

MINUTES OF THE 420TH MEETING
PHONE-PAID SERVICES AUTHORITY LTD BOARD MEETING

Tuesday 16th September 2020

11.00am – 13.00am
Meeting Held via Microsoft Teams

PHONE-PAID SERVICES AUTHORITY LTD, 25th FLOOR, 40 BANK STREET, LONDON E14 5NR

Board Members - via Microsoft Teams

David Edmonds - Chairman
Kevin Brown – Senior Independent Director
Meg Munn
Mark Thomson
Joanne Prowse – CEO
Winnie Palmer (Observing)

Phone-paid Services Authority Executive - via Microsoft Teams

Peter Barker
Simon Towler
Ayo Omideyi
Gavin Daykin
Alex Littlemore
Laura Carter (Observing)
Agnieszka Taylor (minutes)

Others- via Microsoft Teams

GaUCHO Rasmussen – Ofcom

1. Standing items

1.1. Apologies and Introduction

The Chairman **WELCOMED** members to the meeting and **NOTED** apologies from Ann Cook. Introductions were made to Winnie Palmer, who joined this meeting as an observer.

1.2. Minutes of 419th Board Meeting held on 23rd June 2020

The Board **APPROVED** the draft minutes of the meeting held on 23rd June 2020.

1.2.1. Action Log and Matters Arising

Action Log

The Board **NOTED** all actions from the previous meeting were ongoing and will be addressed at the afternoon Strategy Session.

Matters Arising

There were no matters arising.

1.2.2. Standing and other Declarations of Interest on agenda items

There were no standing or other declarations of interest recorded.

1.3. Chief Executive's Report

The Board **NOTED** the Chief Executive's update on activity and progress across the organisation, as outlined in the paper.

The following points were highlighted:

- It is 6 months since employees began primarily working from home due to the impact of Covid-19, and the Chief Executive highlighted to the Board the excellent work our staff have been doing to achieve our business plan and purpose.
- Complaints from consumers about phone-paid services continue to fall.
- The Enforcement Strategy and prioritisation is working well, and an update to the Board will be provided in November on case management progress.
- Tribunals are working well remotely, and the oral hearing will be scheduled in person later in the year.
- Amendments to the e-Commerce Directive passed the first Committee stage.

The Board **NOTED** that the Code 15 programme team are working to produce the first draft of the Code for review by External Counsel.

The Board **NOTED** that the next Consumer Panel meeting is scheduled for 23rd September and that Meg Munn will be observing this meeting. The Board **SUGGESTED** that consideration was given to increased engagement with the Chair of the Consumer Panel, who currently reports on the work of the panel to the Board once a year.

2. Items for approval/decision

2.1. There were no items for approval/decision.

3. Items for discussion

3.1. Code 15 update (paper 3.1 and presentation)

The Executive presented an update on activity and progress of the development of Code 15, which the Board **NOTED**. Key elements of the Code development were highlighted:

- New, clearer regulatory standards are proposed to be introduced across the marketplace, with flexibility and discretion built in where possible.
- A key objective of the Code is in preventing harm happening in the first place, rather than tackling issues after they have happened.
- Verification and supervision processes are recommended to be increased, better ensuring companies seeking to operate are working in the consumer interest.
- Consideration of enhancing information gathering powers, enabling greater and more effective engagement with companies in the marketplace.

The Board also **NOTED**:

- The current approach to regulation is 10 years old and we are now operating in a much-changed landscape of providers and services.
- The potential benefits for consumers, industry and PSA include: a simpler, easier to comply with Code supporting healthy competition; more engagement with providers and quicker resolution of issues; more efficient and effective use of the organisation's resources.
- A communication strategy for the new Code is currently being developed.

The Board **SUGGESTED** the ongoing development of Code 15 included consideration of:

- Publishing targets for the duration of cases
- Developing the tag line: "raising standards, preventing harm, simpler compliance, smarter enforcement" to be directly relevant to all audiences.

The Board **NOTED** the current Code 15 timetable and **RECOMMENDED** that the Executive keep it closely informed of any challenges that may arise in delivering to this timetable. Gaucho Rasmussen **CONFIRMED** that any issues on Ofcom side will be raised with the Executive in a timely manner.

(Action: LT)

In looking to the future under Code 15, the Board's wide-ranging discussions included looking at the implications for moving towards a more pro-active preventative agenda, the different approaches that could be undertaken to optimise the enforcement strategy, and the broader regulatory landscape that government may implement. The Board **SUGGESTED** that a strong emphasis is given to our strategic purpose as part of presenting Code 15 for consultation.

In terms of the proposed structure of the new Code, following the outline presented by the Executive, The Board **SUGGESTED** to further thought be given to the overlap between 'consumer care' and 'vulnerable consumers' and to the articulation of clearer distinctions between these areas, particularly with regard to children. The Board **AGREED** that it wanted to keep vulnerability issues at the front of mind.

(Action: The Board)

The Chairmen THANKED the Executive for the excellent presentation and the work that has been already done developing the new Code.

3.2. Monitoring on ICSS (presentation)

The Board decided to move the presentation to the afternoon Strategy Meeting session.

4. Items for information

4.1. Management Accounts Summary Report, Period ended 31st July 2020

The Board NOTED the Management Accounts Summary Report for the period ended 31 July 2020.

5. AOB

None

End of Minutes

Date & location of next Board meeting:

Date: Thursday 19th November 2020

Time: 10.00am-1.00pm

Location: Microsoft Teams