

## **Consultation on the GSR-20 best practice guidelines – Ofcom (UK) contribution**

1. The challenges that have emerged in our sectors during the Covid-19 crisis have served as a reminder that the consumer should be at heart of regulatory interventions. It is clear that connectivity is critically important (as people rely on internet access for remote working, essential services such as healthcare, government services and social contact), and that there are wider social and economic impacts from regulatory policies around affordability, universal access, and enduring digital divides.

### **The centrality of the consumer interest**

2. Over the last few years, Ofcom would typically identify a specific problem faced by consumers and then consider potential remedies. We had made a number of quite specific regulatory interventions to address consumer outcomes – such as introducing automatic compensation for broadband customers for things like delayed repairs and missed appointments. The result was a growing list of incremental interventions, despite which the issue of fair outcomes for consumers in regulated markets remained a politically live issue in the UK. In late 2018 one of the main consumer advocacy bodies in the UK (Citizen's Advice) launched a "super complaint" to the UK competition regulator, calling out what they saw as unfair pricing practices, including across a number of communications markets.
3. In 2019 we augmented our approach, identifying consumer fairness as an explicit objective and developing a set of principles about what fair outcomes could look like. We then engaged the major UK mobile and broadband providers to sign up to these, and to commit to drive these outcomes in the context of their own business models. To support these commitments, we published a [fairness framework](#) which sets out when we would be or more less likely to intervene if problems occur in future. The idea is to encourage providers to put fairness at the heart of their businesses, help consumers navigate the commercial deals on offer for communications services, and enable them to make informed choices.
4. We had a positive reaction to this initiative. Operators were very engaged at the most senior levels, and in the end all the major broadband and mobile providers signed up. At the end of 2019 we began to collect updates from operators on steps they had taken under their commitments, and will publish our own assessment of progress in due course.
5. It is a positive development that fairness for consumers is now explicitly a key regulatory priority. Against a backdrop of fast-changing markets and technologies, this more "principles-based" approach also allows regulators to react quickly and with flexibility to secure positive outcomes for consumers.

### **The importance of digital literacy**

6. Covid-19 has highlighted the risks and adverse impacts of the spread of harmful disinformation, some with particular relevance to telecommunications regulators. Notably, we witnessed unfounded allegations circulating online around the causes of the pandemic, with suggestions that Covid-19 was caused by 5G networks. This led to the destruction of mobile masts in several countries, undermining the very networks upon which consumers and public authorities have become increasingly reliant.
7. While today, media regulators might have powers to take action against disinformation in broadcast or video-on-demand markets, they are unlikely to have powers to take action against

online disinformation, and there are live debates around the world on how a regulatory regime for online content might work. The shift towards an increasingly digital, mobile and social media environment has profoundly changed the dynamics of production, dissemination and consumption of news and other media content. Online content and services are increasingly accessed through algorithm-driven platforms that can accelerate and amplify content globally, whatever its editorial quality. In this context, it becomes increasingly important that consumers and citizens understand how and why content might be served to them, and that they are equipped to assess its credibility and reliability. Media and digital literacy should therefore be central to navigating the challenges around services that are enabled by the digital transformation.

8. Ofcom has been increasing its engagement in this area over recent years, launching its [Making Sense of Media programme](#) (MSoM) in 2019. This has included the setting up of an Advisory Panel of media literacy professionals from industry, academia and regulation, and the convening of a Network of media literacy professionals. The panel and the network complement our research (into media use and attitudes for both adult and children, online harms and news consumption). We are currently mapping national media literacy initiatives, and focusing on methods to evaluate those initiatives, working with Panel and Network members. And since the start of the Covid-19 pandemic, we have conducted weekly consumer research to understand how misinformation/disinformation spreads across different forms of media, and what might impact on its credibility for users. As well as potentially playing an important role in public health outcomes (given the direct public health impact of the extent to which people believe mis- and disinformation from various news and information sources and services), we hope that a better understanding of people's logic and rationales for believing and sharing information might help platforms and media outlets in their own strategies and responses.
9. The development of such coordinated national strategies is supported by [UNESCO](#), whose [Global Alliance for Partnerships on Media and Information Literacy \(GAPMIL\)](#) framework for creating media literacy policies and strategies underscores the importance of media literacy to support democratic societies. While Ofcom has focused on building and disseminating research to inform interventions by public authorities and industry, and on bringing together different stakeholders through MSoM, media literacy can be pursued through a very wide range of approaches, including through actions taken by the internet platforms themselves.

### **Spectrum management: Enabling connectivity**

10. Wireless connectivity is increasingly vital for businesses and consumers with an ever-increasing range of devices providing access to services and critical information. As noted above, the COVID-19 crisis has highlighted the importance of this connectivity, placing greater demands on scarce spectrum resources.
11. In this environment spectrum managers need to be able to react quickly, making spectrum available when and where it is needed as easily as possible, giving spectrum users and innovators flexibility to provide services that will deliver the greatest benefits. An agile and flexible authorisation framework, using a technology- and service-neutral approach enables spectrum users to deploy equipment where and how it is needed. It also means regulators can be extremely responsive in times of emergency. Ofcom was able to [fast-track licence applications](#) to ensure the new Emergency Hospitals set up to deal with Covid-19 patients had the necessary connectivity swiftly. We also enabled our [Innovation and Trial licence](#) to test and demonstrate the delivery of medicine and equipment to remote communities using drones.

12. The constant innovations of new applications, technologies and equipment, including 5G, are also providing opportunities for more efficient spectrum use. For example, making available higher frequency bands (mmWW bands) is increasing the overall amount of spectrum available and, noting its propagation characteristics, is providing different spectrum users more scope to share spectrum.
13. Targeted regulatory measures can enable spectrum managers to work with both other regulators and industry, encouraging and enabling innovation, learning from one another and where appropriate enabling swift adoption of relevant international harmonisation. This in turn enables spectrum to be released swiftly and simply, equipment eco-systems to develop and connectivity benefits to be realised in the wider community.