



National Single Non-Emergency Number

Designating number “101”

Statement

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Contents

Section		Page
1	Summary	1
2	Introduction	2
3	The Non-Emergency Service	4
4	Designating number “101”	6
5	Characteristics of services with 3-digit numbers	9
6	Other issues	11
7	Modification to General Condition 17	16
Annex		Page
1	Original consultation questions	17
2	Modification to the Numbering Condition	18
3	Glossary	20

Section 1

Summary

- 1.1 The Home Office, in partnership with the Office of the Deputy Prime Minister, is establishing a nationwide non-emergency service allowing the public to report or enquire about non-emergency issues relating to police, crime and anti-social behaviour. This service will be rolled out in a staged process, achieving national coverage by 2008. The underlying policy behind the service has been consulted on and decided by the Home Office as part of its wider police reform proposals.
- 1.2 Ofcom, as the National Regulatory Authority responsible for the administration of the UK's numbering resource, was asked by the Home Office to make available a memorable 3-digit telephone number, preferably "101", for the delivery of this non-emergency service. To designate a 3-digit number for use by all Communications Providers, this number needs to be added to the list of such numbers annexed to General Condition 17 of the General Conditions of Entitlement, which covers the allocation, adoption and use of telephone numbers.
- 1.3 This statement sets out Ofcom's decision to designate "101" as the UK's Single Non-Emergency Number or "SNEN". This designation will allow communications providers to adopt this number to provide access to this new non-emergency service.
- 1.4 During the consultation period Ofcom received 26 responses. Ofcom has considered those responses in coming to the conclusion set out in the statement
- 1.5 The responses received on both the eligibility of the SNEN service for a 3-digit code and the specific use of "101" were overwhelmingly positive, particularly when taken in conjunction with responses received to previous Home Office consultations on this issue.
- 1.6 Other issues, including the appropriate tariff for calling this service and the possible mandating of network access, were discussed in the original Ofcom consultation document. These issues remain subject to detailed implementation discussions between the Home Office and Communications Providers. Ofcom has not been asked to intervene at this time. If necessary, further consultation on the specific issues and proposals would be carried out.

Section 2

Introduction

- 2.1 Ofcom is responsible for administering the UK's telephone numbering resource. As part of this function, Ofcom sets aside specific telephone numbers for use or adoption by any Communications Provider in accordance with their service designation. Such numbers may be used without further application to Ofcom. These numbers are listed in the Annex to the Numbering Condition (General Condition 17). These numbers, which include, for example, "100" for access to operator assistance, "112" for access to emergency services and "123" for the Speaking Clock, are distinct from the numbers which Ofcom allocates directly to communications providers at their request in accordance with the National Telephone Numbering Plan ("the Plan").
- 2.2 In administering telephone numbers, it is Ofcom's duty to ensure that the best use is made of the UK's numbering resource. To perform this duty, it is sometimes appropriate for new and/or additional numbers to be made available for use by communications providers. In order to do this, a modification to the Annex to the Numbering Condition or the Plan may be required. The Communications Act 2003 ("the Act") provides for modifications in accordance with set procedures, including consultation.
- 2.3 The Home Office sought a 3-digit number from Ofcom to provide a nationwide single point of contact for the reporting of non-emergency issues relating to police, crime and anti-social behaviour. In order to meet this request, Ofcom consulted on adding a suitable number to the Annex in the Numbering Condition. In its consultation document, National Single Non-Emergency Number – Proposals for number and Tariff of 27 October 2005 ("the October consultation"), we explained how the proposal would make the best use of the UK's numbering resource.
- 2.4 It was further stated that the non-emergency service would improve the call handling and processing of reported incidents and enquiries. It is hoped that the SNEN will alleviate the pressure on the emergency services caused by the volume of non-emergency calls currently made to "999" or "112".
- 2.5 The consultation set out proposals to make a 3-digit number – specifically "101" - available for use by Communications Providers to provide access through a single memorable telephone number to a co-ordinated means of enquiring about or reporting non-emergency issues. It provided background information on the Single Non-Emergency Number ("SNEN") service, a Home Office initiative on which it had already consulted. Ofcom's consultation did not therefore examine the underlying policy and proposals for the SNEN service.

Responses to the consultation

- 2.6 Overall responses on the eligibility of this service for a short code and, in particular "101" were favourable. This is set out in more detail in Section 4 of this document.

- 2.7 Responses received on possible desirable or essential characteristics of a service eligible for 3-digit numbers were useful and should assist Ofcom in considering such matters in the future. This is set out in more detail in Section 5 of this document.
- 2.8 Finally, responses on other issues around the adoption and use of the SNEN by Communications Providers are considered in Section 6 of this document. Ofcom has now assessed the need to consider issues of access and interconnection and believes that, at this time, it is appropriate to allow the Home Office to continue working to set up voluntary, commercial arrangements. Both Ofcom and the Home Office accept that should this prove insufficient it will revisit these matters at a later date.

The legal framework

- 2.9 Ofcom regulates the communications sector under the framework established by the Act. The Act provides for the setting of Numbering Conditions and procedures for making modifications to these conditions. These procedures include the requirement to ensure that proposals are consistent with Ofcom's general duties as set out in section 3 of the Act and its Community obligations as set out in section 4 of the Act.
- 2.10 Ofcom consulted on a proposal to designate the number "101" for "Access to Non-Emergency Services". The Annex to the Numbering Condition needs to be modified so that the number "101" and its service designation can be added to the list of telephone numbers for use or adoption by communications providers in accordance with their designation (as provided by Numbering Condition 17.3). Section 45 of the Act gives Ofcom the power to set and modify conditions in accordance with the tests and procedures set out in sections 47 and 48 of the Act. The tests are that the modification is objectively justifiable; does not discriminate unduly; is proportionate and transparent. The procedures include the publication of a notification setting out the intention to modify the condition, together with the reasoning in proposing the modification and its effects. Comments on the proposals must be taken into account when Ofcom makes any modifications to the Numbering Condition.
- 2.11 The October consultation fulfilled Ofcom's duties in proposing a modification to the Numbering Condition by containing a notification in Annex 7 and by providing the reasoning behind the proposals in the main body of this document. The various legal tests and duties, and how Ofcom has complied with them in consulting on its proposals, were set out in Section 6 of the October consultation.
- 2.12 In this statement, at Annex 2 is a copy of the modification effecting this change to General Condition 17.

Section 3

The Non-Emergency Service

Background

- 3.1 The Home Office has been exploring the creation of a single number and contact point for reporting non-emergency issues since 2001. Section 3 of the consultation document set out full details of the steps that lead to the establishment of this service.

Reason for the introduction of the SNEN and benefits to consumers and other stakeholders

- 3.2 The aim of the SNEN service is to give the public a single point of access to report and/or get advice in relation to non-emergency issues of policing, crime and anti-social behaviour. This is intended to provide a more responsive service to the public, and to alleviate the demands on the emergency organisations and related public services. The public are currently faced with a range of numbers in order to access local authority services and police stations. The quantity and general lack of memorability of the numbers results in consumers frequently calling “999” or “112” in the absence of knowing a more appropriate number.

Scope of issues covered by the SNEN service

- 3.3 The SNEN service will encompass non-emergency issues relating to policing, crime and anti-social behaviour. Within these broad areas, the core non-emergency service will focus initially on the priority issues which are: youth related nuisance; vandalism and graffiti; noisy neighbours; alcohol related anti-social behaviour; drug related nuisance; abandoned vehicles; and street lighting.

Timetable for SNEN implementation

- 3.4 The Home Office is committed to putting the core system for the SNEN in place by the end of 2006. Initially the service will be able to i) resolve some issues over the telephone; ii) provide advice on certain matters; and, where that cannot be done, iii) forward calls to the appropriate contact. But the intention is to have a full national system in operation by 2008, preferably with an intelligent front end for improved call handling.
- 3.5 The Home Office is planning to introduce the SNEN service through three waves of service launch. The first wave, planned for mid-2006, will involve partnerships between police forces and local authorities in seven areas and will be used to define and develop the core service focussing on the key issues of non-emergency policing and antisocial behaviour set out in paragraph 3.8 above. The findings of the first wave will inform the development of the non-emergency service for the second wave (planned for mid-2007) and full nationwide rollout (planned for 2008). During the first and second waves, access to the SNEN would be restricted to the participating geographic areas. Calls made to the SNEN from non-participating areas would be given alternative telephone numbers to call.

- 3.6 Before this process can get under way the Home Office and Communications Providers must have a suitable number designated by Ofcom.

Section 4

Designating number “101”

Introduction

- 4.1 The Home Office is committed to the provision of the non-emergency service on a 3-digit number, but it is recognised that 3-digit numbers are a scarce resource. As set out in the October consultation, there are only sixteen Type A Access Codes available for designation, Ofcom is therefore clearly limited in the amount of 3-digit numbers that we can designate (subject to consultation) for specific services.
- 4.2 Although general characteristics for eligibility can be agreed (see Section 5 below), Ofcom must consider any requests for the designation of a 3-digit code on their individual merits. In addition to protecting the very benefit that 3-digit numbers provide (i.e. their relative uniqueness and memorability) there is also a restriction in availability imposed by the lack of possible 3-digit numbers.
- 4.3 In response to the Home Office’s request to Ofcom for a 3-digit telephone number, and its preference for the number “101”, Ofcom asked two questions in the October consultation:

Question 1: Do you agree with Ofcom’s view that the Single Non-Emergency Number service represents a justified use of a 3-digit number?

*Question 3: Do you agree with the Home Office’s view that
a) a 3-digit number is the best choice for the non-emergency service; and
b) of the 3-digit numbers available, “101” is the best option?
Please give reasons for your views.*

Eligibility for a 3-digit number

Responses received

- 4.4 Most respondents agreed with Ofcom’s proposal to designate number “101”. The few respondents who were less favourable towards the use of a 3-digit code for this service were concerned that a full length non-geographic number or a longer access code (which would have less resource implication) might, given the right campaign and spend, be equally successful. One respondent was concerned as to the length of time it had taken to propose the introduction of this service.

Ofcom response

- 4.5 In the light of the responses received, it is apparent that there is widespread agreement that the use of a 3-digit Type A Access Code for the SNEN is appropriate. Ofcom acknowledges that another, longer, number might be marketable but it is likely that there are significant advantages to a shorter number.

- 4.6 Ofcom considers the SNEN service to be of significant public benefit, both in terms of making the existing emergency service more efficient and by making non-emergency services easier to access. Taken together these should encourage the reporting of crime and antisocial behaviour. Ofcom therefore considers that the Home Office's request for a 3-digit code for the service represents a justified use of one of the available 3-digit Type A Access Codes.

The number

- 4.7 In the October consultation Ofcom set out 4 possible options for numbering the non-emergency service. These were:
- a) Option A: 3-digit number
 - b) Option B: 11-digit number from the Plan
 - c) Option C: Short digit version of number from the Plan
 - d) Option D: A short code starting with "116" in anticipation of a possible Harmonised European Short Code
- 4.8 The Home Office believes that the 3-digit number "101" represents the best option for its service. This is primarily because of that number's high-profile memorability. The Home Office is keen to ensure that the SNEN service has the best support, which includes the best available number in terms of memorability, consumer perception and reduced risk of misdialling. It believes that "101" will ensure this.
- 4.9 In the October consultation Ofcom proposed that suitable criteria for evaluating applications for the use of such a number would be likely to include memorability, reduced risk of mis-dials and ease of keyboard navigation. It has been established that a number's digit pattern helps determine whether it is the best choice to meet these criteria. Repetition of digits can help make a number memorable but can also increase the chance of misdialling as confusion over the number of times a digit has been dialled can occur. Ergonomic advisers have indicated that to avoid misdials, the same digit should not be repeated consecutively. Naturally the relevance of this may vary in accordance with the target audience for a number, but, in this case, it would suggest that a "11X" numbers should be avoided. On the other hand, repetition of non-consecutive numbers could aid memorability as the digits form a pattern. On this basis it was established that the number "101" would be memorable and not easy to misdial.
- 4.10 Additionally, discussions with the Royal National Institute of the Blind suggested that an "up-down-up" dialling movement across the keypad can aid navigation and avoid misdialled calls. This is particularly relevant for blind and partially sighted consumers who can benefit from a movement across the raised pip on the number 5 key. The number "101" is appropriate in this respect as it would require a dialling movement across the keypad and the number 5 key.
- 4.11 Ofcom tested the potential suitability of "101" by conducting consumer research (annexed to the October consultation). That research found that consumers believed the number "101" to be memorable and, for this reason, nearly seven out of ten respondents preferred it to alternative options.
- 4.12 Consumers were also asked whether they thought the number "101" had negative connotations and so might not be appropriate for a non-emergency service. A clear

majority of the consumers in the survey disagreed and thought this a suitable number.

Responses received

- 4.13 Eight respondents agreed that “101” was the best option available. Five considered that Ofcom should designate “116” not “101”. Four respondents individually favoured 4-digit numbers, repeated digits (e.g. “111”) or adjacent digits (e.g. “123”). Other respondents expressed no particular preference.

Ofcom response

- 4.14 Although “116” may appear to be a logical alternative, as it is currently reserved for potential future use as an EU-harmonised “non emergency” number, Ofcom has been asked by the European Commission to reserve but not designate this number pending detailed discussions. It is also unclear whether “116” would be used alone or in a “116X(X)” format (where the X or X’s would signify, for example, police, local authority, or health service). It seems likely to be some time before a “116X(X)” number would be available for adoption in the UK. Moreover, some EU Member States have objections in principle and there is consequently much discussion yet to take place.
- 4.15 In consideration of the widespread level of agreement that firstly, SNEN qualifies for a 3-digit Type A Access Code, and secondly that “101” is the most viable and popular option, this number will be designated as the SNEN. Attached as Annex 2 to this document is the formal modification of General Condition 17. With the publication of this decision the number “101” becomes available for adoption by Communication Providers to provide access to the non-emergency service.

Section 5

Characteristics of services with 3-digit numbers

- 5.1 In addition to assessing the specific eligibility of a 3-digit SNEN, Ofcom asked for respondents' thoughts on general characteristics of services that could be eligible for one of these scarce 3-digit numbers:

Question 2: What characteristics do you think a service should have to be eligible to apply to Ofcom for the designation of a 3-digit number?

- 5.2 As set out above, Ofcom explained in the October consultation that 3-digit numbers are a scarce resource. There are only sixteen Type A Access Codes available for designation so Ofcom is clearly limited in the amount of 3-digit numbers that we can designate (subject to consultation) for specific services. Ofcom is aware that 3-digit numbers are also a valuable resource because of their rarity. The consultation document sought views on potential criteria.

Responses received

- 5.3 Responses to the consultation document proposed fifteen different desirable or essential characteristics of a service that could be eligible for a 3-digit Type A Access Code. Four such characteristics had widespread support. These were that:

- There is an overwhelming public interest argument;
- The proposed service should have national impact and/ or national provision;
- The proposed service should not only be for the public good but also used only where demand based on high call volume; and
- The proposed service provision should benefit everyone or at least a very wide part of in society.

- 5.4 Two additional characteristics were supported by two respondents each:

- The service on a 3-digit numbers should be free to callers or fall within free call packages; and
- The service must be reliable; the service provider must have the ability to deal with high call volume and route calls to other centres when traffic intensity is high to ensure credibility of system.

- 5.5 Further characteristics proposed by one respondent each were:

- The Service provided should be envisaged to continue in perpetuity;
- There should be no other technical way of providing the service;

- The service must be unique;
- The cost of a call to be within a suitable existing commercial charge model;
- Such numbers should only be used where safety and well being of individuals and groups are involved;
- The scope of designations for these numbers should be as inclusive as possible: (e.g. "transport enquiries" rather than "rail enquiries");
- Such services should be operated on a cost-neutral or subsidised basis; and
- Given scarcity of these numbers any assessment of eligibility should be on case-by-case basis.

Ofcom's response

- 5.6 Ofcom agrees that many of these criteria are likely to be characteristics of a suitable service and that many will provide useful future indicators should we need to assess a similar application.
- 5.7 Ofcom is particularly supportive of the first four proposed characteristics, which seem sensible and clearly fit with Ofcom's duty to ensure that the best use is made of the UK's numbering resource.
- 5.8 The proposal that a service on a 3-digit number must be free to callers is incompatible with current allocations and Ofcom does not have any statutory basis to require them to be free. The Speaking Clock (accessed via "123") is not a free service, nor is Operator Assistance (on "100"). Neither do these services have a function of protecting the interests of end users nor do they involve the safety and wellbeing of individuals and groups. Accordingly, criteria relating to free-to-call or safety seem incompatible with well-established services. Whilst these may be useful aspects to consider they cannot be considered as essential characteristics.
- 5.9 The reliability of the service or its existence in perpetuity are probably, in their absence, more appropriate as potential reasons for withdrawing a number rather than as precondition for allocation. Similarly, questions of the uniqueness of the service or the uniqueness of delivery via a 3-digit access code are subjective and as criteria on their own would not seem to lend themselves to regulatory clarity.
- 5.10 Ofcom considers it likely that the cost of a call to a 3-digit code will be within a suitable existing commercial charge model and there will be cases where it is appropriate for it to be operated on a cost-neutral or subsidised basis. However, if a different call cost model and/or cost basis were proposed, it might be appropriate to allocate a short code if it satisfied other criteria.
- 5.11 Ofcom agrees in general that, given the scarcity of these numbers, the scope of designations for these numbers should be as inclusive as possible: (e.g. "transport enquiries" rather than "rail enquiries"). However, in some instances specific detail may be appropriate.
- 5.12 Finally, Ofcom agrees that any assessment of eligibility should be on case-by-case basis and the four chief characteristics set out above, at section 5.3, are likely to be of great assistance to Ofcom and potential applicants when making future decisions of this nature.

Section 6

Other issues

Ofcom's duty

- 6.1 As set out in the October consultation, Ofcom's principle duty, in carrying out its functions, including telephone numbering, is to further the interests of citizens and consumers in relation to communications matters. This duty includes, as set out in Article 8.4(d) of the Framework Directive, promotion of the provision of clear information, in particular requiring transparency of tariffs and conditions for using communications services.
- 6.2 The designation of an access code, as with the SNEN, gives no information on the relevant tariff and/or service type. For example, an 077 number denotes that the call is to a mobile handset and is likely to cost more than, for instance, a call to a geographic number (itself denoted by an initial 01 or 02). In the case of access codes it is therefore important that consumers gain information from other sources on the charge (if any) of calling and what they can expect from the relevant service. Ofcom is therefore pleased to note that the Home Office is planning an extensive publicity campaign which will include generating awareness of any charges proposed.
- 6.3 Ofcom recognises that detailed issues remain to be resolved. These include the use and operation of the SNEN. The Home Office has confirmed that these can be resolved during the early phases of the project's practical roll-out, without the need for regulatory intervention. Ofcom therefore considers it appropriate to designate the number and leave these matters to the industry and the Home Office to agree.

Relevant consultation questions

- 6.4 Although Ofcom was not consulting on tariff options and network arrangements for the SNEN service, we sought stakeholders' views on charge options in the October consultation through the following questions:

Question 4: What are your views on the four tariff options chosen by the Home Office for specific consideration by respondents? In particular, what are your views on the Home Office's preferred tariff?

Question 5: Do you have any comments on the evaluation and/or outcome of the Impact Assessment?

The Tariff

- 6.5 The pricing of telecommunication services is generally a matter for relevant network and/ or service providers, not Ofcom. In this case pricing is being agreed between carrier networks and the Home Office.
- 6.6 In the October consultation Ofcom suggested four tariff options that the Home Office considered might be appropriate:

National Single Non-Emergency Number

- a) Option 1: free to caller including free from payphones and mobiles
- b) Option 2: 10 pence-per-call
- c) Option 3: 3 pence-per-minute
- d) Option 4: 10 pence-per-call initially, with the intention to moving to free to caller in the future

Responses received

- 6.7 Nine respondents preferred the first option. Views expressed varied from consumers who considered that a charge meant they would be paying for access to a public service to the concern that charging would impose a barrier to take-up and so fail to relieve the pressure on the emergency number. Another additional, but related, suggestion was that if calls could not be free they should at least be linked to geographic rates and so within consumer free-to-call price plans.
- 6.8 No respondents preferred the second option, one respondent preferred the third option and four respondents preferred the fourth option.
- 6.9 A number of respondents believed that it was too early to determine the correct tariff. This was either because of network routing complexity or issues around Home Office offset for call costs. One respondent believed that the tariffing was an integral part of the product specification and should be addressed after the tender for delivery of the service was completed. As the Home Office has now awarded the tender this issue no longer applies.
- 6.10 Some concerns were expressed about the service having a charge associated with it, but other respondents, such as the Mobile Broadband Group believed that it was desirable to discourage frivolous calls by levying a charge. That group however supported the idea of per minute charging on the basis that the best pricing transparency can be achieved on that basis and it that also encourages all parties to use communications resources efficiently.
- 6.11 Whilst some respondents believed that it was essential for Ofcom to ensure that an appropriate interconnect regime was in place before designating any number for use others argued that tariff decisions should be agreed on a bilateral commercial basis and not subject to regulation.
- 6.12 UKCTA suggested that the originating communications provider's costs must be recoverable regardless of the retail charge preferred. The group welcomed the opportunity to discuss these issues with the Home Office and the successful call handling provider in due course. Ofcom is pleased to note that these discussions are now underway.
- 6.13 Other concerns about tariffing reflected a more general concern about Number Translation Services ("NTS"). There was a call for the tariff to be at a "real" geographic rate which would be free to callers who had free geographic call packages. There was also a call for clarity about who would receive the proposed 10 pence generated by the one off charge. Would this be the communications providers, the Home Office, or would it be split?

- 6.14 It was felt by some that a range of associated issues would need to be addressed before the Home Office's desire for ubiquitous access at a set price could be achieved.

Ofcom's response

- 6.15 The Home Office has confirmed that it is aiming to secure, through commercial negotiations, a common rate of 10 pence per call for access to this service on all networks. The Home Office believes that most calls will be from mobile telephones and is therefore in detailed negotiations with all the mobile network providers.
- 6.16 There remains an issue that some providers might decide to charge their customers more than the Home Office proposed charge. The Home Office is working to ensure that its advertised charge is applicable across all networks from the initial launch of the SNEN service. No determination on the issue of tariff has been sought at this time, but we will consider any future proposals were these to become necessary.
- 6.17 The Home Office has indicated that it is also seeking agreement with respect to a number of circumstances (including payphones) where it would like calls to the number to be free. In addition, the charge will be reviewed and the Home Office will consider whether the call should be free from all networks after about six months of operation when more is known about the call duration and volumes.
- 6.18 The Home Office plans for the SNEN to be rolled out in five partnership waves, involving police forces and local authorities. The experience of roll-out in the first wave of partnerships will inform the ultimate charging level (including determining whether it should be free).
- 6.19 As set out in the consultation document, at present around half of all UK police forces use an 0845 non-geographic number, as do very many local authorities. The Home Office experience is that callers do not appear to be discouraged from calling existing 0845 numbers to contact the police. The arrangements that are proposed should be less expensive to the caller than a landline call to an 0845 number as calls are expected to average about 5 minutes, and 0845 calls are often charged at 3 pence per minute. A fixed cost of 10 pence per call will also mean that callers are not penalised in the unlikely event that there is a delay in answering the call.
- 6.20 The charging rate for calling an 0845 number from a mobile is typically 10 pence per minute and may be higher. The Home Office expects a majority of calls to the SNEN to be from mobiles. On that basis the charging rate proposed represents a reduction in the amount that a caller would pay from a mobile phone if calls average five minutes.
- 6.21 In response to concerns about call-cost, the Home Office will also ensure that alternative geographic numbers for each partnership will be listed on a web site. Callers will be able to continue to call a partnership directly on that geographic number.
- 6.22 The Home Office has been discussing how the initial 10 pence per call charge can be achieved with network providers individually and collectively. In addition, there have been specific discussions with BT about the possibility of free access from payphones where, for technical reasons, a drop charge per call is not feasible.

The Impact Assessment

6.23 Ofcom set out in the October consultation an Impact Assessment (“IA”) that covered:

- Criteria for evaluating policy options;
- Options for the number to be used for the non-emergency service;
- Evaluation of options;
- Promotion of consumer interests;
- Best regulatory practice;
- Best use of telephone numbers;
- Costs of the options;
- Benefits of options;
- Risks of options; and
- Outcome of evaluation of options.

Responses received

6.24 Only two respondents commented that they thought that the IA in the October consultation needed further consideration. One respondent considered that uncertainty in the area of costs remained. In the absence of information about how network data would need to be built, calls would be routed and interconnect charged the respondent argued that it was difficult to say whether sufficient weight had been given to communications providers’ costs. In addition it believed there were uncertainties around access from payphones, call barring, and treatment under carrier pre-selection rules. The other respondent noted that the IA had not quantified the costs to communications providers involved in handling SNEN calls, nor did it specify appropriate interconnect arrangements. It stated that this was of particular concern in that a 3-digit code was being proposed which would appear to involve higher costs and inconvenience for providers. These costs, and how providers would be able to recover them, were critical issues which would need to be resolved before a SNEN was designated.

6.25 Finally, one respondent observed that the IA did not directly address the issue of obligations on communications providers, specifically it assumed that the current obligations associated with access to emergency services such as guaranteed access, would not apply to the SNEN.

Ofcom’s response

6.26 The majority of respondents considered that the IA had assessed adequately the potential impact of the various options.

6.27 The Home Office is undertaking discussions with the five mobile network providers and they are all working to develop arrangements to route calls to partnerships. While the final commercial arrangements are still being discussed, interim agreements, suitable for the first wave partnership, are in hand. The Home Office recognises that further analysis will be necessary, after the initial six months, to assess the impact of the proposed charging rate. An important factor will be the extent to which it reduces the number of calls to existing emergency numbers. Meetings with the Telecoms Advisory Group for the Single National Non Emergency

Number Service will take place and this forum will be used to consult on details of roll-out with carriers and network providers, alongside bilateral discussions with individual carriers.

- 6.28 In the light of these assurances, Ofcom is satisfied that appropriate arrangements with communications providers are being put in place. On the basis that the cost of providing the call handling element, funding of call handling costs, call volumes and length of call, and ways to provide tariff transparency to consumers will be implemented during the roll-out phases, Ofcom does not consider intervention appropriate at this point.
- 6.29 On the issue of obligations in relation to the SNEN, Ofcom notes that the Home Office wishes to ensure widespread access to the SNEN. This is another issue that the Home Office will be discussing with Communications Providers.
- 6.30 As with tariffing arrangements, Ofcom is designating the number on the basis that the Home Office will develop agreements with relevant providers on access. If there are problems, then the position will be reassessed.

Section 7

Modification to General Condition 17

- 7.1 In the October consultation Ofcom set out the form of a decision to designate “101” under General Condition 17. Ofcom asked the following question:

Question 6: Do you have any comments on the proposed notification of modification to the Numbering Condition in Annex 7 of this document?

Response Received

- 7.2 As set out in Section 4 above, Ofcom is designating “101” as the UK’s SNEN with publication of this statement. The exact designation that was proposed in the October consultation was “Access to Non-Emergency Service (Type A Access Code)”.
- 7.3 The one respondent who commented on this designation suggested that the wording of the description might be better as “Access to The National Single Non-Emergency Service (Type A Access Code)”. It suggested that “Access to Non-Emergency Service (Type A Access Code)” potentially left the designation open for a network to adopt this number for other non-emergency services, such as roadside rescue, a 24-hour plumber, etc, or a menu of services, not all under the control of the Home Office or other appropriate authorities.

Ofcom comment

- 7.4 Ofcom recognises the reasons underlying this concern. However, on the basis that networks will each only be able to use the SNEN to connect to one specific service which will be subject to contractual agreement with the Home Office and relevant partnerships, it is believed that the concern should not materialise. As set out in Section 6 above, should networks fail to reach suitable commercial arrangements with the Home Office, so that the number is not being implemented on all networks, Ofcom may need to reconsider this matter. Once the SNEN is implemented for the specified service on a network it would clearly not be available for use on the same network for a different service.
- 7.5 On the specific drafting suggestions, the proposed changes both have merit; however, on balance Ofcom considers that there is merit in retaining the original description. With regard to the word “Single” Ofcom notes that it is the number which is singular not the non-emergency service. The proposed addition of the word “National” might at least in the initial phase cause some confusion as the service will be launched in phases.

Annex 1

Original consultation questions

Question 1: Do you agree with Ofcom's view that the Single Non-Emergency Number service represents a justified use of a 3-digit number?

Question 2: What characteristics do you think a service should have to be eligible to apply to Ofcom for the designation of a 3-digit number?

Question 3: Do you agree with the Home Office's view that
a) a 3-digit number is the best choice for the non-emergency service; and
b) of the 3-digit numbers available, "101" is the best option?
Please give reasons for your views.

Question 4: What are your views on the four tariff options chosen by the Home Office for specific consideration by respondents? In particular, what are your views on the Home Office's preferred tariff?

Question 5: Do you have any comments on the evaluation of options and/or the outcome of the Impact Assessment?

Question 6: Do you have any comments on the proposed notification of modification to the Numbering Condition in Annex 7 of this document?

Annex 2

Modification to the Numbering Condition

Modification to the provisions of General Condition 17 of the General Conditions of Entitlement under section 45 of the Act

Whereas -

A. section 45 of the Act, provides that Ofcom may make proposals to modify the provisions of General Condition 17;

B. Ofcom issued a notification pursuant to section 48(2) of the Act of a proposal to make a modification to General Condition 17 on 27 October 2005 ('the Notification');

C. for the reasons set out in the Statement accompanying this modification Ofcom is satisfied that, in accordance with the test for modifying conditions, set out in section 47(2) of the Act, this modification is:

- objectively justifiable in relation to the matters to which it relates;
- not such as to discriminate unduly against particular persons or against a particular description of persons;
- proportionate to what the Modification is intended to achieve; and
- in relation to what it is intended to achieve, transparent;

D. for the reasons set out in the Statement accompanying this modification Ofcom considers that the proposed modification complies with the requirements in section 47(2) of the Act;

E. for the reasons set out in the Statement accompanying this modification Ofcom considers that it has acted in accordance with the six Community requirements in section 4 of the Act as well as performed its general duties under section 3 of the Act and its duty as to telephone numbering in section 63 of the Act;

F. a copy of the Notification was sent to the Secretary of State;

G. in the Notification and accompanying consultation document Ofcom invited representations about any of the proposals therein by 22 December 2005;

H. by virtue of section 48(5) of the Act, Ofcom may give effect to the proposal set out in the Notification, with or without modification, only if -
it has considered every representation about the proposal that is made to it within the period specified in the notification; and
it has had regard to every international obligation of the United Kingdom (if any) which has been notified to it for this purpose by the Secretary of State;

I. Ofcom received responses to the Notification and has considered every such representation made to it in respect of the proposals set out in the Notification and the accompanying consultation document and the Secretary of State has not notified Ofcom of any international obligation of the United Kingdom for this purpose;

J. In considering whether to make the modification proposed in the Notification Ofcom has complied with all relevant requirements set out in sections 47 and 48 of the Act.

NOW, THEREFORE, OFCOM, PURSUANT TO SECTION 44 HEREBY MAKES THE FOLLOWING MODIFICATION-

1. Ofcom in accordance its powers under section 45 of the Act to modify conditions and the procedure set out at section 48 for doing so hereby makes the modification to the Plan set out in the Schedule below to take effect on the date of publication of this notification.

Signed by

Neil Buckley

A person authorised by Ofcom under paragraph 18 of the Schedule to the Office of Communications Act 2002

8 March 2006

Schedule

The following shall be inserted after “100*” in Table 1 in the Annex to General Condition 17 of the General Conditions of Entitlement. Note: the asterisk denotes a number beginning or in entirety that is designated for access to the service as set out in the adjacent column-

101*	Access to Non-Emergency Service (Type A Access Code)
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Annex 3

Glossary

Communications Provider

A person who provides an Electronic Communications Network or provides an Electronic Communications Service.

Electronic Communications Network

- (a) a transmission system for the conveyance, by the use of electrical, magnetic or electromagnetic energy, of signals of any description; and
- (b) such of the following as are used, by the person providing the system and in association with it, for the conveyance of the signals -
- (i) apparatus comprised in the system;
 - (ii) apparatus used for the switching or routing of the signals; and
 - (iii) software and stored data.

Electronic Communications Service

A service consisting in, or having as its principal feature, the conveyance by means of an Electronic Communications Network of Signals, except in so far as it is a content service.

Emergency Organisation

In respect of any locality:

- (a) the relevant public police, fire, ambulance and coastguard services for that locality; and
- (b) any other organisation, as directed from time to time by Ofcom as providing a vital service relating to the safety of life in emergencies.

Geographic Area Code

A Telephone Number identifying a particular geographic area.

Geographic Number

A Telephone Number, from a range of numbers in the National Telephone Numbering Plan, where part of its digit structure contains geographic significance used for routing calls to the physical location of the Network Termination Point of the Subscriber to whom the Telephone Number has been assigned, or where the Network Termination Point does not relate to the Geographic Area Code but where the tariffing remains consistent with that Geographic Area Code.

National Numbering Scheme (“the Scheme”)

The day-to-day record of telephone numbers allocated by Ofcom in accordance with the National Telephone Numbering Plan, and as provided for in Section 56(3) of the Communications Act.

National Telephone Numbering Plan (“the Plan”)

A document setting out Telephone Numbers available for allocation and restrictions on the Adoption and other uses of those numbers, and as provided for in section 56(1) of the Communications Act.

Numbering Condition

General Condition 17 of the General Conditions of Entitlement.

Number Translation Services (“NTS”)

Telephone services using the following numbers: Special Service numbers (including freephone, special service basic rate, special service higher rate and premium rate). Within these ranges calls to 0844 04 numbers for Surftime internet access services and calls to 0808 99 numbers for FRIACO (Flat Rate Internet Access Call Origination) are excluded.

Pence-per-call (“ppc”)

A retail price structure where the price of the call does not depend on the duration of the call.

Pence-per-minute (“ppm”)

A retail price structure where the price of the call depends only on the duration of the call.

Telephone Number

Subject to any order of the Secretary of State pursuant to section 56(7) of the Act, any number, including data of any description, that is used (whether or not in connection with telephony) for any one or more of the following purposes:

(a) identifying the destination for, or recipient of, an Electronic Communication; (b) identifying the origin, or sender, of an Electronic Communication; (c) identifying the route for an Electronic Communication; (d) identifying the source from which an Electronic Communication or Electronic Communications Service may be obtained or accessed; (e) selecting the service that is to be obtained or accessed, or required elements or characteristics of that service; or (f) identifying the Communications Provider by means of whose network or service an Electronic Communication is to be transmitted, or treated as transmitted.