

Reference: 1901057

Information Requests
information.requests@ofcom.org.uk

30 October 2024

Freedom of Information request: Right to know request

Thank you for your request for information about UK landlines to digital technology.

We received this request on 2 October 2024 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request and our response

Following the decision to move all UK landlines to digital technology accessible through broadband, please provide:

1 Details on when OFCOM have determined this transfer should be complete.

The decision to retire the public switched telephone network (PSTN) and the timescale for closure has been taken by the telecommunications industry, not Ofcom or the government. This decision has been taken because: (1) the network over which fixed voice services have been delivered for decades is nearing the end of its life and is becoming increasingly unreliable; and (2) the PSTN does not work over new fibre-to-the-premises (FTTP) networks. BT has decided to close its PSTN by January 2027 and other telecoms providers are following a broadly similar timescale. Ofcom’s role is to ensure that customers, particularly those that are vulnerable, are not subject to undue disruption and are protected from harm during migration, including in the event of a power outage. We are closely monitoring this transition.

In 2019, we published a policy positioning statement setting out the background to the migration, Ofcom’s role and our expectations of telecoms providers as they make these changes. It is available on our website.¹

2 What safeguards have been built in to ensure phone access during for example a power outage, router down etc.?

Unlike old, hardwired phones using the PSTN, a VoIP-based landline service requires power to the home to work in a power cut. For most customers, a mobile phone will be a sufficient replacement for landline calls in this instance.

¹ Ofcom, [The future of fixed telephone services – Policy positioning statement](#), February 2019.

Ofcom requires telecoms providers to offer at least one solution in the event of a power cut (such as a battery back-up unit) to customers who rely on their landline to call emergency services if, for example, they do not have a mobile signal. This must work for at least one hour and be free of charge. However, some providers may offer solutions that provide a longer period of power back-up. Our full Guidance can be accessed on our website.² Ofcom carried out a public consultation on this Guidance – the original consultation document, stakeholder responses and associated research can be found on our website.³

3 Please provide any document, email or minutes of meetings were such concerns were raised and any and all documents that address how this is to be resolved?

We can confirm that we hold information falling within the scope of your request. However, we are unable to disclose the particular information you have requested as we consider its disclosure is exempt under the FOI Act, in particular, Section 12. Section 12 of the FOI Act provides that we are not obliged to comply with a request for information if we estimate that the cost of complying with the request would exceed the “appropriate limit”. The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the “Regulations”), and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour, which equates to 18 hours of time.

We estimate that it would take over 18 hours to locate, identify and extract the information you requested due to the number of different email accounts and files we would have to search through to identify those linked to the information you have requested.

You may wish to consider submitting a narrower, more specific request and we would be happy to consider this under the FOI Act. Should you decide to make a further request for information, please note that other exemptions may apply.

4 Please provide any document or communication were a service provider such as BT or Virgin raised concerns or objected to any aspect of this impending transfer from landlines?

While we do hold some information connected to your request, we consider that disclosure of this information is exempt under the FOI Act. In particular, section 44(1)(a) of the FOI Act exempts disclosure of information if its disclosure is prohibited under another enactment. Ofcom is prohibited under section 393(1) of the Communications Act 2003 (‘the Communications Act’) from disclosing information about a business – in this case BT and Virgin Media – which we have obtained in the course of exercising a power conferred by the Communications Act among others, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which applies here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to a public interest test.

² Ofcom, [*Protecting access to emergency organisations when there is a power cut at the customer’s premises – Guidance on General Condition A3.2\(b\)*](#), October 2018.

³ <https://www.ofcom.org.uk/phones-and-broadband/telecoms-infrastructure/access-emergency-organisations-power-cut/>

5 It is my understanding with the old landline network, phone calls were not recorded unless a court gave authority for a line to be tapped. However, it follows given the protocols of server technology that calls could be recorded by default and retained as a matter of course. Please provide any document, email or communication in which such matters are discussed and the outcome.

We do not hold this information.

5a Will transfer from landlines to this new technology be capable of maintaining records not only that a call was made but also a recording of the actual call? (Please provide all documents, emails or communications)

We do not hold this information.

5b Has OFCOM put in place safeguards that would see the automatic destruction of recordings of the actual call? (Please provide all documents, emails or communications).

We do not hold this information.

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](#).