

## Ofcom's proposed Plan of Work 2024/25 *CCUK response – February 2024*

### About CCUK

1. Comms Council UK is a membership-led organisation that both represents and supports telecommunications companies that provide services to business and residential customers in the UK. We keep Britain talking in its various guises by providing or reselling voice services over data networks (VoIP) as well as other “over the top” applications including instant messaging and video.
2. The membership is a mixture of network operators, service providers, resellers, suppliers and consultants involved in a sector that is diversifying rapidly. CCUK represents its members at a policy level, builds coalitions to collaborate on industry initiatives and provides a platform to help members prepare for change, learn about new trends and develop new business relationships.
3. We welcome the opportunity to respond to Ofcom's Plan of Work 2024/25 (the “Consultation”) published in December 2023. Our response, below, begins with general points, and then continues on an issue-by-issue basis. We trust our response will be of assistance, and we welcome any comments or questions that Ofcom has.

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### General points

4. Across the document, Ofcom appears to place too great a focus on the internet connectivity and spectrum aspects of the UK's telecommunications industry. While these are two essential elements of the industry, CCUK's members are concerned that this pays too little attention to voice services – an essential part of our critical national infrastructure – in favour of more publicly-visible outcomes, such as gigabit connectivity.
5. In general, CCUK remains concerned that Ofcom places too great a focus on a small number of large, vertically-integrated communications providers when assessing the current telecommunications market, to the detriment of the much broader ecosystem that exists. Ofcom's own data shows that there are 450+ networks that have completed a PECN declaration to obtain resources from the National Telephone Numbering Plan, and various public domain information showing 1,100+ independent providers of PECS to end users. While the assumption may hold some weight when considering policies which uniquely affect residential users, it does a disservice to the highly diverse business telecommunications industry.
6. Of course, Ofcom protecting the vulnerable and promoting the needs of consumers are important statutory objectives. However, the needs of 6 million British businesses (employing some 23 million people) are also crucial to society, let alone the needs of central and local government, and the third sector. It is no good for the economy if a person has gigabit-capable broadband, with many domestic consumer protections if they are unable to find a job because the business telecommunications infrastructure and services in their towns or cities are not fit for purpose.

7. Finally, for several years, CCUK and some of its members directly have asked Ofcom to appoint a 'business champion' – this was an area, pre-Covid, that Ofcom were looking to progress. This would be an individual or working panel of experts that would spend time speaking to business networks and service providers, to understand the structure of the industry, and then attend Ofcom meetings to provide that insight during policy formation. We firmly believe that such a role would significantly improve the decision making, and by extension the policy outcomes, from the regulator. We would like to see this concept return for consideration.

#### **One Touch Switch**

8. CCUK is concerned by the low numbers that have embraced the OTS process so far, and more needs to be done to get people on board. We are communicating, supporting and encouraging our members, but there is low awareness and a reluctance across the sector to get involved until there is more clarity and certainty around the process. CCUK is actively engaged in the Gaining provider Led Business Steering Group (GPLB-SG), and would welcome increased Ofcom support and engagement whilst the group develops solutions that will bring business providers on board.

#### **Number porting**

9. Ofcom will be acutely aware of CCUK's long-standing criticisms of the number portability process, and the introduction of one touch switch will highlight and exacerbate shortcomings in the number porting system. It is the view of our members that a common numbering database could be part of the solution. CCUK has engaged with NICC's work in this and we encourage Ofcom to revisit the database and wider porting issues in this Plan of Work.

#### **CLI**

10. We welcome the decision to not go ahead with the STIR/SHAKEN proposals, and we agree with Ofcom's rationale for the change in direction. CCUK is committed to supporting our members to follow Ofcom's existing guidance. On the recently-announced enforcement regime, we would ask for more detail on the form that this will take, so that we can guide, support, and prepare members with accurate information.
11. We will respond to the CLI consultation separately.

#### **Fraud, nuisance calls, and scams**

12. CCUK supports Ofcom's commitment to work with industry to make scams harder to perpetrate, and also to help consumers avoid scams by raising awareness and improving information. As a membership-led industry association for telecommunications companies, tackling fraud is one of our key priorities. Our members dedicate a great deal of resource to tackling these challenges.
13. In general, we believe that tackling fraud is a complex matter that requires a more joined-up approach between the industry, the Home Office, Ofcom, national security and law enforcement agencies, as well as international organisations and regulators. When engaging with the various Government, regulatory, and law enforcement stakeholders on these issues, our experience has been mixed and very disjointed at times. We have found that various organisations undertake activity in silos and it is hard to maintain ongoing channels of communication and a general sense of cohesion.
14. Any future Ofcom consultation should focus on this, whilst bearing in mind that future regulation must ensure that changes have a positive impact and that costs incurred by industry are not excessive. A balance must be struck to ensure that the UK's vibrant and successful communications market – which enables the broader UK economy to do business – is not unduly hit by regulations that are well-meant but potentially ineffective.

**PSTN switch-off**

15. CCUK welcomes Ofcom's commitment to work with communication providers to ensure that the switch-off of the PSTN will be addressed with the aim of protecting consumers from harm and minimising disruption. We are, however, still concerned that the project is not progressing with sufficient public awareness being made by independent and authoritative sources. We recognise that Ofcom considers that it is for industry to communicate with its customers. The reality from our members' experience on the ground is that end users are wary of information from their providers, suspecting an up-sell.
16. CCUK and our members continue to do what we can to inform British businesses and consumers of the upcoming changes, and we have published our own guidance and joined the *Fit to Switch* campaign. We welcome some of the information on the Ofcom and Government websites to which they can refer, along with the PSTN charter of late last year. We would be keen to be involved in any future initiative between DSIT and Ofcom, particularly in relation to business switching.
17. CCUK remains of the opinion that there needs to be an independent campaign – in the same vein as the terrestrial television switch-off – to inform society. It is unclear why a change to the delivery of television programmes merited a major public awareness campaign, but a change that could render telecare and lift alarms inoperable does not. In saying this, we remain conscious that Ofcom is constrained by its statutory remit, and that this is almost certainly a matter for the Government to address, but equally, Government should place significant weight on the recommendation of the specialist regulator.

**Network security and attacks**

18. CCUK awaits with interest details on Ofcom's plan to monitor compliance with the new security framework, and the report it plans to submit to the Secretary of State this year.
19. CCUK remains concerned that various attack vectors (TDOS, DDOS, SPIT) continue to be a risk to the sector, placing at risk various important services and we stress an important aspect of how the business telecommunications industry is structured. A major provider suffering a cyber-attack, would likely have disrupted services to hundreds of thousands of residential users. Of course, that is highly inconvenient, and if they rely on the broadband to make calls to the emergency services, it is also potentially dangerous. However, a small ITSP may only have a small turnover (Tier 3 for the purposes of the TSR Code of Conduct) and maybe just 5000 users, but many CCUK members have grown by successfully serving a given niche. Therefore, an attack on that small ITSP may render a much larger proportion of a particular sector's internet and voice services inoperable. When these could also include major elements of everyday public sector services (e.g GP surgeries) then that impact suddenly becomes much more significant.
20. It is therefore crucial that the small business end of the market enjoys effective engagement with Ofcom. Currently there are too many groups working in silos on these topics across various organisations. Industry needs a clearer channel of engagement to help both spot and react to potential threats.

**Alternative Dispute Resolution (ADR) review**

21. CCUK has responded to the initial Ofcom ADR consultation, highlighting the need for the ADR system to strike a proper and fair balance between the parties involved and ensure that businesses and providers are not unduly burdened, but can continue to provide the excellent service that they do in the vast majority of cases. We look forward to further consultations and discussion with Ofcom on this topic in future enquiries.

**Other consultations currently underway**

22. CCUK will provide separate responses to the consultations that Ofcom have published since the Plan of Work 2024/25 was announced:
  - a. Network resilience
  - b. Inflation-linked in-contract price rises
  
23. We also look forward to seeing more information on the Wholesale Voice Markets Review 2026-31.

ENDS