



Minutes of a Meeting of the Press Distribution Review Panel held on Thursday 3rd September 2015 at 1.00pm at the Offices of Marketforce, Blue Fin Building, 110 Southwark Street, London, SE1 0SU.

Present:	Neil Robinson Linda Gardner Andy Smith Mark Pardon Jason Ingold Steve Archer Graham Read Paresh Vyas Raj Chotai	Chairman MD SN PPA NMA Independent Retailer Independent Retailer Independent Retailer Independent Retailer
In Attendance:	Dorothy King David Lambert	PDRP Administrator Daily Mail

1. Apologies for Absence and Welcome

1.1 Mark Gilhespie,

1.2 The Chairman welcomed Jason Ingold of News UK, who is representing the NMA in the absence of Mark Gilhespie

1.3 The Chairman's welcome was also extended to David Lambert of the Mail Group Newspapers who attended as an observer.

2. Minutes of Last Meeting (conference call) 23rd July 2015

2.1 The minutes of 23rd July 2015 were adopted, with one amendment from Paresh Vyas who had sent his apologies.

3. Matters Arising

3.1 PDRP Administration

The Chairman raised concern again regarding the timeliness of the PDRP Minutes. Despite writing to the Chairman of the PDF requesting an extra day per quarter for the Administrator to complete this task in a timely way, the Minutes are still not being circulated within the time required.

It was agreed that the Chairman write formally to the PDF Chairman again regarding the PDRP's concerns.

3.2 PR Sub Group

The PR Sub Group nominated Andy Smith (SN) as its spokesman and will hold a brief meeting following the meeting.

Members of the sub group are:

- Andy Smith - SN Spokesman
- Mark Gilhespie- NMA
- Graham Read - Independent Retailer
- Steve Archer - Independent Retailer

It was pointed out to the PR Sub-Group that there is a press release outstanding which the group had been requested to consider at the meeting 30/04/2015 as follows:

- To enquire from wholesale how retailers can obtain their RDT's, SDT, or ADT, and circulate to panel a paper prior to releasing as a press release. AS to enquire with SN the protocol when individuals request this information and will share with the sub group.

3.3 SN & MDL Internal Document on Best Practises of Complaint Handling

With the recent appointment of AS this item had not been progressed and AS and LG were asked to examine their company's wholesale complaints processes, comparing the best and worse practise, with a view to producing an industry document standardising the complaint process.

3.4 NFRN Conference and Trade Events

The PR Sub Group, with its connections to the NFRN and Retail Newsagent, is looking to hold a PDRP presentation at NFRN District Meetings were there are approximately 50 retailers in attendance. PV and SA to liaise and arrange a mutual suitable date for a meeting.

SA volunteered to arrange with Chris Gamm, Editor of Retail Newsagent, a feature page regarding the Press Distribution Review Panel within the next three months.

4.0 Standards Sub Group

- 4.1 MP reported that an action from the April meeting was to arrange a conference call with Debbie Dalston to inform and update her of the sub group's findings and request that Debbie refer the same up channel within SN. For the benefit of AS, MP explained that

this was to discuss and compare the SN perspective on the proposed revisions to the PDC and their compatibility with the MD Customer Service Pledge v3.

He informed the Panel that, until SN had joined the discussion, the sub group would prefer to hold back of its findings.

The final paper will be circulated prior to the December meeting following the conference call.

5.0 PDC – Retail Notes of Guidance'

5.1 The Administrator reported that the 'PDC - Retail Notes of Guidance' 2015 had been published on the PDF website and released to the industry.

A copy of the notes are to be forwarded to every retailer who raises a formal Stage 2 Complaint in order to assist them on how to submit their complaint and what evidence to include.

6.0 NFRN Letter re PDC – ‘Retail Notes of Guidance’

6.1 Further to NR’s email responding to JH’s email (07/07/2015) containing observations and comments on the 'PDC -Retail Notes of Guidance', NR agreed to supply Mr. Hayes with all future PDRP press releases and to consider the communication made on behalf of the NFRN at today’s meeting.

NR was requested to draft a response to JH's email and share with the PDRP and PDF before formally replying to JH.

1. *The definition of publisher lateness is not included within the Retail Notes for Guidance, previous definition was – Late if arrived at wholesale less than 15 minutes from cut off. Does this criteria still apply?*

Jl advised that MG needs to seek clarification from the NMA re publisher cut off times.

NR had previously circulated the JIG 'Arbitrators Notes of Guidance', which were agreed by the industry some time ago. The definition of publisher lateness was:

A) Cut-off minus 15 minutes

Or

B) Where a publisher has given reasoned formal notification to a wholesaler that cut-off time cannot be met, the average time for arrival for a title over a 10 week day specific period.

This forms part of the up channel standards between wholesaler and publishers, and is not part of the offer to the retailer. If a retailer raises a formal complaint to a wholesaler regarding timeliness, and the wholesaler believes the issue is publisher related, the Stage 2 complaint is passed across to the appropriate publisher and the retailer will be advised of the wholesaler’s actions.

2. *There is a disclaimer re Express/Star and Financial Times but no such disclaimer for Scottish national titles e.g. Herald, Post, Scotsman or regional titles. Which are eligible for restitution if criteria met but not publisher restitution?*

NR reported that he had written to the NMA seeking guidance for restitution payments on regional titles, and is waiting for a response from the NMA.

The PDC is a guarantee of the minimum standards of service that retailers should expect from the members of the Press Distribution Forum (PDF). The NMA is a member of the PDF and therefore its members have agreed to abide with the Press Distribution Charter (PDC). However, Express Group Newspapers and the Financial Times are not members of the NMA and, accordingly, are not bound by the PDC.

Having regard to the regional press, the wholesaler undertakes responsibility for the titles that it delivers, but it is noted that the regional and local newspapers are members of the Newspaper Society which is not a full member of the PDF and therefore the PDRP look to be formally advised of the position on regional titles by the NMA.

3. *Publisher's restitution can only be paid on proven net loss of sale. This is not the case for HND that has to be redelivered as sale has been protected but there has been a cost to the retailer. Therefore the aforementioned statement is incorrect.*

The Panel noted that publishers will only consider restitution when the claim conforms to the 'serious or persistent' rule. In relation to persistent the formula is:

Newspapers – The same problem occurs three times in three weeks for Monday to Friday newspapers, three times in six weeks for Saturday or Sunday newspapers.

Magazines – The same problem occurs three times in six issues of a weekly, fortnightly or monthly magazine.

Whilst wholesale restitution will normally be awarded as follows:

In circumstances where the wholesaler was at fault for non-delivery of products or under allocation of products the wholesaler will reimburse the customer for lost margin on sale of that product.

In circumstances where the wholesaler was at fault for late delivery of products and that lateness necessitated the re-delivery of HND copy the wholesaler will reimburse the customer 55p redelivered, with a minimum award of £5.50.

The Panel considered that it would be ideal to have a standardised practise which is easy for the retailer to understand.

4. *It states that wholesaler will provide publisher contact details for any such restitution claims. Can you forward the latest publisher contact list that is available to members.*

These details are published on the PDF website and not just specifically for restitution claims.

5. *States time scale to complete form is 7 days. This is a new stipulation, as you can see from NPA guidelines. It would be reasonable to suggest to collate all data requested for publisher restitution with supporting evidence may take at least this amount of time as information is not readily available via NMD or wholesaler.*

It does not state a timeframe of 7 days for submitting a Stage 2 Complaint within the Charter or the 'PDC - Retail Notes for Guidance'. The 7 days refers to a retailer escalating a Stage 2 complaint to Stage 3 and the parties having 7 days to complete and submit their Statement of Case at Stage 3. It was agreed that this time frame is reasonable and acceptable.

6. *If a Stage 2 PDC complaint form is sent to wholesale and found to be a publisher issue, can you confirm process that then takes place? Especially as in may well be after 7 days when response is received?*

The Panel confirmed that the complaint paperwork is passed across to the appropriate publisher. A complaint has 28 days from when it is first registered for the issue to be resolved.

If the retailer remains unhappy with the response or lack of response after the 28 days, they have 7 days to escalate their concerns in writing to the PDRP Administrator.

7. *At initial contact with the retailer how does the wholesaler establish where the complaint should sit?*

The Panel reiterated that the initial investigation is carried out by the wholesaler and if wholesaler maintains that the issue has arisen outside of wholesale control, it will pass the paperwork onto the publisher(s) concerned.

7.0 Report on Complaints Resolved Via PDF Help Line

- 7.1 The PDRP Administrator stated that all the complaints handled by the PDRP Help Line are conducted in the nature of a Stage 2 Customer Complaint; she informed the panel that there had been:

20 complaints received and 45 breaches between 01/05/2015 – 22/07/2015.

	Stage 2	Stage 3	Total
Smith's News	3	0	3
Menzies	1	0	1
NMA	10	0	10

Breached of Standards – 34 Breaches

T&C	DT	Del Q	OSM	SBR	RM	Inv	VP	Sub R	C/S	C/C
2	2	3	1	0	8	9	1	0	8	0

8.0 Any Other Business

- 7.1 The PDRP thanked GR for forwarding the details from Brian Webb and his organisation HNDA, which have been read with interest and noted.

Meeting closed at 15:01pm with thanks to the Chairman.

Date of Next Meeting

The next meeting will be held on Thursday 10th December 2015 at 13:00.

MEETING 3rd September 2015 SUMMARY OF ACTIONS

Item	Action	By Whom
3.1	Timeliness of Minutes - Chairman to write again to PDF Chairman	NR
3.2	AS to enquire from SN how retailers can obtain RDT, SDT, ADT and how MDL supply the same for retailers who request this information. Sub Group to draft a press release advising retailers how this information can be made available to them.	PR Sub Group
3.3	AS and LG to compare SN & MDL complaint responses (best and worse) in order to compile an internal document on best practises of complaint handling	LG/AS
3.4	SA to arrange a page in Retail Newsagent on PDRP and to arrange PRDP to have presence at a trade event later this year/ early next year.	PR Sub Group
4.1	MP and the Standard Group to arrange a conference call with AS to inform AS of the sub groups findings and for AS to refer up channel to SN, after the conference call to circulate a paper to the panel ahead of December's meeting	PR Sub Group
6.1	NR to draft a response to JH and circulate to the panel and the PDF before formally responding to JH.	NR
6.1.1	MG to seek clarification from NMA reference publisher's cut-off times.	MG
6.1.2	To refer to the National Circulation Executives Board of the NMA JH's observations regarding regional titles.	NR

Dates for Meetings 2015

- 10/12/2015 1pm Blue Fin Building

Please note that the last meeting date has been amended to 10/12/2015.