

MINUTES OF THE 431st MEETING

PHONE-PAID SERVICES AUTHORITY LT BOARD MEETING

Thursday 9 March 2023

10.00-12.00

Phone-paid Services Authority, Riverside House,
Southwark Bridge Road, London SE1 9HA

Attendees:

Chair: David Edmonds

Board members:

Meg Munn

Winnie Palmer

Jo Prowse

Mark Thomson

PSA Executive:

Peter Barker

Tania Dosoruth

Jonathan Levack

Alex Littlemore

Ayo Omideyi

Simon Towler

Guest:

Gavin Daykin, Ofcom

Minutes: Emma Hurt

Apologies:

1. Standing Items
1.1 Introduction and apologies The Chair welcomed members and attendees to the Board meeting.
1.2 Previous minutes, matters arising and action log [ref 1.2]

	<p>The previous meeting minutes were approved as an accurate record of the meeting. All actions from the last meeting have been completed.</p> <p>1.3 Standing and other declarations of interest</p> <p>Declarations of interest were received from David Edmonds as Trustee of Cinque Cottages, Winnie Palmer as Advocate for Women in Tech and Jo Prowse as Director for Chorleywood Music Productions Ltd. The positions do not present a conflict of interest. There were no other declarations of interest recorded.</p> <p>1.4 Chief Executive Report</p> <p>The Chief Executive presented her report on activity across the organisation. In addition to updates on operational matters and items elsewhere on the agenda, the Board noted in particular:</p> <ul style="list-style-type: none"> • Engagement with Government - Following changes in government departments, PSA is now an arms length body of the Department for Science, Innovation and Technology (DSIT). • Code application and Enforcement – Code 15 is working well during its first year, with high levels of compliance and delivery of the planned Engagement-first approach. The outstanding Case 14 Enforcement cases are all in the process of being resolved, and new Code 15 Enforcement cases are arising only in respect of persistent ongoing consumer harm or failure to engage with PSA. <p>ACTION: the Executive to provide a review of Code 15 impact after a full year of implementation.</p> <p>ACTION: the Executive to provide a detailed review of Engagement and Enforcement activity, including presentation of a Code 15 case study.</p>
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<p>2.</p>	<p>Items for approval</p> <p>2.1 Business Plan and Budget 2023/24</p> <p>The Executive presented the draft Business Plan and Budget for 2023/24, which the Resources Committee has recommended for approval by the Board.</p> <p>The Board endorsed and approved the final version of the Business Plan and Budget 2023/24, and requested the required annual formal approval to be sought from Ofcom.</p>
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<p>3.</p>	<p>Items for discussion</p> <p>3.1 Future of Regulation</p> <p>The Board received an update from Ofcom on the transfer process, and noted the following key points:</p>
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- Significant resources are being placed into the drafting of the S122 order by Ofcom, with PSA providing support as and when requested. The estimated date for completion is June 2023, with external consultation planned between July–September.
- Government engagement continues at pace, covering both the process for approving the S122 order and the statutory instrument required to enable a full TUPE process for the transfer of PSA staff into Ofcom.
- Staff engagement and motivation remains a high priority, so that while the final transfer date is not yet known, a programme of insight into Ofcom sessions are planned ahead of the start of the formal TUPE process planned for the beginning of 2024.

The Board thanked and noted the update from Ofcom. The Board acknowledged there are parts of the process that need to be sequential but requested the timeline is revisited to ensure sufficient consideration is given to work being done in parallel.

3.2 Information, Connection and Signposting Services (ICSS)

The Executive presented an overview of the Thematic Review of ICSS. The Executive highlighted the need to accelerate the consultation to complete the process in April, to ensure changes to the Code are included in S122 drafting.

The consultation sets out proposed interventions, including a positive opt in by the consumer and a £40 cap on call service charges.

The Executive explained, although a good intervention, it was not possible to introduce a free first minute to allow a voice warning of the ICSS service. They noted that they had recommended that PSA or Ofcom could consider introducing a free first minute if industry introduced service charge price points to allow this. Industry’s initial response has been positive.

The Board pressed the Executive on the level of the cap suggesting it should be as low as possible. The Executive agreed with the principle but noted that the £40 proposal balanced the available evidence and the maximum length of a call possible.

The Executive also reported that Rhian Johns, Chair of the Consumer Panel attended an Ofcom Communications Consumer Panel meeting to discuss ICSS. This has resulted in both panel chairs sending a joint letter to Google and Microsoft to encourage the application of their policy regarding advertising by ICSS providers on their respective platforms. The Board thanked the Executive for the comprehensive overview and recognised the significant progress made.

4. Items for information

4.1 Management Accounts Summary for the period ended 31 January 2023- as presented to Resources Committee on 2 March 2023

The Executive presented the Accounts Summary Report for the period ended 31 January as considered by the Resources Committee on 2 March.

	<p>The Board noted the Management Accounts Summary and agreed that the anticipated retained surplus was at a level necessary to support a smooth and orderly winding up of PSA Ltd.</p> <p>The Board were asked to note that should the transfer date be delayed; PSA would need to raise a levy to cover expenditure for the period from 1 April until whenever the final transfer date occurs.</p> <p>4.2 Risk Register as at March 2023 – as presented to Audit, Risk and Corporate Governance Committee on 1 March 2023</p> <p>The Executive presented the Risk Register, as considered by the Audit, Risk and Corporate Governance Committee on 1 March 2023.</p> <p>The Board noted the increased risk regarding the retention and recruitment of staff.</p>
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5.	Any other business
	The Board held a closed discussion.

Date of the next meeting: Wednesday 14 June 2023

Action log

Actions carried forward from previous meetings	Status	Notes
Minutes from the new internal Regulatory Oversight Group to be circulated to the Board for information.	Ongoing	
Actions from 9 March 2023 meeting		
The Executive to provide a review of Code 15 impact after a full year of implementation.	Open	
The Executive to provide a detailed review of Engagement and Enforcement activity, including presentation of a Code 15 case study.	Open	