

# Minutes

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## Consumer Panel Meeting No 14

Tuesday 7 December 2021, 13.30-15.30

Via Microsoft Teams

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### Attendees:

**Chair:** Rhian Johns

### Consumer Panel members

Louise Baxter  
Patrick Bligh-Cheesman  
Paul Eaves  
Fred Forbes  
Nicola Wilson

### Phone-paid Services Authority

Cătălina Ciontu-Hălăuceanu  
Tania Dosoruth  
Jonathan Levack  
Jo Prowse  
Simon Towler

**Minutes:** Emma Hurt

**Apologies:** None

<b>1. Introduction</b>
<b>1.1 Introduction and apologies</b> Rhian welcomed members to the Consumer Panel meeting. No apologies were received for the meeting.
<b>1.2 Previous meeting minutes and action log</b> The previous meeting's minutes were accepted as an accurate record of the meeting. Matters arising were picked up during the meeting.

### **1.3 Executive update**

The Executive provided an update. The Key highlights are:

- The number of complaints continue to fall with approximately 2000-2,500 complaints anticipated for this year. We are beginning to see a reduction in the number of complaints about ICSS. This success is due to a combination of enforcement action and working with the MNOs and Google. There has been a 40% decline in ICSS revenue which is attributed to effective disruption through enforcement action.
- The Panel were interested to understand the refocus of PSA activity after Code 15 comes into effect. The Executive explained work will be ongoing to support the change in direction towards preventative and supervision work to ensure the market remains compliant. This includes the redeployment of resources to support the change of direction.

The Panel congratulated the PSA on the success of the effective disruption strategy and suggested publishing a lessons learnt best practice document to share with industry and with consumer groups.

**ACTION: The Executive to share successful regulatory action set out within the PSA's response to the BEIS consultation on Reforming Competition and Consumer regulation with the Consumer Panel**

### **1.4 Panel update**

The Chair of the Panel provided an update. The Panel has been running for three years, and each panel member has been contacted to understand the term of their future membership and are content with the arrangements.

The Chair of the Panel had a meeting scheduled with the Chair of the Ofcom Communications Consumer Panel which would provide a further opportunity to discuss areas for co-operation including on ICSS.

The Chair of the Panel attended the November Board meeting to report on the work of the Consumer Panel. The Board were extremely appreciative of the group working as a conduit bringing consumer insight and voice into policy and decision-making. The Panel has exceeded expectations in terms of the degree of insight and engagement they have provided. The CEO reiterated the Board's thanks to the Panel for their work over the past year.

The Executive thanked the Panel members, and a social event will be arranged as soon as it is safe to do so.

## **2. Code 15 update development and guidance**

The Executive updated the Panel on the progress of the Code 15 project implementation stage.

- The implementation stage has commenced with staff being consulted on moving from enforcement to supervisory roles to support the delivery of Code 15 new powers and change in approach in preventing harm. As part of the restructure, the repurposing of existing staff will include enhancing the intelligence function.
- The experience of the Contact Centre staff will be utilized, and their roles broadened to include monitoring. The Contact Centre will continue to operate unchanged, and the Executive reminded the Panel of the online complaint functionality.
- The website has been configured to be managed in house, improving capability around different functions including registration.
- Significant resource is being put into getting industry ready for Code. One particular issue and revision to Code being worked through with broadcasters relates to section 3.13 - a revised section 3.13 will be consulted on in the New Year.

The Executive added DCMS has been positive and supportive throughout the consultation process.

**ACTION: The Executive to demonstrate the new website at a future Consumer Panel meeting.**

### 3. Theme – Enforcement overview

The Head of Investigation and Enforcement joined the meeting to present an overview on enforcement.

The presentation covered:

- The role of the Enforcement Team,
- Case management and type.
- Intelligence gathering and trends spotted

The Panel were interested to understand what happens when a company investigated reappears in different guises. The Head of Investigation and Enforcement confirmed this is a practice seen previously and explained there the Investigations Team have gained a wealth of knowledge and experience through intelligence gathering in identifying market players. The Executive noted that prohibitions and naming were available sanctions used by the Tribunal and that these did prevent some companies and individuals re-entering the market.

	<b>ACTION: Invite Head of Investigations and Enforcement back to a Panel meeting after Code 15 has been launched.</b>
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<b>4. Any other business</b>	
	The dates for the 2022 meeting series are being planned for March, June, September, and December and will be circulated.  No further business was discussed.

**Date of the next meeting:**

**Action log**

<b>Actions carried forward from previous meetings</b>	<b>Status</b>	<b>Notes</b>
The Executive will report back to the panel on the outcome of the (ICSS) calls.	<b>Closed</b>	These appear to no longer be live in the market – consider closing
The Executive to consider how best to present the impact of Code 15 and improved consumer protection.	<b>Complete</b>	This has been incorporated into the implementation programme and our consumer engagement work – consider closing
The Executive to consider presenting consumer facing data trends at future meetings.	<b>Complete</b>	Complete – added to the Exec update
The Consumer Panel to provide input on consumer guidance.	<b>Complete</b>	Consider closing as guidance has now been finalised
A Code 15 update will remain on the Consumer Panel agenda.	<b>Ongoing</b>	Consider closing as this has been added to the workplan
<b>Actions from December Consumer Panel meeting</b>		
The Executive to share successful regulatory action set out within the PSA’s response to the BEIS consultation on Reforming Competition and Consumer regulation with the Consumer Panel	<b>Open</b>	
The Executive to demonstrate the new website at a future Consumer Panel meeting.	<b>Complete</b>	<b>Added to the workplan</b>
Invite Head of Investigations and Enforcement back to a Panel meeting after Code 15 has been launched.	<b>Complete</b>	<b>Added to the workplan</b>