them as more in line with Ofcom guidance on separate regulation of commercial activities.
* Advertising and Health and Care Bill - the Health and Care Bill is set to give Ofcom new duties to enforce restrictions on the advertising of food and drink products that are high in fat, salt or sugar (“HFSS”) – now in the final stages of the parliamentary process.
* Online Safety Bill - Ofcom aims to be ready to consult on the major planks of the new regulatory regime by end of 2022. Currently preparing a plan of engagement with key companies in scope of regulation to build trust and good communications.
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| **Communications Consumer Panel Update**6. The Communications Consumer Panel Member for Wales had previously circulated an update report on the Panel’s activities since the last meeting. Key highlights as mentioned during the meeting included:* evidence on digital connectivity in Wales to the Senedd’s Climate Change, Environment and Infrastructure Committee, highlighting the Panel’s concerns regarding migration to VoIP and the importance of all consumers in Wales having access to affordable, reliable communications services
* Panel continues to emphasise to Ofcom, DCMS and industry that to protect consumers, the switchover needs to be carefully managed by raising awareness of the impending changes
* Wales Hub - focused on supporting consumers who require additional support from their communications provider and how communications providers could improve how they meet consumers’ requirements throughout the customer journey.
* Panel’s research and insights programme
* Communications Consumer Panel and ACOD’s response to Ofcom’s proposals to amend its Treating Vulnerable Customers Fairly guide – May 2022
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| **Report – Wales Recent Developments**7. Members noted the contents of an update paper previously circulated commenting on topics including:* Broadband provider Ogi has issued a brief [progress update](https://www.ogi.wales/press_release/a-boost-to-the-welsh-economy/) as it celebrates the first year of its effort to deploy a gigabit capable broadband network across South Wales.
* Wales Screen Summit was held in Cardiff on the 15-16 June with participants from the production sector and the PSBs.
* S4C [responded](https://www.bbc.co.uk/news/uk-wales-politics-61259240) to the UK Government’s ‘Up next’ white paper on the future of the broadcasting sector. It said that the proposals would make it easier for viewers to find its on-demand programmes. S4C has announced that working with [international partners](https://www.s4c.cymru/en/press/post/50306/s4cs-new-chief-executive-sets-out-her-vision-for-global-success/) will be a significant part of its new strategy.
* Illegal Content Handling Memorandum of Understanding with South Wales Police
* Round Table meeting on Migration to VOIP with Ofcom, Openreach, TEC Cymru, Welsh Government and Local Health Boards
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| **Update: Ofcom Board Member for Wales – oral** 8.. The Ofcom Board Member for Wales had sent his apologies but provided a note to the Chair in advance. Issues raised included:* BBC’s Mid-Term Review doesn’t contain any information about how audiences watch or consume the BBC’s content.
* Keeping a close eye on Royal Mail ahead of ballot for postal workers on industrial action
* BDUK has an increasingly important role in delivering Project Gigabit
* Important that Ofcom continues to regulate the BBC in terms of its transparency

A Committee Member noted the importance of receiving a written report in advance of the meeting. |  |
| **9.**  **Discussion – Media Nation 2022****Opening remarks**The team gave on overview of the Media Nation Wales Report, explaining that they had made changes to the structure of the Report this year in order to keep it concise and for it to be more in line with the UK Report. There will now be three chapters 1) TV services and devices 2) audience attitudes to the PSMs and 3) radio and audio. The publication date was still being discussed. Committee Members stressed the importance of the document to stakeholders in Wales and asked if it could be launched in early August during the Eisteddfod week as had been traditional. According to Committee Members, the benefit of publishing the Report at that time meant it could attract greater media coverage and secure a greater impact. Committee Members also discussed the various methodologies used in collecting data and compiling the Report.  |  |
| **10.**  **Update - Public Policy**Colleagues gave an update on relevant legislation, explaining that the Online Safety Bill has reached Committee Stage in the Commons. We will shortly be publishing our own ‘Road Map’ outlining the steps we will take to implement the Bill during the first 100 days of the legislation gaining Royal Assent.We expect the Media Bill to be introduced in this session. Members discussed issues relating to prominence and the PSBs and the role that quotas had to play for viewers in Wales.Colleagues informed Committee Members that Ofcom will be publishing a series of documents on the BBC shortly. Members discussed the BBC First Complaints process. |  |
| **11.**  **Discussion - Call for inputs: Diversity in Broadcasting**Colleagues explained to Committee Members that Ofcom will publish a Review of Diversity in Broadcasting in the autumn, something that Ofcom undertakes every five years. To inform the Review, the team confirmed that is calling for evidence from the Broadcasters and hopes to collect a broad range of data. Committee Members discussed the availability of data on a Wales basis, and how the team would be collecting data from the Broadcasters themselves. The team confirmed that the data is supplied on a voluntary basis. Members discussed whether socio-economic indicators would be included as a metric in the Review  |  |
| **12.**  **Sian Doyle, Chief Executive, S4C****Vision for S4C** * Exciting time for S4C as it approaches its 40th birthday in November
* Key priority for S4C is to understand their audience and their needs, create the right content and distribute on the right platform
* Important to break down the barriers that audience feel their Welsh language skills aren’t good enough to consume S4C content. The channel must be relevant to all audiences in Wales.
* Recent successes include working with the Urdd to broadcast the Eisteddfod across multi platforms, and securing the rights to the Wales Football World Cup qualifier games. S4C is also working with University of Wales Trinity St David on creating a digital hub in Carmarthen to develop a better skilled workforce.
* The financial settlement from the Licence Fee will help S4C develop Clic its digital provision.
* The Media Bill presents a number of opportunities for S4C, including its relationship with the BBC. Prominence on Smart TV remains an important issue.
* A number of co-productions are currently in the pipeline, which will open up the language and gets audiences thinking about S4C in a different way. These include the drama Y Golau (The Light In The Hall), with Duchess Productions/Channel 4/ where lead actress Joanna Scanlon learned Welsh for her role; and Un Nos Ola Leuad (One Moonlit Night), an opera version of Caradog Pritchard’s novel that will be simulcast on Channel 4 and S4C in Welsh.
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| **13.**  Committee Members’ discussion: BBC Mid Term Review: Terms of ReferenceMembers discussed their response to the BBC Mid Term Review Terms of Reference, with a particular focus on:* The Impact of the Review on audiences in Wales
* Transparency and flexibility around quotas on both linear and online platforms, and better information on individual quotas for Wales
* Accuracy of network news and devolved issues
* Impact on the wider PSBs in Wales, including the consequences of privatising Channel 4 on the independent production sector in Wales
* The BBC’s commercial aspects and its regulation

Committee Members agreed to submit a formal response to the Department of Digital Culture Media and Sport (DCMS). It was noted that DCMS officials are keen to engage with stakeholders in Wales, including the ACW to discuss issues relating to audiences in Wales. It was further noted that DCMS would be interested in attending the ACW’s September meeting. |  |
| **14.. Consultation Responses:** *The following are publications considered by the committee:* - • Consultation: New BBC Operating Licence• Call For Inputs - What steps can online platforms take to mitigate harms?• Licensing process: Channel 3 and Channel 5 A report to the Secretary of State under section 229 of the Communications Act 2003 |  |
| **Consumer complaints update****15. Contents noted** |  |
| **Forthcoming Consultations & Publications**16. Contents noted |  |
| **Any Other Business and future agenda items****AOB –** **Future meeting dates confirmed as:**Thursday 13th September 2022 |  |
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 Chair

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