

Reference: 01974622

Information Requests
information.requests@ofcom.org.uk

16 April 2025

Freedom of Information request: Right to know request

Thank you for your request for information about calls, SMS and internet.

We received this request on 19 March 2025 and we have considered your request under the Freedom of Information Act 2000.

Your request and our response

1. What are the initial compliance requirements for a telecom provider to offer SMS, calls, and internet services in the UK for both B2B and B2C customers?

In order to provide electronic communication services in the UK, providers must comply with Ofcom's [General Conditions of Entitlement](#). They must also comply with other relevant legislation as appropriate, including (but not limited to):

- general consumer law such as the Consumer Rights Act 2015;
- the Competition Act 1998;
- The Network and Information Systems Regulations 2018 and Telecommunications (Security) Act 2021; and
- the UK General Data Protection Regulation and Data Protection Act 2018.

A more detailed summary of some of the regulations providers must comply with can be found on our [website](#). We also have a separate [webpage](#) providing information on the General Conditions that relate specifically to business customers. Please note, however, that neither the information provided in response to this question or on the referenced pages on our website is exhaustive or constitutes advice or guidance from Ofcom as to our interpretation of certain rules, nor how we expect providers to comply with their obligations. Providers are responsible for ensuring they comply with all of their obligations and may wish to seek independent legal advice.

2. What ongoing regulatory requirements must a telecom provider follow to maintain compliance while offering SMS, calls, and internet services in the UK?

Please see the information provided in response to Question 1.

3. What are the specific reporting, data protection, and cybersecurity obligations for telecom providers under UK regulations, including the Communications Act 2003 and other relevant Acts?

Although we are the regulator for the telecommunications sector, we are only responsible with what falls under our remit. We are unable to comment or provide a list of obligations for telecommunication providers under all UK regulations or legislation which fall outside our remit. We

recommend you contact the relevant body for that information. For example, the Information Commissioner's Office for Data Protection Act 2018 obligations.

We have provided below a brief outline of obligations conferred on telecommunication providers under regulations and legislation within our remit.

In October 2022, the Telecommunications (Security) Act 2021 and The Electronic Communications (Security Measures) Regulations 2022 came into force. They place new, detailed, obligations on providers and give Ofcom powers to monitor and enforce compliance. In December 2022, the Telecommunications Security Code of Practice was published by DSIT, which sets out the recommended measures providers should follow when securing their networks.

Ofcom has published [further guidance](#) to explain the procedures that we generally expect to follow when carrying out our monitoring and enforcement activity. It also provides general guidance about which security compromises we would normally expect providers to report to Ofcom and the process for reporting them. We have also updated our 2017 guidance on security requirements to reflect changes made by the Telecommunications (Security) Act 2021. In particular, we have decided to revise [this guidance](#) so that it applies to the sub-category of security compromises relating to the resilience of networks and services, in terms of availability, performance or functionality.

We hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).