

Written evidence submitted by the British Standards Institution to the Ofcom consultation on Proposed Plan of Work 2020-21

Introduction

1. BSI is the UK's National Standards Body, incorporated by Royal Charter and responsible independently for preparing British Standards and for coordinating the input of UK experts to European and international standards committees. BSI has over 115 years of experience in serving the interest of a wide range of stakeholders including government, business and society. BSI has a public function in support of the UK economy and brings together stakeholders to facilitate the development of "what good looks like".
2. BSI operates in accordance with a Memorandum of Understanding with the UK Government. BSI represents the UK view on standards in Europe via the European Standards Organizations CEN and CENELEC and internationally via ISO and IEC. BSI is a member of ETSI (The European Telecommunications Standards Institute) and provides support to DCMS through their membership of ITU (the International Telecommunication Union).
3. Standards are developed when there is a defined market need through consultation with stakeholders and a rigorous development process. National committee members represent their communities in order to develop standards and related documents. They include representatives from a range of bodies, including government, business, consumers, academic institutions, social interests, regulators and trade unions.
4. BSI's robust standards development process requires open and full consultation with these stakeholders to build consensus-based outcomes. This gives standards the legitimacy and degree of market acceptance to be used for public policy purposes.
5. Standards are designed to set out clear and unambiguous provisions and objectives. Each standard is kept current through a process of maintenance and review whereby it is updated, revised or withdrawn as necessary. This means that standards can evolve to meet market requirements or industry innovations.

BSI's role as the National Standards Body

6. As the National Standards Body, BSI has extensive experience in bringing together experts in industry, government, academia and consumer representatives to capture what good looks like. BSI provides the infrastructure for over 12,000 experts, who are the voice of UK economic and social interests, to be influential in the international standards organisations. BSI has a public interest responsibility to develop and maintain the standards infrastructure to support UK emerging industries at home and internationally.
7. Standards already exist across a number of related areas that can be utilised to deliver Ofcom's objectives. BSI can assist by bringing together key stakeholders to map out the standards landscape and help shape necessary standards revisions, gaps and any new standards development to address Ofcom's requirements. Such research and assessment activities would take into account the UK market drivers whilst building upon existing European and international best practice (through BSI's involvement in CEN, CENELEC, ISO, IEC, etc.).

8. Where there are gaps, BSI has a number of ways it can support regulators to deliver their policy objectives:
 - a. PAS creation: We create and maintain thousands of British Standards and contribute the UK view on European and international standards via national committees within our formal standards development programme. However, in emerging areas of good practice or the application of new technologies where early consensus on key principles is essential, we create Publicly Available Specifications (PASs) with public or private sponsorship.
 - b. Stakeholder and community engagement: We are able to provide routes to engagement with industry, Government and public interest consumer organisations. We run workshops to agree consensus on new subject areas and can provide long-term public engagement programmes of communication and interaction via community interest platforms. Developing collaborative relationships with stakeholders is at the core of what BSI does to develop best practice standards.
 - c. Research and insight: We offer primary and secondary, qualitative and quantitative research and impact evaluation, drawing on the expertise of a network of specialists from all industry sectors, academia and consumer groups. BSI works extensively in areas of innovation and emerging technologies where UK industries are looking to establish themselves as leaders. In these areas, knowledge of the standards landscape here, and in other countries, is critical to a wider understanding of how fast-moving technologies are developing.
 - d. Consultancy: Combining consulting rigour with deep subject matter and standards-making expertise, we work with partners from well-established networks to help organizations make full use of standards and respond to risk, reduce complexity and increase operational performance.

BSI's role in supporting Ofcom in delivering their strategic priorities

Fairness for customers

9. Consumers are a key stakeholder in the development of standards. BSI's open, consensus-based standards process ensures that their views are taken into account alongside those of industry and other stakeholders.
10. BSI's Consumer & Public Interest Network (CPIN) represents the views of UK consumers. Funded by BSI, with additional support from BEIS, it provides an independent consumer voice in the development of standards. CPIN members are volunteers, trained as consumer experts, who represent UK consumers in standards developing committees. CPIN also represents UK consumers in European committees and international committees as working group experts, and as members of UK delegations. CPIN also represent consumers directly at the European level through ANEC, the consumer voice in European standards and at International level through Consumers International. CPIN also represent UK consumers at ISO's (International Organization for Standardization) Committee on Consumer Policy (COPOLCO).
11. There are good practice examples of regulators using standards to improve outcomes for consumers. For example, BS 18477 "*Inclusive service provision. Requirements for identifying and responding to consumer vulnerability*", is referenced by a number of regulatory bodies to support vulnerable consumers and many of the existing DNOs (Scottish and Southern Electricity Networks, SSE, UK Power Networks, Wales & West Utilities and Western Power Distribution) were among the first organisations to implement the framework and achieve verification. The standard focuses on

the provision of inclusive essential services, including energy, water, telecoms and broadband to enable equal access to all consumers. This standard combined with accredited conformity assessment can give a high degree of confidence of compliance to all parties.

12. An ISO international standard is currently being developed by ISO/PC 311 'Vulnerable consumers' working group 1 on *Inclusive service – Identifying and responding to consumers in vulnerable situations*, based on the British Standard, BS 18477. The standard lays out good practice guidance to identify consumers in vulnerable situations, including those with physical and mental disabilities, mental health, geographical or temporary challenges such as bereavement or redundancy. It is recognised that the definition of a 'vulnerable consumer' will benefit from common international understanding, as many services are being offered cross-borders either directly or through a distributor. For more information on the role that standards play in improving outcomes for vulnerable consumers, please see the CPIN protecting vulnerable consumers leaflet¹.
13. In addition to this, ISO 10002:2018 *Quality management – Customer satisfaction – Guidelines for complaints handling in organizations*, gives guidelines for the process of complaints handling related to products and services within an organization. The standard helps organisations to enhance customer satisfaction by creating a customer-focused environment that is open to feedback (including complaints), resolving any complaints received, and enhancing the organization's ability to improve customer service.

Ensuring online communications work for people and businesses

14. BSI has been working closely with DCMS on their Online Harms activity. There is scope for BSI to work in parallel to government's legislation to create underpinning market-led standards. The Online Harms White Paper notes the need for a mechanism to hold companies to account when they fail to tackle breaches. The absence of clear standards for what companies should do to tackle harms on their services makes it difficult for users to understand or uphold their rights.
15. There is an opportunity for the UK now to be a world leader in the development of international standards around Online Harms. There is clear appetite for industry to have access to good practice guidelines that incorporates the voice of consumers. One example of BSI's work with DCMS on this is through the updating of PAS 1296:2018 on Age Verification. The PAS provides steps for platforms to give an anonymous age verified token to websites as an identity attribute. This gives age assurance, without providing full identity information.
16. In addition to this BSI has provided evidence to the cross-government advisory group on Verification of Children Online (VoCO). VoCO is specifically a child online safety project that responds to the challenges of age-assuring children online and is seeking to build a greater evidence base and understanding of its implications and feasibility. Standards are a key stream in this activity. Standards help support industry to understand the steps they need to take to keep children safe online. Standards are also a tool to drive behavior change towards good practice.

Enabling strong, secure networks

17. BSI wishes to highlight the opportunity for Ofcom to use existing industry good practice to support the objectives of ensuring the safety and security of the UK's communications networks. Relevant standards already exist that enshrine good business practice in security and resilience.

¹ https://www.bsigroup.com/globalassets/documents/s19052_bsi_cpin-vulnerability-brochure_web.pdf

They have been developed internationally through robust and independent multi-stakeholder processes.

18. For example, International Standard ISO/IEC 27001, *Information security management systems - Requirements*, is the standard accepted worldwide to help organisations understand and properly manage cyber risks. ISO/IEC 27002, *Code of practice for information security controls*, is widely used alongside ISO/IEC 27001. It represents more than twenty years' experience within the UK and worldwide in protecting information against areas such as cyber-attack. It provides essential information and recommendations for the business community. Around these standards are over 180 standards supporting various elements of cyber security.
19. BSI would welcome the opportunity to discuss how best to ensure existing industry best practice is utilised and, if necessary, identify new areas for cyber security standards development.

BSI's role in support of Ofcom's areas of focus

Continuing to innovate in regulation and data to help consumers and businesses

20. Standards play key roles as effective, market-led delivery mechanisms for Government policies. Standards are increasingly used across a wide range of Government policy areas to support 'outcome based' regulation including technical product safety, good governance, climate change, energy, fair markets and public confidence.
21. While regulation may be required to correct a market failure or to address an urgent consumer protection issue, standards offer a market led opportunity that may provide better and more flexible solutions. BSI's standards offer the opportunity to achieve government's policy objectives and provide the flexibility not afforded by the regulatory process. For more information on this see *Standards and Accreditation: Tools for delivering better regulation*²
22. BSI has been working closely with the Better Regulation Executive to help develop a strategic approach to how government uses standards in support of legislation. The government's recently published white paper on *Regulation for the Fourth Industrial Revolution*³, notes standards as a valuable tool for policymakers to use alongside the future regulatory framework. As government shifts towards a more outcome-focused, flexible regulatory system that encourages innovation, standards can help provide clarity for business on how to achieve regulatory requirements.

Support through Brexit and continued international relationships

23. Over proliferation of standards can be confusing for stakeholders and business, especially when they are operating cross-borders. There is a role for the UK to provide leadership in setting international standards of good practice that encourage the adoption of safe behaviour online. Taking a lead in developing standards presents the below opportunities;
24. Utilising the existing consensus-based standards development mechanism will give government the opportunity to develop a widely accepted solution. BSI has the infrastructure and framework to enable this to take place. While the end result may not in the short term be an ISO standard,

² <https://www.bsigroup.com/globalassets/documents/about-bsi/nsb/bsi-ministers-handbook-standards-and-accreditation-uk-en.pdf>

³ <https://www.gov.uk/government/publications/regulation-for-the-fourth-industrial-revolution>



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any work carried out based on BSI's infrastructure, process and framework will have more chance of being adopted internationally.

Further Information

BSI would be pleased to provide further information or to discuss the content of this submission with Ofcom. For further information please contact:

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