

Ofcom's proposed Plan of Work 2024/25

UKCTA Response to the Consultation

14th February 2024

Introduction

1. This submission is made by the UK Competitive Telecommunications Association (UKCTA). UKCTA is a trade association promoting the interests of fixed line telecommunications companies competing against BT as well as each other, in the residential and business markets. Its role is to develop and promote the interest of its members to Ofcom and the Government. Details of membership can be found at www.ukcta.org.uk. Its members serve millions of UK consumers.
2. UKCTA is grateful for the opportunity to comment on Ofcom's proposed Plan of Work for 2024/25 and appreciates Ofcom has a very full agenda, with the TSA, online harms, the integration of the PSA and WFTMR.
3. UKCTA members look forward to working with Ofcom on many of the projects in the coming year and would like to draw attention to a few important issues mentioned in the plan.

National Resilience

4. UKCTA are keen to engage with Ofcom on issues of national resilience and battery back-up. Telecoms has become such an integral part of national security, military, police and emergency services as well as everyday life. This is often overlooked as an energy intensive industry. The Government has previously recognised data centres as being within the scope of the HMT scheme to offer tax break incentives for reduction in power usage but, to ensure national resilience the full range of networks supporting the digital society should be considered. As electricity prices continue to surge, supply continuity may come under further strain. Securing reliable, affordable energy supply is a key part in ensuring national resilience for the telecoms sector.
5. UKCTA looks forward to seeing national resilience take place but, significant discussions with stakeholders are needed before this point, to ensure expectations on providers are realistic, cost-effective and practicable. This could help future proof the industry to ongoing security concerns, so it is crucial to ensure any measures are well informed and proportionate. UKCTA supports this project and would like to hear more about how this will be implemented, how the burden on industry will be managed and transparency about any immediate

plans for national resilience to enable CPs to effectively make provisions for the future.

OMU

6. In the proposed Plan of Work Ofcom refers very briefly to the OMU: “We will continue to monitor implementation of the current WFTMR (which runs until March 2026), ensuring that competition plays out fairly, including through the ongoing work of our Openreach Monitoring Unit”¹.
7. In the last year there has been little engagement with stakeholders to obtain views on Openreach’s performance.
8. UKCTA members were very disappointed that Ofcom failed to conduct the evidence gathering necessary to produce a meaningful OMU report in 2023. The 2023 report fell short of the standard required and was not what was envisaged when the OMU was established.
9. With the OMU enhanced WFTMR responsibilities we expect to see more effectual action and more stakeholder engagement to produce an effective report.
10. There is little mention of the OMU and its development in Ofcom’s proposed Plan of Work reflecting the changes we would expect to see. We query therefore how the OMU will deliver on their greater responsibilities and how it will be more effectual in the coming year. UKCTA will engage with the OMU during 24/25 to raise ongoing issues.

Telephone numbering plan

11. We are pleased to see Ofcom intend to continue its strategic review of the telephone numbering plan. UKCTA have frequently asked Ofcom to put in place rules to stop the consumer harm caused by so-called Information, Connection and Signposting Services (ICSS).
12. As outlined in our response to the Phone-Paid Service Authority: Consultation on Code 15 amendments to requirement 3.2.10 and Annex 1: Specified service charges and durations of calls, we think this issue should be a priority for the PSA and Ofcom. We would like to ask Ofcom to include this issue as part of their review and either ban these numbers or come up with rules which properly address the harm caused by these services.

13. Voluntary initiatives

¹ https://www.ofcom.org.uk/data/assets/pdf_file/0030/273288/ofcoms-plan-of-work-2024-25.pdf, page 9

14. Within Ofcom's proposed Plan of Work there is reference to voluntary initiatives² to ensure consumer protection. Many of these initiatives fall outside general regulation or Ofcom's wider regulatory powers but are encouraged by media pressure levied by Ofcom, and CPs' cooperative approach.
15. This informal approach to regulation is a growing concern for CPs as these new initiatives fall outside regulatory parameters and are often very financially and practically onerous on CPs.
16. These voluntary initiatives are not subject to the same scrutiny or checks as general regulation and can cause, great uncertainty and potential for undue burden on industry. Without full regulatory scrutiny and impact assessment there is a high degree of risk of unforeseen impacts on consumers.
17. Due to these schemes being voluntary there is an uneven financial burden on those who choose to implement these schemes and those who do not creating an uneven balance in competition.
18. Whilst protecting customers online and making provisions for the most vulnerable users in society is a priority for CPs it is coming at high expense to the market and other consumers.
19. In light of this UKCTA would appreciate transparency for any new voluntary initiatives that can be expected in 2024 in order to better prepare and more effectively comply with these initiatives.
20. The proposed Plan of Work also states that Ofcom will "ensure that our consumer protection interventions and voluntary initiatives are being properly implemented³". It would be useful to know how Ofcom intends to do this and what its intentions are for the current telecare initiative.
21. UKCTA would like to understand how in the coming year Ofcom will ensure any new initiatives are the best, most practical solutions to social problems and do not result in undue burden on industry.
22. UKCTA would be happy to work with Ofcom to ensure initiatives can be implemented practically and effectively in the coming year.

Information requests

23. Telecoms providers are receiving an ever-growing number of information requests. These requests place a huge financial and staffing burden on providers, taking away time and resources from innovation, development, and customer

²² https://www.ofcom.org.uk/_data/assets/pdf_file/0030/273288/ofcoms-plan-of-work-2024-25.pdf, page 11

³ https://www.ofcom.org.uk/_data/assets/pdf_file/0030/273288/ofcoms-plan-of-work-2024-25.pdf, page 11

support. UKCTA has been speaking with the information registry to identify how this can be managed and streamlined.

24. One of the key issues is with upcoming and developing projects It is hard to predict what information requests will land in the coming year and how data heavy they will be. This creates a large burden on industry as providers cannot plan effectively. To enable such large complex amounts of data to be collected providers need forewarning to effectively distribute their IT, financial and staffing resources.
25. To help this forward planning it would be useful for Ofcom's proposed Plan of Work to outline which projects will generate information requests. This will give providers an indication of timings and types of data that will be needed throughout the year, enabling better forward planning and more effective data collection.
26. UKCTA is grateful for the interaction it and its members have had with the Information Registry during the last year and encourage Ofcom to continue its efforts to improve the efficiency of its information gathering process.