



Note of the 311th Meeting of the Ofcom Board, held on 7 February 2024

Members were welcomed to the 311th 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 13 December 2023 and matters arising

2. The minutes of the Ofcom Board meeting held on 13 December 2023 were approved for signature as an accurate record.
3. A summary of progress against action points was noted. The Board was updated on progress with ensuring full gigabit network coverage in hard to reach areas in Scotland

Chair's report

4. The Chair updated the Board on activities, including meetings with Royal Mail and Global Media. Appointments to the Channel 4 Board were now complete and these were noted and ratified by the Board. Work continued to fill the vacancies on the Ofcom Board.
5. Following the departure of Maggie Carver as the former Deputy Chair of the Board, it was approved that the Chair would call upon Angela Dean to deputise in his absence. The campaign to recruit a permanent Deputy Chair was underway.
6. The Welsh Government had approved the appointment of a new Ofcom Board member for Wales and Ministers were now reviewing the appointment letter. Subject to this, it was approved that the new Board member would be invited to Chair the Content Board and to join the Risk and Audit Committee.
7. The Board noted that the composition of the Election Committee should be formalised as soon as possible and that it should be chaired by a non-executive Board member. The Board noted that Ofcom had no role over election material online as its remit was solely broadcast. The risk to Ofcom's reputation in this area was noted.
8. The Board noted the report.

Chief Executive's report

9. Melanie Dawes updated the Board on her activities. She said Ofcom's recent announcement on options for redesigning the universal postal service had attracted significant media attention and an update on post appeared later on the agenda. She had held meetings with a number of Parliamentarians in the past month to discuss Ofcom's work. She said that work would shortly start on the development of the next three-year plan and its accompanying financial underpinning and noted the need for investments in data and digital against an increasingly tight financial position.
10. The Board discussed the 3G network switch-off and noted that there may be some areas that fell back to 2G where 4G was not available. Lindsey Fussell would provide the Board with further details of this offline.
11. The Board noted that Ofcom had received a significant number of complaints about broadcasters' coverage of the Israel/Gaza conflict and had not found evidence of bias. This was a very sensitive issue and the CEO would have opportunities over the coming months to explain Ofcom's position.
12. It was noted that the government was likely to initiate a review of the duties of economic regulators which would include Ofcom's work on telecoms. This had the potential to consume significant resource and the Board would be kept updated.
13. The Board noted the report.

Future of TV distribution

14. The Board discussed a paper on the future of TV distribution. It was noted that much of the broadcasting industry were now of the view that the current digital terrestrial television (DTT) model was no longer sustainable and there was a need to move to a more sustainable TV distribution model. Ofcom had issued a Call for Evidence on this.
15. The Board discussed the commercial implications of DTT switch-off for consumers, who may need to acquire or upgrade their internet services, and industry, parts of which would be negatively affected by a move away from DTT. The Board noted the potential options to manage DTT switch-off.
16. The Board noted the future work that was planned in this area and the need to ensure that consumers received what they needed to support them through any transition. Ofcom was well placed to advise on the interaction between spectrum issues, broadband and consumer habits. It was noted that this issue would also be a relevant consideration in the forthcoming public service media review and the approach to the scope of this would be considered by the Board in the summer.

Outcomes from the World Radio Communications Conference 2023

17. The Board discussed a paper on the outcomes from the World Radiocommunications Conference 2023 and noted that global alliances were changing with new delegations gaining influence.
18. The Board noted that industry had been engaged in the conference and that overall the outcomes for the UK had been satisfactory. The next conference (2027) was likely to be dominated by satellites and their deployment and operation.

Update on Ofcom's postal work

19. The Board discussed a paper on recent Royal Mail performance. Following the publication of the future of the USO document in January, Ofcom would be engaging with stakeholders, including by holding events in the nations. The options for next steps were discussed and the importance of Royal Mail bringing forward its own strategic delivery plan was noted. It was not for Ofcom to determine this plan.
20. The Board noted the paper.

Initial views from stakeholders on Illegal Harms Consultation

21. The Board discussed a paper on the initial feedback from stakeholders on Ofcom's illegal harms consultation. The approach to enforcement of the Online Safety Act would be considered by the Board at a future date. It was noted that the question of resourcing Ofcom's online safety activities remained live with government as it was not yet possible to predict the extent of the work that would be involved.
22. The Board noted the paper.

Social Media Policy

23. The Board discussed a paper on Ofcom's Social Media Policy. It was noted that compliance with Ofcom's policies formed a term in contracts of employment and breach of the Social Media Policy could result in disciplinary action. For non-executive Board members, social media use was covered in the Code of Conduct. It was agreed that annual attestations for non-executive Board members would be introduced.
24. Actions including a proposal to expand DBS checks for all roles prior to employment offers and additional comms for colleagues to explain why Ofcom's Social Media Policy was important were noted.
25. The Board noted the paper.

Ofcom market research supplier framework contract

26. The Board approved the contract awards to organisations who would supply Ofcom with market research services from April 2024 until March 2028 as set out in the paper.

Advisory Committee for Wales

27. The Board **APPROVED** the appointments to the Advisory Committee for Wales of Amanda Rees and Karen Lewis for three-year terms expiring on 28 February 2027 and Geraint Strello for a one-year term, expiring on 28 February 2025 and the holding of one further candidate in reserve.

Content Board

28. The Board noted the update on the Content Board's work for the period May 2023 to December 2023. Bob Downes said the recent meeting with representatives from BBC News, ITN and Sky News had been very productive. The Board approved the Content Board's Work Programme for 2024/25.

Information items

29. The Board noted the following information items:
- Non-executive member updates
 - Quarterly performance update
 - Board work programme and publications schedule
 - Minutes of the Communications Consumer Panel on 16 November 2023, Content Board of 21 November 2023, Advisory Committee for Wales of 28 November 2023, Advisory Committee for Scotland of 29 November 2023, Advisory Committee for England of 30 November 2023, Risk & Audit Committee of 6 December 2023 and Communications Consumer Panel of 14 December 2023

Any other business

30. It was noted that the Scottish government had published a series of papers on independence, including one on Culture in an Independent Scotland, which could have implications for Ofcom.
31. It was noted that the deadline for Ofcom to report on the Public Interest Intervention Notice (PIIN) on the sale of the Telegraph Media Group to RedBird IMI Media JV LLC had been extended to 11 March 2024 and that a separate PIIN had been issued on the sale of the Telegraph Media Group to RB Investco Ltd with the same deadline

Date of the next meeting

32. The next Board meeting would be held on 13 March 2024.