

Reference: 01732002

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

15 December 2023

### Freedom of Information request: Right to know request

Thank you for your request for information concerning 999 calls with Digital BT Cloud Voice Telephone Systems. Your request was received on 6 December 2023 and we have considered it under the Freedom of Information Act 2000 (the "FOI Act").

#### Your request

*"Ofcom permitted BT to introduce CLOUD VOICE telephone systems to UK Homes and Businesses.*

*Ofcom are aware of the Ofcom requirement for all Telco's to guarantee 999 Emergency Services Access to all members of the public using telephony services. You are aware of this as you have a current (June 2023) investigation into a 999 services outage which took place.*

*Whilst you are aware of the above, you are currently permitting British Telecom to sell their Smart Hub 2, Cloud and Yealink phone systems to UK homes and businesses, and all of these systems do not allow 999 Emergency calls in the event of a power/cut outage. In other words, at the exact time when someone would most need to phone 999 for example if their home caught fire, they would not be able to do so.*

*You also allow BT to sell and promote these Cloud telephone systems without a CLEAR and upfront statement on their sales websites and telephone sales transcripts stating that 999 call will not be possible during a power cut/outage .*

*Ofcom have failed here a) by their own standards, b) by the matter of Human Rights - every human in the UK has the right to be able to access Emergency Services and c) via the Trading Standards act where all product and service limitations should be clearly described at the point of purchase.*

*I would like to know under the Freedom of Information act what checks and actions, Ofcom took when assessing each of these points before BT were allowed to offer these systems to UK businesses and the UK Public."*

#### Our response

Landline phone calls have traditionally been delivered over the Public Switched Telephone Network (PSTN), which is part of the legacy copper phone network. The UK's telecommunications industry has decided to retire the PSTN because this network is becoming more difficult and expensive to

maintain. In the future, all landline calls will be delivered over a broadband connection through a system known as VoIP. Customers will therefore continue to be able to have a landline, but landline calls will be delivered through a different technology. Ofcom's regulations are generally technology neutral, so how services are delivered is a matter for Communications Providers ('CPs'), provided that they comply with our [General Conditions of Entitlement](#).

Unlike some PSTN landlines, VoIP landlines will not work in a power cut unless a back-up solution is in place.

For the majority of consumers, a mobile phone is sufficient to make phone calls, including emergency phone calls, during a power cut. This may include people who experience poor reception at home because emergency calls from mobile phones are able to 'roam' onto any available network (not just the registered 'home' network), and take priority over other calls and services.

To ensure that consumers can still make emergency calls when they need to, Ofcom has placed regulatory obligations on telecoms providers. In 2018, we published [guidance](#) on how providers can meet these obligations for customers using VoIP services. This states that all telecoms providers must have at least one solution for customers who are landline-dependent, such as a battery back-up unit, that enables access to emergency organisations for a minimum of one hour in the event of a power cut. This solution must be made available free of charge to customers who telecoms providers determine to be reliant on their landline to make emergency calls during a power cut.

Our [published guidance on access to emergency services](#) sets out the obligations telecoms providers have to provide a free resilience solution to customers who are dependent on their landline to contact emergency services in the event of a power cut. The [open letter](#) we sent to all CPs earlier this year reminded them of this obligation.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) quoting the reference number above in any future communications.

Yours sincerely

## Information Requests

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

### Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF