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## **Proposed Annual Plan 2018/19**

Making communications work for everyone

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**CONSULTATION:**

Publication Date: 1 December 2017

Closing Date for Responses: 9 February 2018

## About this document

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Ofcom's purpose is to make communications markets work for everyone. To achieve this, we are proposing three main goals: to promote competition and ensure that markets work effectively for consumers; to secure standards and improve quality; and to protect consumers from harm. Our proposed Annual Plan highlights some of the key work areas that we will seek to deliver in order to meet these goals, across the UK and its nations. We also outline our broader ongoing work to support these goals, and how we will work for consumers across the UK's nations.

We will publish our final Annual Plan for 2018/19 in March 2018. The final Plan will take into account responses from stakeholders to the proposed Plan. The closing date for consultation responses to our proposed Annual Plan is 9 February 2018.

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# 1. What we do

- 1.1 We regulate fixed-line and mobile telecoms, TV, radio, video-on-demand services, post, and the airwaves used by wireless devices. We help UK businesses and individuals get the best from communications services and protect them from unfair treatment and practices. Where appropriate, we support competition as the basis for delivering good consumer outcomes.
- 1.2 We act independently from governments and commercial interests to deliver our duties. However, we are accountable to Parliament, and to perform our role effectively we need to engage openly and constructively with the UK and devolved governments. We provide technical advice to governments (for example, our regular reviews of public service broadcasting) and in some cases, we act as a formal representative of the UK Government (for example, in international negotiations on spectrum).

## **Our principal duty is to further citizen and consumer interests**

- 1.3 Ofcom was established under the Office of Communications Act 2002, and operates under a number of Acts of Parliament<sup>1</sup>. The Communications Act 2003 states that our principal duty is to further the interests of citizens in relation to communications matters and to further the interests of consumers in relevant markets, where appropriate by promoting competition. In postal services, our duty is to carry out our functions in a way that we consider will secure provision of a universal postal service in the UK. We implement and enforce communications, competition and consumer protection laws; our competition powers are outlined later in this section.

## **Our main legal duties guide the direction of our work**

- 1.4 Our main legal duties are to ensure that:
- the UK has a wide range of electronic communications services;
  - optimal use is made of the radio spectrum;
  - a wide range of high quality television and radio programmes are provided by a range of different organisations, appealing to a range of tastes and interests;
  - people are protected from harmful or offensive material, unfair treatment and invasion of privacy on television and radio; and
  - the universal service obligation on postal services is secured in the UK.
- 1.5 Ofcom can enforce consumer law on behalf of consumers, but does not have the power to resolve individual consumer complaints about telecoms or postal services, unlike in TV and

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<sup>1</sup> These include the Communications Act 2003, the Wireless Telegraphy Act 2006, the Broadcasting Acts 1990 and 1996, the Digital Economy Acts 2010 and 2017 and the Postal Services Act 2011.

radio. Where appropriate, we provide advice to complainants and refer them to the alternative dispute resolution (ADR) schemes that we have approved.

## Ofcom's competition law powers

- 1.6 In addition to our regulatory responsibilities set out above, we have powers in relation to communications matters<sup>2</sup> to:
- enforce the prohibitions on anti-competitive agreements and abuse of a dominant position, set out in the Competition Act 1998, and the corresponding provisions under the Treaty on the Functioning of the European Union; and
  - investigate markets and make references under the Enterprise Act 2002 to the Competition and Markets Authority (CMA).
- 1.7 Ofcom considers whether it is more appropriate to exercise Competition Act or sectoral powers in any given case, subject to the specific legislative requirements.

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<sup>2</sup> The term 'communications matters' covers various aspects of electronic communications, as well as broadcasting and the provision of postal services. We exercise these powers concurrently with the CMA.

## 2. Market context

- 2.1 Communications markets are fast-moving, with changing consumer and business needs and ongoing innovation in networks, devices and services. In setting our goals in this plan we have considered the environment in which we operate, how it is changing and how this impacts on our approach to furthering the interests of consumers and citizens. This section highlights some of the cross cutting issues that have formed our approach in this plan.

### Supporting network investment

- 2.2 Consumers and businesses continue to demand faster and better fixed and mobile internet connections. In the last couple of years, the average monthly data use per residential broadband connection, and average monthly data use per mobile connection, have both increased by over a third. With more people wanting to use multiple connected devices, the increasing popularity of video-on demand services, and the increasing importance of connectivity to businesses, expectations with regards to quality of experience have increased and this trend seems set to continue.
- 2.3 In order to deliver what consumers want and what businesses need there must be ongoing investment in fixed and mobile networks. We believe investment is beneficial for consumers and Ofcom's role is to support it by creating the right conditions for companies to invest. Our Digital Communications Review set out a clear objective to promote more investment in ultrafast, full-fibre networks and in the next generation of mobile networks.<sup>3</sup> Our preference is for competition between companies to drive investment, but we acknowledge that may not be possible in some parts of the UK. In those cases, co-investment may play a role and in other areas investment may only happen following Government or Ofcom intervention.
- 2.4 We are continuing our work aimed at driving investment by:
- creating a more independent Openreach, that takes network investment decisions in the interests of all its customers, and monitoring if this is happening in practice;
  - looking at reducing network build costs by improving the availability and use of duct and pole access, and working with Government to reduce planning barriers;
  - implementing any necessary regulation following our review of the Wholesale Local Access market in which we consider ways of protecting investment incentives for both Openreach and other network investors; and
  - ensuring additional spectrum is ready for the next generation of mobile networks.

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<sup>3</sup> Ofcom, *Digital Communications Review*

<https://www.ofcom.org.uk/phones-telecoms-and-internet/information-for-industry/policy/digital-comms-review>

## Ensuring markets work for consumers

- 2.5 Whilst we are focused on encouraging effective competition to deliver the investment needed to build the future services consumers want, we are conscious of the need to balance this focus with securing positive outcomes for consumers now.
- 2.6 For example, there is still a considerable number of UK homes with an internet download speed of less than 10Mbit/s. Similarly, whilst mobile coverage has increased there is an enduring concern that coverage in some parts of the UK is still relatively low. There is a risk that consumers in rural parts of the UK and its constituent nations, either in premises or on the move, will continue to experience difficulties in using mobile services.
- 2.7 To address this, we will continue to provide tools and data to help inform consumers about broadband speeds and mobile coverage they are likely to experience, as well as specifically looking at the needs of vulnerable consumers. We will also ensure mobile coverage obligations are met and consider obligations in new awards of spectrum.

## Securing standards in broadcasting

- 2.8 The way consumers watch content continues to change. The major subscription on-demand streaming services continue to increase their subscription base. In 2016 the average time spent viewing broadcast TV per person continued to decline moderately: however, there was a steep decline in average viewing of broadcast TV among children aged 4-15 and adults aged 16-24, while average viewing for over-64s increased slightly.<sup>4</sup> Despite these changes broadcasting has been resilient and an important part of Ofcom's work will be to continue our regulatory activities in broadcasting and content regulation, and maintaining and strengthening public service broadcasting.
- 2.9 Last year we took on the regulation of the BBC and a focus for this year will be incorporating this work into our ongoing work programme. For example, this year we will be looking at how the BBC is meeting the requirements under its Operating Framework and Operating Licence, as well as reviewing proposals for new BBC public services and their potential impact on competition. We will also review the requirements for programmes with particular public service value to UK audiences, for example programmes made outside of London. We will continue to look at diversity and equality of opportunity in TV and radio broadcasting and report on how the industry is performing.

## Understanding convergence and market changes

- 2.10 It is important that we ensure our regulation takes account of the changing markets we are responsible for. In addition to our work plan and ongoing programme of work, we monitor developments, and review our approach to regulation, in light of the increasing

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<sup>4</sup> Source: BARB; Ofcom, *Communications Market Report 2017*, August 2017, p.38

convergence in markets, the emergence of new services, and the changing way in which content is delivered.

- 2.11 For example, the increasing consumption of news content through online content services raises questions about how regulation can continue to secure standards and protect audiences, and in the longer term may have implications for the consumption and sustainability of such content in the PSB framework. The increasing deployment and use of internet based communications and content services, particularly by younger consumers, may over time have implications for the requirements for traditional telephone networks and broadcast distribution.

## **Adapting to regulatory changes**

- 2.12 We will continue to adapt our work to the changing regulatory and policy environment. In addition to embedding the regulation of the BBC in our work programme, we will be commencing work under our new duties set by the Digital Economy Act 2017, including for example conducting a review of children's content.
- 2.13 As the UK's media and telecoms regulator – politically neutral, independent of government and of the companies that we regulate – Ofcom takes no view on the means or merits of Brexit. But we fully support the Government's desire for continued effective regulation, delivered through close collaboration with European partners. We are providing advice to UK Government on topics related to the sectors we regulate, and we will continue to assist Government going forward.



## 3. Our goals and highlights for 2018/19

3.1 Ofcom exists to make communications markets work for everyone. To achieve this, we have three high-level, long-term strategic goals:

**Promote competition and ensure that markets work effectively for consumers**

**Secure standards and improve quality**

**Protect consumers from harm**

3.2 Ofcom's 2018/19 work programme will ensure the following areas are adequately prioritised:

- work with industry to support investment in advanced competing infrastructure, including co-investment, and actively monitor and report progress on the legal separation of Openreach from BT;
- complete the integration of our new responsibilities for regulating the BBC, and commence a first Annual Report on the BBC's compliance with these requirements, a first competition assessment of the BBC's proposals for a Scotland TV service and a first thematic review of the BBC's delivery against its public purposes;
- prepare for future awards of spectrum as they are cleared and released to help meet the growing demand for capacity.

3.3 To achieve our goals, we need to address specific challenges within our sectors. For each goal, we highlight below the work areas of particular importance in 2018/19. Further detail on our wider work plan, including these highlighted areas of work, can be found in Annex 1. Our broader ongoing programmatic work, summarised in Section 5, also supports these goals.

### **Promote competition and ensure that markets work effectively for consumers**

3.4 Our aim is to ensure consumers and businesses benefit from a range of communications products and services, with the market providing good outcomes in terms of choice, price, quality, investment and innovation.

3.5 We do this by ensuring that markets can work effectively, through regulation where appropriate, so that consumers can gain from the benefits of competition.

3.6 In particular, in the 2018/19 period we will:

3.7 **Support investment in network infrastructure.** We will implement regulation following the Wholesale Local Access market review<sup>5</sup> and continue to work with all industry players as

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<sup>5</sup> <https://www.ofcom.org.uk/consultations-and-statements/category-1/wholesale-local-access-market-review>

necessary to support investment in advanced, competing network infrastructure, including co-investment.

- 3.8 **Effective Openreach reform.** We will actively monitor and report progress on arrangements for the legal separation of Openreach from BT. We will assess the effectiveness of actions taken in benefiting consumers, including addressing our competition concerns and encouraging new investment in networks.
- 3.9 **Start the next competition assessment of the Business Connectivity Market.** We will take account of the needs of businesses, telecoms companies and consumers in reviewing the provision of higher speed business connection services across the UK.
- 3.10 **Help consumers, including SME businesses, engage with communications providers** by identifying and addressing barriers to competition and exercising choice.
- 3.11 **Prepare for future awards of spectrum bands** as they are cleared and released. This will include the design of auctions, any obligations, and measures to promote competition as part of a licence award. This work will include our approach to the 700MHz and 3.6 to 3.8GHz bands.
- 3.12 Conduct our first **competition assessment on the BBC's proposals to launch a new BBC Scotland TV service.**

## Secure standards and improve quality

- 3.13 Our aim is to secure widespread availability, affordability and accessibility of good quality communications and broadcast services for end-users across the UK.
- 3.14 While competition is at the heart of our approach to ensuring good outcomes for consumers, we recognise that competition alone cannot deliver the full range of desirable outcomes. Where appropriate, we make targeted interventions to improve consumer and citizen outcomes.
- 3.15 In particular, in the 2018/19 period we will:
- 3.16 **Improve mobile coverage.** We will ensure existing coverage obligations are met, and consider obligations for coverage where new spectrum is awarded, for example, in the 700MHz spectrum band.
- 3.17 **Publish Ofcom's first annual report on the BBC's compliance,** setting out an assessment of the BBC's performance against the specified requirements in the Operating Framework and Operating Licence. Additionally, we will focus our **first thematic review on how the BBC reflects and represents the diverse communities of the UK's nations and regions.**
- 3.18 **Review the guidance to Public Service Broadcasters for production outside of London,** and consider if this remains fit for purpose in supporting and strengthening production across the UK's nations and regions.

- 3.19 **Review of children’s content.** We will review the quantity, range and quality of content available to younger audiences, including the possibility of setting criteria for children’s programming.
- 3.20 **Promote diversity and equality of opportunity in broadcasting.** We will publish our second annual report on the UK TV industry, and our first report on the UK radio industry, to provide a comprehensive picture on how well individual broadcasters – and the industry as a whole – are performing on equality of opportunity, diversity and inclusion in employment.

## Protect consumers from harm

- 3.21 Our aim is to ensure consumers do not face unfair practices and vulnerable consumers are protected from specific harms where they may be at risk.
- 3.22 We do this by intervening directly to protect consumers, especially vulnerable groups at risk of harm. We implement additional measures where there is a risk of exposure to harmful behaviour by firms, or to offensive content on television and radio.
- 3.23 In particular, in the 2018/19 period we will:
- 3.24 **Review the cost of calling Directory Enquiries services,** to ensure that prices are transparent and fair to consumers.
- 3.25 **Ensure that network operators comply with our guidance and design and operate networks in line with good security and resilience practice.** This will include preparing for and implementing enforcement proposed under the National Infrastructure Survey (NIS) Directive, and piloting and adopting the TBEST scheme for cyber security assurance.

## Engage during changes to European legislation

- 3.26 We will **safeguard and promote UK businesses and consumers’ interests throughout the Brexit process.** We will consider potential impacts on markets and relevant legislation from the changing nature of our relationship with the EU, and continue to engage to ensure proposed changes to regulations under the Electronic Communications Framework and Audiovisual Media Services Directive meet UK consumers’ needs as relevant.
- 3.27 Ofcom takes no view on the means or merits of Brexit. But we fully support the Government’s desire for continued effective regulation, delivered through close collaboration with European partners. We are providing advice to UK Government on topics related to the sectors we regulate, and we will continue to assist Government going forward.

## Our approach to regulation

- 3.28 To deliver our purpose of making communications work for everyone, it is essential that the regulations which apply to communications markets remain appropriate. Under the Communications Act 2003, Ofcom is required to minimise the burden it places on the

companies it regulates. The Act requires us to keep regulation under review to ensure that it does not bring about (a) the imposition of burdens that are unnecessary; or (b) the maintenance of burdens that have become unnecessary. Ofcom is required to remove or reduce unnecessary burdens where it finds them. These requirements inform all our regulatory work, including our market review programme.

- 3.29 Ofcom’s consumer protection regulation is underpinned by the “General Conditions of Entitlement”, a set of legal obligations to which electronic communication providers or networks must adhere. Following consultation, we have removed unnecessary, redundant and unused powers to ensure that the General Conditions reflect our current policy priorities, and that they are fit for purpose in today’s market. A new set of General Conditions which are clearer and more practical will come into effect in October 2018. This should make it easier for businesses to ensure compliance and easier for Ofcom to enforce compliance in the interests of the general public and consumers.
- 3.30 We review existing regulations and restrictions and whether they remain necessary. For example, we will complete our assessment of certain costing and accounting rules which are applied by Royal Mail in preparing its financial reports. We will also review the safeguard price caps for second class standard letters and small and medium parcels. And, we will continue our work looking at future use of the 3.8 to 4.2GHz spectrum band and consult on proposals to enable greater shared access between existing and new users.
- 3.31 We are actively exploring new areas where we can empower stakeholders and consumers through the provision of better and more accessible information. For example, we continue to promote our open data policy, and will be reviewing the schedule and structure of our market reports programme in order to understand how it can better meet stakeholder needs and in turn benefit citizens and consumers. We will continue to release information on spectrum use in an open format, including by publishing interactive spectrum maps, to enable stakeholders to better understand how spectrum is used.

## 4. Delivering our goals across the UK

- 4.1 The full range of Ofcom’s work on regulating communications, postal services and broadcasting is important for people and businesses across the UK. Good quality communications services are critical to people and businesses wherever they are located. This section highlights some aspects of our work for the coming year which are common to all nations, alongside some specific work with particular relevance for individual nations.
- 4.2 We are committed to delivering our goals for citizens and consumers across all the nations and regions of the UK. To do this effectively, we need to take account of national and regional diversity. We do this by engaging with a range of stakeholders in each nation through our national offices, and by working closely with Ofcom’s four National Advisory Committees.
- 4.3 Further devolution to Scotland, Wales and Northern Ireland over the past year and half has resulted in changes to Ofcom’s governance. The administrations in Edinburgh, Cardiff and Belfast are now each responsible for appointing a new Ofcom Board member in consultation with the Secretary of State for Digital, Culture, Media and Sport. The Scotland member is expected to be appointed shortly with the others to follow in due course.
- 4.4 In addition, new Memoranda of Understanding (MOU) between the devolved administrations, the Department for Digital, Culture, Media and Sport and Ofcom will set out the process for how Ofcom will consult with devolved governments and legislatures on our Annual Plan, the frequency of engagement between Ofcom and devolved governments and Ofcom’s duty to provide evidence to Parliamentary and Assembly Committees. Ofcom is implementing the MOU it has with the Scottish and UK Governments and Scottish Parliament.<sup>6</sup> Similar memorandums are expected to be agreed with the administrations in Wales and Northern Ireland with implementation through 2018/19 and beyond.

### Common challenges

- 4.5 Providing fixed broadband, mobile, and postal services that meet the needs of consumers and SMEs in rural and remote areas presents particular challenges, given their geography. These areas fall disproportionately within Northern Ireland, Scotland and Wales, but the same challenges also affect some English regions.
- 4.6 National, regional and local broadcasting services should also meet the needs, and reflect the diversity, of audiences across the regions and nations of the UK.
- 4.7 In the 2018/19 period we will:
- 4.8 Publish our **Connected Nations report** on broadband and mobile coverage and speeds, including variations between rural and urban consumers and in different areas of the UK.

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<sup>6</sup> <https://www.gov.uk/government/publications/memorandum-of-understanding-between-the-uk-government-scottish-government-scottish-parliament-and-the-office-of-communications>

We will make this information available to consumers through applications and tools to encourage use and informed choice.

- 4.9 Work to **improve mobile coverage**, by ensuring existing coverage obligations are met, and considering obligations for coverage where new spectrum is awarded; for example, in the award of the 700MHz spectrum band.
- 4.10 Continue to engage with stakeholders on our findings on the causes and effects of **parcel surcharging** in Northern Ireland and the Highlands and Islands of Scotland.
- 4.11 Publish our first annual report on the **BBC's performance against the requirements in its Operating Licence**, including the particular requirements for the BBC to deliver in each of the UK's nations. Additionally, we will focus our first thematic review of the BBC's delivery against its public purposes on how it reflects and represents the diverse communities of the UK's nations and regions.
- 4.12 Review the guidance to **Public Service Broadcasters for programmes made outside London and in the nations** required by their licence conditions, and consider if this remains fit for purpose in supporting and strengthening production across the UK's nations and regions.

## England

- 4.13 As well as the question of connectivity in rural areas, the high population density in England's urban areas - and London in particular - presents different challenges for network operators. Our work on mobile broadband speeds and consumer research on reception and ease of access will help us to identify network and quality-of-service problems, including potential issues for urban users.
- 4.14 Due to the geographic size of England and its large population, there is great diversity of social factors and socio-economic groups within and between different communities which Ofcom's work will take into account.

## Northern Ireland

- 4.15 Northern Ireland's border with the Republic of Ireland presents unique challenges, with many services available in both jurisdictions. As the UK prepares to leave the European Union, we will continue to work closely with our counterparts in the Republic of Ireland, ComReg and the Broadcasting Authority of Ireland, to coordinate and preserve cross-border services.
- 4.16 We will monitor the implementation of BT's Protocol for Northern Ireland, and work with the Openreach Monitoring Unit, to ensure that the particular circumstances, where BT's Northern Ireland Networks division acts as Openreach's agent, also allows stakeholders in Northern Ireland to benefit from the new arrangements.

- 4.17 We will offer regulatory and technical advice, particularly in support of improved broadband roll-out and mobile coverage, to Northern Ireland Government departments and local councils.

## Scotland

- 4.18 We will continue to work with the Scottish Government, Committees and Members of the Scottish Parliament and the Office of the Secretary of State for Scotland, including through the provision of technical advice and relevant data where appropriate. We will engage proactively with the Scottish Government's proposals to create a Scottish Consumer Taskforce in relation to the relevant markets regulated by Ofcom. We will also continue to act as Secretariat to the Scottish Parliament's Cross Party Group on Digital Participation and engage with other, relevant Cross Party Groups.
- 4.19 Ofcom has developed its new premises in Edinburgh into a policy and operations hub to help ensure that we can effectively consult with stakeholders and represent the interests of citizens and consumers not just in Scotland, but on issues that apply across the UK. In Scotland specifically, this will include engaging with stakeholders on our assessment of the BBC's proposals for a new BBC Scotland TV channel and work closely with MG Alba on reviewing our protocol with them, on the approval process for their Operational Plan and in respect of appointments to the MG Alba Board.

## Wales

- 4.20 Following the publication of its Mobile Action Plan<sup>7</sup>, we will continue to collaborate with the Welsh Government to improve mobile voice and data connectivity. We will also continue to provide technical advice and share data where appropriate to assist the Welsh Government in achieving its ambition of finding both creative and innovative solutions to improving coverage. With the conclusion of the Superfast Cymru project, 96% of premises in Wales will have access to superfast broadband. We will continue to support the Welsh Government in its efforts to provide superfast services to those premises in Wales without access.
- 4.21 We will work with UK Government and S4C to implement any recommendations relating to Ofcom arising from the independent review of S4C<sup>8</sup>.
- 4.22 We will maintain our track record in implementing our Welsh Language Standards and fulfil the requirement to produce an annual report to the Welsh Language Commissioner outlining our performance to date.

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<sup>7</sup> <http://gov.wales/topics/science-and-technology/digital/infrastructure/mobile-action-plan/>

<sup>8</sup> <https://www.gov.uk/government/publications/s4c-review-terms-of-reference>

## 5. Ongoing work to fulfil our duties

- 5.1 In sections 3 and 4 above we have highlighted areas of work that will help us meet our goals in 2018/19 across the UK. Our broader programme of ongoing work also helps us achieve our three strategic goals. This section highlights some of the ongoing work relevant to these.
- 5.2 Much of Ofcom's ongoing work programme is non-discretionary and is set in legislation. In the last year, our duties have been extended to regulating the BBC in respect of its performance, compliance with programme standards for due accuracy and due impartiality in news and current affairs, and the BBC's impact on competition.
- 5.3 Other areas of Ofcom's ongoing work programme relate back to previous key work areas. For example, following recent reviews we continue to monitor the effectiveness of the regulatory framework for post, and the quality of copper and fibre telecoms networks.
- 5.4 There is also important ongoing work to ensure that consumers experience good outcomes in communications markets. For example, securing the best use of telephone numbers to encourage efficiency and innovation, and continuing our work to address nuisance calls.

### Promote competition and ensure that markets work effectively for consumers

#### Allocating numbers

- 5.5 Ofcom allocates telephone numbers to communications providers, who then issue these to consumers. We ensure efficient use of numbers, minimising the need for disruptive and costly measures to address shortages.

#### Monitoring pay TV

- 5.6 Ofcom tracks market developments across the pay TV value chain to understand the consumer experience and retail competition as the sector evolves. We will continue to monitor any concerns in relation to access to pay TV content (including supply of premium sports content) and TV platforms, enabling us to intervene quickly when necessary.

#### Monitoring the effectiveness of the regulatory framework for post

- 5.7 As one of the key safeguards of the regulatory framework, we will continue to monitor a range of factors including Royal Mail's performance on efficiency, quality of service, the financial performance of the universal service network, and competition in parcels and letters. We will also continue to monitor consumers' experiences in the postal sector.



## **Enforcing competition conditions**

- 5.8 Ofcom enforces regulatory conditions that we impose on communications providers to promote competition. We also assess complaints and determine disputes between providers of electronic communications networks and services and conduct investigations under competition law.

## **Regulating the impact of the BBC on fair and effective competition**

- 5.9 Ofcom has a duty to consider the potential adverse impact on competition of new BBC public services or material changes to existing public services proposed by the BBC. We have an on-going role to monitor the BBC's compliance with requirements preventing the BBC's commercial subsidiaries from gaining an unfair competitive advantage or distorting the market as a result of their relationships with BBC public services. We will also undertake trading and separation assessments in relation to proposals for material changes to the BBC's commercial activities, and consider complaints referred to us about the BBC's compliance with competition requirements if the complainant is not satisfied with its resolution by the BBC.

## **Secure standards and improve quality**

### **Managing spectrum and planning for future requirements**

- 5.10 Ofcom ensures UK radio spectrum is used in the most efficient way. This includes planning for future spectrum requirements, such as for mobile data and fixed wireless backhaul. We will continue to undertake application and band specific analysis on specific sectors' use of spectrum to support our own strategic reviews, and inform our policy.

### **Analysing and releasing information on spectrum use**

- 5.11 We release information on spectrum use in an open format, including by publishing interactive spectrum maps to analyse the various geographic aspects of spectrum use, to enable stakeholders to better understand how spectrum is used.

### **Authorising spectrum use**

- 5.12 Ofcom plans efficient use of radio spectrum in the UK in ways which limit interference between users and maximise benefits to consumers. We authorise the use of spectrum through the licences we issue. Where appropriate, we also make exemptions to allow use without a licence. We implement changes to our authorisation approach in response to our sectoral reviews and ensure we have the right tools to deliver efficient use of the spectrum. We also undertake reviews of licence fees.

## **Assuring and enforcing rightful use of spectrum**

- 5.13 Ofcom advises and assists spectrum users to help resolve harmful interference. Our Spectrum Technology, Engineering and Enforcement Teams handle reports of interference and carry out activities to protect and manage the UK's spectrum. These include reacting to interference to safety-of-life communications, and proactively preventing unauthorised use of spectrum, by identifying and addressing unlicensed use of spectrum and the sale or use of non-compliant equipment. Ofcom works with stakeholders to raise awareness of the Government's Radio Equipment Directive<sup>9</sup> requirements and develops strategies for enforcement of its provisions.

## **Monitoring quality of wholesale telecoms services**

- 5.14 Ofcom will continue to monitor the quality of both the provision and repair of copper and fibre based wholesale telecoms services to ensure compliance with conditions imposed as a result of our market reviews.

## **Ensuring network operators comply with guidance on security and resilience**

- 5.15 Ofcom ensures that network operators design and operate networks in line with good security practice and we work to ensure compliance with our guidance. We also collate reports on network failures, summaries of which are published in our annual Connected Nations report and provided to the European Commission. To minimise future risk, we follow up incidents of concern to understand the causes and the steps that have been taken as a result and take action where appropriate.

## **Comparing quality of service**

- 5.16 Ofcom's annual 'Report on Service Quality' publication provides consumers and industry with comparative metrics on communications providers' quality of service.

## **Publishing our Connected Nations report**

- 5.17 Ofcom publishes an annual Connected Nations Report, and periodic updates to this through the year, with accompanying visualisation tools and mobile apps. These provide accessible and comparable information to consumers regarding availability and estimated speeds for superfast and ultrafast fixed broadband and for mobile networks. The report includes information relevant to progress towards universal broadband provision and on the openness of internet access services. In addition, we continue to provide updates to the Government's Digital Infrastructure and Inclusion Task Force on broadband speeds.

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<sup>9</sup> <https://www.gov.uk/government/consultations/radio-equipment-directive>

## Licensing TV and radio broadcast services

- 5.18 Ofcom issues licenses for all national and local UK commercial TV services and all analogue and digital commercial and community radio services. This helps secure a range and diversity of services available across the UK. Ofcom can impose penalties for non-compliance with licence requirements and, in serious cases, Ofcom can revoke licences.

## Enforcing requirements for access services

- 5.19 Ofcom ensures that broadcasters provide a proportion of their programming with access services for people who are visually or hearing impaired. We report bi-annually on broadcasters' provision of subtitling, signing and audio-description. Ofcom also collects data on accessibility of video-on-demand services which meet the statutory definition of an 'on-demand programme service' (ODPS) and is working to align reporting on accessibility across broadcast and on-demand services. We will be consulting to help inform Government regulations on accessibility of ODPS, and will subsequently consult on a new Code on Access Service requirements for these services.

## Protect consumers from harm

### Reducing nuisance calls

- 5.20 Ofcom works with UK communications providers to monitor and block problematic call traffic, and with international partners on enforcement and caller line identification. We also work closely with the Information Commissioner's Office (ICO) and other bodies to reduce nuisance calls, which are particularly harmful for vulnerable consumers.

### Enforcing programme standards

- 5.21 Ofcom ensures that programmes broadcast on TV and radio services meet relevant standards and that audiences are appropriately protected from harmful content. We consider complaints received from members of the public if the complainant believes a programme fails to meet these standards. Complaints received are considered against the Broadcasting Code and other relevant codes and guidelines. We also check for, and identify, breaches of our broadcasting standards rules through ongoing targeted monitoring.
- 5.22 Ofcom also regulates video-on-demand services which meet the statutory definition of an 'on-demand programme service'. These services are required to meet a specific set of editorial standards requirements.
- 5.23 With regard to content on BBC TV channels, BBC radio stations, the iPlayer and the BBC website, in the majority of cases Ofcom considers complaints referred to us if the complainant is not satisfied with its resolution by the BBC. For online material on the BBC website and apps, complaints may be referred to Ofcom for its opinion.

## **Enforcing regulatory conditions to protect consumers**

- 5.24 Ofcom actively enforces the regulatory conditions that we impose on communications providers, as well as general consumer law. We routinely monitor complaints, analyse evidence and take swift action to deal firmly and effectively where we see harm, including formal investigations and penalties where appropriate.

## **Improving complaints handling and customer service**

- 5.25 Communications providers must have, and comply with, procedures that conform to the Ofcom-approved Code of Practice for complaints handling. We have an ongoing programme to drive improvements in this area, including improvements to customer service standards. This is to ensure that consumers have a positive experience when dealing with their providers, and are made aware of their rights to go to alternative dispute resolution (ADR) if their complaints remain unresolved.

## **Enforcing net neutrality**

- 5.26 Internet Service Providers (ISPs) must allow end-users to access and distribute the information and content of their choice, to use or provide the applications and services of their choice, and use the terminal equipment of their choice, via their Internet access service. Ofcom actively evaluates complaints, ISP offers and practices, and engages with stakeholders as compliance questions arise. Ofcom reports on its activities annually.

## **Monitoring roaming regulation**

- 5.27 Since 15<sup>th</sup> June 2017, consumers who have roaming services have been able to use their phone abroad within the EU for no extra charge, subject to certain safeguards. We actively monitor compliance with the roaming rules, including through consumer complaints, and engage with stakeholders if compliance concerns arise and where appropriate take enforcement action.

## **Other work across our goals**

### **Conducting market research and reporting market intelligence**

- 5.28 Ofcom undertakes a broad programme of research into communications markets and consumer preferences and behaviour. This research ensures that we have an up-to-date and thorough understanding of consumers in the markets we regulate. Our market intelligence work collects data directly from industry stakeholders and makes it available through publications and website data updates. Our Statistical Release Calendar<sup>10</sup> provides links to all statistical data on a regular and recurring basis.

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<sup>10</sup> <https://www.ofcom.org.uk/research-and-data/data/statistics/>

## **Monitoring and analysing technical and commercial developments**

- 5.29 Ofcom monitors and analyses technical and commercial developments in the market in order to inform our policy work and ensure we're addressing tomorrow's problems.

## **Reporting on adults' and children's media use and attitudes**

- 5.30 As part of our media literacy duties, we publish reports providing data on adults' and children's media use and attitudes across TV, radio, games, mobile and the internet, with a particular focus on online use and attitudes.

## **Engaging and providing advice to the UK Government, devolved governments and administrations, and other bodies on audience protection**

- 5.31 Ofcom engages with governments, industry and other bodies to promote the safety of audiences, especially children, across traditional and online environments. We play an active role in supporting the Government's UK Council for Child Internet Safety (UKCCIS). We also work closely with other regulators across Europe, through the European Regulators' Group for Audiovisual media services (ERGA), to enhance the protection of audiovisual services.

## **Engaging and providing advice to the UK Government, devolved governments and administrations, and other bodies on network infrastructure**

- 5.32 Ofcom engages with governments and administrations, and a range of other bodies across the UK, advising on technical issues. For example, we advise the UK Government and devolved governments and administrations on availability issues through our work as part of the Digital Infrastructure Task Force and provide support for improving mobile coverage across the UK.

## **Engaging with international stakeholders**

- 5.33 Ofcom engages with a range of international stakeholders in the field of communications regulation, to learn from their experiences and ensure that emerging policy thinking, and any legislative initiatives respond to the needs of the UK communications sector. We will continue our efforts to maintain existing relationships and build new ones with stakeholders in Europe and in the rest of the World. We actively participate in European regulatory networks, such as the Body of European Regulators for Electronic Communications (BEREC), the Radio Spectrum Policy Group (RSPG), the European Regulatory Group for Audiovisual media (ERGA), and the European Regulators Group for Post (ERGP), as well as regional organisations such as the European Platform for Regulatory Authorities (EPRA). We represent the UK, under Ministerial Direction, in the International Telecommunications Union (ITU) and the Conference of European Postal and Telecoms Administrations (CEPT), where we participate in global and regional discussions across a range of issues. We also have an active programme of bilateral engagement with

stakeholders and regulatory counterparts from around the world (such as the FCC in the US, the ACMA in Australia, the IFT in Mexico, and the IMDA in Singapore, among others).

## 6. Ensuring value for money

### We will continue to deliver efficiencies and savings

- 6.1 We are entering the third year of the UK Government's 2015 Spending Review period and remain committed to achieving real terms savings consistent with the public sector as well as our own drive to be an efficient and effective regulator for a dynamic communications sector.
- 6.2 The passing of the Digital Economy Act 2017 provides a more practical funding model for Ofcom where we are now funded entirely through industry fees and charges. This helps to underline our independence.
- 6.3 The proposals set out for 2018/19 build on our previous work to moderate our budget. Ofcom continues to deliver like-for-like real-terms budget reductions, and will continue to identify efficiencies where possible.

### Our budget for 2018/19

- 6.4 As we take on new challenges and responsibilities in the markets we regulate, our focus on delivering value for money endures. We have set our provisional budget at £121.2m, which includes capacity for our responsibilities regulating the BBC. We will confirm our budget in the final version of the Annual Plan.
- 6.5 Costs for 2018/19 by stakeholder sector will be published in our Tariff Tables alongside the final Annual Plan. Our work plan is reflected in the tariffs we have set, and there is no change to the method we have used to calculate these charges.

### How we will manage our resources in 2018/19

- 6.6 We continually look at how we carry out our work, to make sure that what we do supports our aim to make communications markets work for everyone. Where resources are limited, we will make choices, guided by our goals and our duty to promote citizen and consumer interests.
- 6.7 We are adopting a more effective, strategic and integrated approach to our annual budgets, with a focus on the resources, skills and capacity needed to deliver on our plans and duties. This would naturally flow through into how we assess our progress during the year with a longer term, progressive approach to planning.
- 6.8 To optimise the use of our London headquarters, we are continuing with building modifications to reflect a transition to agile working and to maximise the flexibility of our workforce. This will ultimately reduce our London footprint by circa 25% and reduce our property overhead going forward. Agile working presents an opportunity to make best use of our resources throughout the year and respond to any reactive work that arises.

- 6.9 The successful relocation of a number of roles to offices in the North West of England and Scotland is an integral part of our move to an agile working environment and helps to ensure we use all our property space as efficiently and effectively as possible.
- 6.10 As part of our agile working project, we are also investing in ICT to move some of our functions and systems to cloud-based platforms and to support a more collaborative way of working. We will integrate new planning and reporting tools to support our project work and promote how we can best deploy our resources.
- 6.11 We have a robust assurance framework in place with a focus to secure value for money on the 700MHz spectrum clearance programme, and to maximise the benefits to the wider UK economy, and we are working closely with UK Government to deliver the programme objectives to an accelerated delivery plan.
- 6.12 Over recent years, we have completed a number of significant cost reduction and efficiency initiatives. The savings from these will continue to flow through to this year and future years.



## A1. Work plan for 2018/19

A1.1 Below, we set out our proposed work plan for 2018/19. We provide detail on the projects underpinning our priority work areas, as set out in Section 3, as well as our wider work plan to achieve our goals.

### Promote competition and ensure that markets work effectively for consumers

Project details	Project Director	Milestone
<b>Support investment in network infrastructure:</b> We will implement regulation following the Wholesale Local Access market review and continue to work with industry as necessary to support investment in advanced, competing network infrastructure, including co-investment.	Paul Jacobus/ Tim Cross	Investment Conference Q1 2018/19
<b>Effective Openreach reform:</b> We actively monitor and report progress on arrangements for the legal separation of Openreach from BT. We will assess the effectiveness of actions taken in benefiting consumers, including addressing our competition concerns and encouraging new investment in networks.	Gaucho Rasmussen	Implementation report Q1 2018/19 Monitoring report Q3 2018/19
<b>Start the next competition assessment of the Business Connectivity Market:</b> We will take account of the needs of businesses, telecoms companies and consumers in reviewing the provision of higher speed business connectivity services across the UK.	Tim Cross	Consultation Q1 2018/19 Statement Q4 2018/19
<b>Help consumers, including SME businesses, engage with communications providers:</b> We will identify and address barriers to competition and exercising choice.	Jane Walsh	Update Q1 2018/19 Consultation Q4 2018/19
<b>Prepare for future awards of spectrum bands as they are cleared and released.</b> This will include the design of auctions, any obligations, and measures to promote competition as part of a licence award. This work will include consideration of our approach to the 700MHz and 3.6 to 3.8GHz bands.	Gideon Senensieb	Consultation Q3 2018/19
<b>Conduct BBC Scotland BCA:</b> We will conduct our first competition assessment on the BBC's proposals to launch a new BBC Scotland TV service.	Siobhan Walsh	Statement Q1 2018/19
<b>Collect evidence on BBC Studios activity:</b> We will collect evidence on whether the activity of BBC Studios meets the trading and separation rules. As set out in the Agreement between DCMS and the BBC we have to consider whether to review BBC Studios by April 2019.	Siobhan Walsh	Decision whether to review Q4 2018/19

<b>Complete the market review of 070 call termination:</b> We will complete our competition assessment of the market for termination of calls to 070 telephone numbers.	Markham Sivak	Statement Q1 2018/19
<b>Post regulatory financial reporting review:</b> We will complete our assessment of certain costing and accounting rules which are applied by Royal Mail in preparing its financial reports.	David Brown	Statement Q4 2018/19
<b>Complete review of the dark fibre remedy:</b> We will complete our review of whether it would be appropriate to add a dark fibre remedy to the package of regulation put in place under the BCMR temporary conditions statement.	David Clarkson	Statement Q1 2018/19
<b>Review the Accreditation Scheme for price comparison websites:</b> We will review the effectiveness of the scheme to ensure it remains relevant in today's market.	Liz Hall	Consultation Q4 2018/19
<b>Advice on regulation for cross-border parcels:</b> We will continue to offer advice to Government on the proposals for regulation to increase oversight and transparency of EU internal cross-border parcel delivery services, including on amendments proposed in discussions with Council and European Parliament, and will work with the ERGP on the implementation of any agreed measures (expected April to December 2018).	Philip Groves	Ongoing

## Secure standards and improve quality

Project details	Project Director	Milestone
<b>Improve mobile coverage:</b> We will ensure existing coverage obligations are met, and consider obligations for coverage where new spectrum is awarded, for example, in the 700MHz spectrum band.	Charles Jenne / David Harrison	Statement on obligations in 700 MHz licences Q3 2018/19
<b>Publish Ofcom's first annual report on the BBC's compliance:</b> We will set out an assessment of the BBC's performance against the specified requirements in the Operating Framework and Operating Licence.	Siobhan Walsh / Jacquie Hughes / Tony Close	Statement Q3 2018/19
<b>Publish BBC thematic review:</b> We will begin our first thematic review of how the BBC is delivering its public purposes. The first review will be in relation to the BBC's public purpose to reflect and represent the diverse communities of the UK's nations and regions.	Jacquie Hughes	Report Q2 2018/19

<p><b>Review the guidance to Public Service Broadcasters for production outside of London:</b> We will review the guidance to Public Service Broadcasters (PSBs) in meeting their licence conditions for programmes made outside of London and in the nations, and consider if this remains fit for purpose, in supporting and strengthening production across the UK's nations and regions.</p>	Simon Terrington	Report Q3 2018/19
<p><b>Review of children's content:</b> We will review the quantity, range and quality of content available to younger audiences, including the possibility of setting criteria for children's programming.</p>	Simon Terrington	Initial report Q2 2018/19
<p><b>Promote diversity and equality of opportunity in broadcasting:</b> We will publish our second annual report on the UK TV industry, and our first report on the UK radio industry, to provide a comprehensive picture of how well individual broadcasters – and the industry as a whole – are performing on equality of opportunity, diversity and inclusion in employment.</p>	Vikki Cook	Report Q1/Q2 2018/19
<p><b>Review EPG Code and PSB prominence:</b> We are required to report on provision by electronic programme guides (EPG) of information about, and access to, programmes included in public service channels or PSB on-demand programme services. We will report on PSB prominence as it stands and consider wider policy questions that arise from this work ahead of a review of Ofcom's EPG Code.</p>	Simon Terrington	Report Q1/Q2 2018/19
<p><b>Small-scale Digital Audio Broadcasting (DAB):</b> Following a consultation and draft Order planned by Government, we will develop plans for the implementation and licensing of small-scale DAB.</p>	Carina Tillson	Ongoing
<p><b>Promoting accessibility of TV and On Demand Programme Services (ODPS):</b> We will consult to help inform Government regulations on accessibility of ODPS, and subsequently consult on a new Code on Access Service requirements for these services.</p>	Tony Close	Consultation Q4 2018/19
<p><b>Media ownership review:</b> We have a statutory duty to review every three years the media ownership rules set by Parliament and report back to the Secretary of State.</p>	Simon Terrington	Report Q3 2018/19
<p><b>Responding to Channel 4 Corporation's annual Statement of Media Content Policy:</b> We will publish an analysis of, and our response to, Channel 4 Corporation's delivery of its media content duties and plans for the following year as set out in its statement.</p>	Simon Terrington	Report Q1 2018/19

<p><b>Broadband Universal Service:</b> We will continue to provide technical advice to Government when necessary, and report on uptake of broadband services. We will support implementation and monitoring of Government’s decisions on broadband universal service policy.</p>	Hannah Taylor	Ongoing
<p><b>World Radiocommunications Conference (WRC):</b> The next World Radiocommunications Conference will be held in Oct/Nov 2019 and will consider a range of important spectrum related issues including spectrum for mobile broadband (5G), satellite use and RLANs (WiFi). Ofcom will work closely with UK stakeholders and European partners to develop UK and European regional positions to take into the Conference with the aim of achieving outcomes which are best aligned with UK interests.</p>	Chris Woolford	Updates in lead-up to WRC in 2019
<p><b>Connected Nations Report:</b> We will continue to provide accessible and comparable information to consumers regarding availability and estimated speeds for superfast and ultrafast fixed broadband and for mobile networks. Relevant data will be published in our annual Connected Nations Report, our periodic Connected Nations updates and accompanying visualisation tools and mobile apps. We will also report on broadband universal service and on the openness of internet access services. In addition, we will continue to provide updates to the UK Government’s Digital Infrastructure and Inclusion Task Force on broadband speeds.</p>	Gary Clemo	Update and publish open data Q2 2018/19  Report, data and online tools Q3 2018/19
<p><b>Cross-sector reporting on the UK communications market:</b> We will publish our annual overview of the UK communications market, highlighting key market developments and publishing data, across television &amp; audio-visual, radio and audio, fixed and mobile telephony, internet take-up and consumption, and post.</p>	Ian Macrae	Publish report Q2 2018/19
<p><b>Reporting on outcomes for UK audiences:</b> We will publish a new annual report which will take a broad look at how UK audiences are served. This will incorporate the public service broadcasting report and public service compliance reports we have published in previous years and will also include video-on-demand and radio content.</p>	Ian Macrae	Publish report Q2 2018/19
<p><b>Improving consumer information on fixed &amp; mobile coverage and performance:</b> We will improve the functionality of our broadband checker tool and mobile coverage tool to provide more accurate consumer information on the quality of experience different services provide in different locations. We will update the data used in the tools frequently, working closely with industry to ensure that the information provided reflects the services currently available to consumers.</p>	David Harrison	Update tools Q3 2018/19

<p><b>700 MHz spectrum clearance:</b> We will continue to work to clear DTT and PMSE services from the 700 MHz band in order to release this spectrum for mobile data. We will also work to clear PMSE services from the band and support migration to a new spectrum allocation. Our current objective is to make the 700 MHz band available for mobile services by Q2 2020.</p>	Graham Plumb	Clearance events start in areas in Wales, Scotland, England and Channel Isles in 2018/19
<p><b>700 MHz clearance grant scheme:</b> We will administer a grant scheme to fund incremental costs broadcasters incur as a result of the infrastructure changes associated with 700 MHz clearance. We will develop a grant scheme to fund a proportion of the costs PMSE users incur as a result of loss of access to the 700 MHz band.</p>	Helen Hearn	Statement Q1 2018/19
<p><b>Shared access in 3.8 to 4.2 GHz:</b> We will continue our work to enable greater shared access in this band. In doing so our aim is to protect existing users of the band whilst also promoting access for new users. We will consult on proposals, including consideration of the appropriate authorisation mechanism and database solutions for dynamic spectrum access.</p>	Helen Hearn	Consultation Q4 2018/19
<p><b>Preparing to make sufficient spectrum available for 5G:</b> We will continue to update our spectrum roadmap to support wireless broadband growth. We will prepare to make sufficient spectrum available for new wireless technologies including 5G to facilitate the rapid rollout of services so that the benefits of 5G are delivered to citizens and consumers across the UK. We will conduct technical studies of 5G bands to feed into international studies and to inform our policies.</p>	Cristina Data	Ongoing
<p><b>26 GHz consultation:</b> We will continue our work on 26GHz as the pioneer mmwave band for 5G. Our focus is to ensure the spectrum at mmwave is authorised in such a way that reflects the characteristics of the spectrum and the potential use cases, to ensure innovation and competition at mmwave.</p>	Cristina Data	Ongoing
<p><b>Review of the Second Class safeguard caps on Universal Service letters and parcels:</b> We will assess the safeguard caps for second class standard letters and second class large letter and small and medium parcels.</p>	Richard Orpin	Consultation Q2 2018/19 Statement Q4 2018/19
<p><b>Future of Voice:</b> We will identify and address issues raised by communication providers' migration to voice over IP, including any potential PSTN switch-off, with the aim of protecting consumers from harm and minimising disruption.</p>	Alan Pridmore	Ongoing

## Protect consumers from harm

Project details	Project Director	Milestone
<b>Review the cost of calling Directory Enquiries services:</b> We will review the cost of calling Directory Enquiries services to ensure that prices are transparent and fair to consumers.	Hannah Taylor	Consultation Q1 2018/19
<b>Ensure that network operators comply with our guidance and design and operate networks in line with good security and resilience practice:</b> This will include preparing for and implementing enforcement proposed under the National Infrastructure Survey (NIS) Directive (legislation coming into force May 2018), and piloting and adopting the TBEST scheme for cyber security assurance.	Huw Saunders	Ongoing
<b>Participation and vulnerability:</b> We will publish our second Access and Inclusion report, examining the take-up and use of services by disabled consumers and consumers in vulnerable circumstances.	Alan Pridmore	Report Q4 2018/19
<b>Audience protection and assurance:</b> We will consider whether there is a need to further develop the regulatory framework to protect audiences from harmful content and to promote safety and assurance in an online environment.	Tony Close	Ongoing

## Engage during changes to European legislation

Project details	Project Director	Milestone
Safeguard and promote UK businesses and consumers' interests throughout the Brexit process: We will consider potential impacts on markets and relevant legislation from the changing nature of our relationship with the EU. We are providing advice to UK Government on topics related to the sectors we regulate, and we will continue to assist Government going forward.	Liz Bates	Ongoing
<b>The Audiovisual Media Services Directive (AVMS):</b> Proposals reviewing the AVMS Directive were published in May 2016, and negotiations are ongoing. Our engagement seeks to ensure that the regulatory framework for audiovisual media services continues to deliver the protection that audiences expect and to promote a vibrant European content market in the digital age.	Jeremy Olivier	Expected adoption of proposals Q1 2018/19
<b>EU Electronic Communications Framework:</b> The European Commission published proposals reviewing the Electronic Communications Framework in September 2016. We will continue to work with the European institutions, other EU	Camilla Bustani	Ongoing

regulators and the UK Government to help ensure that any new legislation is proportionate, reflects the challenges facing the sector and meets the needs of consumers now and in the future.

## A2. Responding to this consultation

### How to respond

- A2.1 Ofcom would like to receive views and comments on our proposed Annual Plan for 2018/19 by 5pm on 9 February 2018.
- A2.2 You can download a response form from <https://www.ofcom.org.uk/consultations-and-statements/category-1/proposed-annual-plan-2018-19>. You can return this by email or post to the address provided in the response form.
- A2.3 If your response is a large file, or has supporting charts, tables or other data, please email it to [annualplan2018@ofcom.org.uk](mailto:annualplan2018@ofcom.org.uk), as an attachment in Microsoft Word format, together with the cover sheet (<https://www.ofcom.org.uk/consultations-and-statements/consultation-response-coversheet>). This email address is for this consultation only, and will not be valid after April 2018.

Responses may alternatively be posted to the address below, marked with the title of the consultation:

Annual Plan Team, SITE  
Ofcom  
Riverside House  
2A Southwark Bridge Road  
London SE1 9HA

- A2.4 We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:
- Send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, wmv or QuickTime files. Or
  - Upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A2.5 We will publish a transcript of any audio or video responses we receive (unless your response is confidential).
- A2.6 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt if your response is submitted via the online web form, but not otherwise.
- A2.7 It would be helpful if your response could include a reference to the section and paragraph your response refers to. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.
- A2.8 If you want to discuss the issues and questions raised in this consultation, please send an email to [annualplan2018@ofcom.org.uk](mailto:annualplan2018@ofcom.org.uk).



## Confidentiality

- A2.9 Consultations are more effective if we publish the responses before the consultation period closes. In particular, this can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish all responses on our website, [www.ofcom.org.uk](http://www.ofcom.org.uk), as soon as we receive them.
- A2.10 If you think your response should be kept confidential, please specify which part(s) this applies to, and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.
- A2.11 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A2.12 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further at <https://www.ofcom.org.uk/about-ofcom/website/terms-of-use>.

## Next steps

- A2.13 Following this consultation period, Ofcom plans to publish a statement in March 2018.
- A2.14 If you wish, you can register to receive mail updates alerting you to new Ofcom publications; for more details please see <https://www.ofcom.org.uk/about-ofcom/latest/email-updates>.

## Ofcom's consultation processes

- A2.15 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex 3.
- A2.16 If you have any comments or suggestions on how we manage our consultations, please email us at [consult@ofcom.org.uk](mailto:consult@ofcom.org.uk). We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.
- A2.17 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact Steve Gettings, Ofcom's consultation champion:

Steve Gettings  
Ofcom  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA  
Email: [corporationsecretary@ofcom.org.uk](mailto:corporationsecretary@ofcom.org.uk)

## A3. Ofcom's consultation principles

### Ofcom has seven principles that it follows for every public written consultation:

#### Before the consultation

- A3.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

#### During the consultation

- A3.2 We will be clear about whom we are consulting, why, on what questions and for how long.
- A3.3 We will make the consultation document as short and simple as possible, with a summary of no more than two pages. We will try to make it as easy as possible for people to give us a written response. If the consultation is complicated, we may provide a short Plain English / Cymraeg Clir guide, to help smaller organisations or individuals who would not otherwise be able to spare the time to share their views.
- A3.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.
- A3.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.
- A3.6 If we are not able to follow any of these seven principles, we will explain why.

#### After the consultation

- A3.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish all the responses on our website as soon as we receive them. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

## A4. Consultation coversheet

### BASIC DETAILS

Consultation title: Annual Plan 2018/19

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

### CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing

Name/contact details/job title

Whole response

Organisation

Part of the response

If there is no separate annex, which parts? \_\_\_\_\_

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If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

### DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)