

ISPA Response to Ofcom Annual Plan 2018-19

ISPA welcomes the opportunity to respond to Ofcom's consultation on the proposed Annual Plan for 2018-19.

ISPA is the trade association for providers of internet services in the UK, we have over 200 members, 90% of which are SMEs. Our members cover the whole spectrum of access provision in the UK using FTTP, FTTC, wireless, satellite and hybrid solutions at a wholesale and retail level, and all play a critical role in delivering broadband and internet services across the UK to consumers and businesses.

In times of political and economic uncertainty, the industry needs the right support and incentives to ensure that it can continue to invest in next generation infrastructure, deliver excellent levels of service and meet the communications needs of the UK. As such, we would look to Ofcom to ensure it is minimising the burden it places on ISPs as per its requirement under the Communications Act 2003 and allows space for innovation. ISPA welcomes Ofcom's goals to promote competition, improve quality, and protect consumers and is particularly supportive of Ofcom's work in encouraging infrastructure investment. ISPA welcomes the statement that Ofcom will continue to work with Government to reduce planning barriers, and we believe that industry, local and central government all have a role to play in working to reduce barriers to infrastructure roll out. ISPA also looks forward to working with Ofcom as it develops the regulatory mechanisms by which the broadband USO will be delivered.

There are a number of areas that ISPA feel should be important considerations for Ofcom that are currently overlooked in the proposed annual plan, or would benefit from greater emphasis in 2018-19. Ofcom should better reflect the breadth of the market in their policy going forward. ISPA membership reflects the wide range of players across the internet value chain and there is large market of providers that Ofcom could do more to understand and promote. For example, Ofcom's market and industry research, whilst extremely valuable, should aim to provide more detail and information on the full breadth of the market. The same is true of certain projects and initiatives where we would like to see greater efforts to reflect the breadth of the industry, for example the broadband speeds code of practice, which has a high barrier of entry for smaller providers due to the rather demanding testing requirements. Ofcom must balance this against the resources available for smaller operators in comparison to their larger counterparts when responding to requests for information or dealing with duplicated reporting requirements.

Related to this, we would also ask Ofcom to seek to minimise the number of consultations it launches. Last year saw a high number of consultations and while we value the opportunities to consult, Ofcom must be mindful of the pressures placed on our members' resources. This is particularly important in

2018 which sees many significant regulatory requirements coming into force, including GDPR, NIS, the Digital Economy Act and more. The timing suggested for the Business Connectivity Market Review (12 months including consultation and statement) is one example where a compressed timescale will place an undue burden on many members, and it is incumbent upon Ofcom to be mindful of this to ensure that it engages fully with all players in the market.

Furthermore, in this context, we would also welcome clarity on the regulatory remit of Ofcom and other regulators – particularly in relation to cyber security, there is now a multitude of regulatory bodies and reporting mechanisms which can make compliance more onerous than it should be.

Alternative Dispute Resolution (ADR) is another area where ISPA feels that Ofcom could take a more proactive approach over the coming year. Customer service is a priority for our members and ISPA has been working closely with members, actively seeking to improve the existing ADR system. Last year's periodic review into ADR effectively recommended maintaining the status quo, but with the intention of looking into several areas, one of which is the readiness of ADR providers accepting out of scope cases. Our members' feedback suggests that this is a significant issue and we would be happy to share their experience as part of any independent review.

ISPA is supportive of the overall plan and goals presented in Ofcom's proposed annual plan and is keen to facilitate and develop an ongoing dialogue with members to further this agenda and the policy areas outlined above. ISPA would be happy to organise regular member bilateral meetings with Ofcom to discuss and help meet some of the points identified above.