Arqiva Submission: Ofcom Consultation 'Resilience Guidance for Communication Providers'

Arqiva welcomes the opportunity to respond to the Ofcom consultation on its proposal for updated guidance for communications providers on resilience related security duties under the Communications Act 2003.

Arqiva is a communications, infrastructure and media services company at the heart of the broadcast and utilities sectors in the UK. We deliver broadcast television and radio services nationally and provide satellite data and gateway services. We also provide machine-to-machine connectivity for smart metering within the energy and water sectors.

Set out below is our response to the consultation questions.

Response to consultation questions

Question 1

Do you consider the measures in the proposed guidance relating to the resilience of the physical infrastructure domains to be appropriate and proportionate?

Arqiva recognises the duties that Ofcom has to further the interests of citizens in relation to communications matters and the interests of consumers in relevant markets and in the carrying out of its functions to fulfil this general duty, that Ofcom is required to secure the availability throughout the UK of a wide range of electronic communications services.

Arqiva is a provider of a number of broadcast networks and services that are used daily by millions of citizens and Arqiva is keen to ensure that these networks and services are delivered to the very high availability levels required by the relevant broadcast licence holders.

We note that the systems described in the consultation primarily relate to the provision of voice calls and also the provision of internet access services generally. We do recognise that in the updated proposed guidance document that there is reference to terrestrial broadcast television and radio in section 3.3.1 on the access / last mile sub-domain within the network infrastructure domain.

Although current broadcast content is delivered as a one-to-many platform, without the need in the systems used for authentication and customer charging on a per use basis, we agree that the availability and resilience of the networks and services involved is very important to viewers and listeners using those services. This is whether as a source of news, entertainment or information, both from radio and from television services and as a means of ensuring that there is universal access to services.

In the resilience guidance as it applies for broadcast services, we are keen that the guidance addresses and clarifies where the responsibility for provision of resilience needs to be owned and implemented, reflecting the licensing framework overseen by Ofcom.

Arqiva is the transmission service provider for broadcasters that are licensed by Ofcom for the broadcast services that the broadcasters originate. Within existing contracts, Arqiva has requirements for operational service availability with contractual arrangements to address the level of operational service delivery and how to manage, in terms of service provision, any events or issues that occur with the services.

For the broadcast transmission sector, Arqiva believes that it is important that there is a consistent and joined up approach from Ofcom which sets out the requirements and standards the licence holders are expected to adhere to. This will help guide how they interact and contract with other stakeholders providing services including transmission service providers such as Arqiva and related parties, such as Everyone TV.

We are keen that expectations are established for licence holders as to the level of resilience expected and to be invested in, along with the communications needs and potential support arrangements that need to be put in place for citizens, and in the case of broadcast, viewers and listeners, in the event of a resilience or outage incident. There should be consistent guidance and expectations from Ofcom across licence holders spanning the communications sector, reflecting the role, importance and usage of each service.

We feel that this guidance and a consistent approach by the regulator would speed up the delivery of information and potentially practical support to viewers and listeners by having clear responsibilities and enduring contractual agreements in place. Arqiva has previously provided a response to the consultation on Changes to the digital television and digital radio technical codes last year where this was raised.

We would ask that across Ofcom there is a consistent approach to the requirements for resilience that can apply to the related sectors for the licensed services served by communications providers.

We suggest that clear roles and the expectations of licences holders are confirmed by Ofcom so that in the event of any significant resilience incident there is clarity as to who is responsible to engage with impacted citizens and what their response should be. Although there is mention of a help desk in section 5.3.1.6 of the updated resilience guidance as the means for licensees' customers to contact communications providers, there is no apparent requirement on the licence holder for providing pro-active ongoing update communications and restoration of service, either from the original delivery platform or via an alternative option.

It will assist significantly if the expectations of the licence holders are confirmed by Ofcom and these can then be explicitly addressed in the agreements between the licence holder and the service providers, beyond what is suggested in the updated guidance document.

Arqiva is willing to engage with others in plans to develop communications and support arrangements in the event of future incidents, however we believe that the impetus for this planning and funding for future communications and support should come from the broadcasters as they are the ones with the direct interface with viewers and listeners. Arqiva is particularly

interested in clarifying the broadcast stakeholders' role to step in, manage, co-ordinate and finance viewer and listener relationships and support, and be the point of contact for the media and political stakeholders.

Question 2

Do you consider the measures in the proposed guidance relating to the resilience at the Control Plane to be appropriate and proportionate?

Arqiva appreciates that the proposed updated guidance is looking to provide high-level good practices in the architecture, design, and operational models that underpin communications networks and services, and which have broad application.

We recognise that many of the measures included in the control plane are not appropriate in a broadcast network where the capacity requirements are fixed - as opposed to those in voice or internet access networks.

Arqiva has worked with broadcasters over many years in the design and implementation of networks and services that follow many of the principles in the updated resilience guidance, such as in-built resilience and automatic failover where significant numbers of viewers or listeners would be impacted by a resilience incident.

There are areas such as in the use of high structures and where to date the broadcasters have limited their investment in all possible resilience measures.

As included in the response to question 1, Arqiva would welcome further follow up by Ofcom in relation to engagement with broadcast stakeholders as to how future support of resilience and customer support in the case of resilience incidents can be developed further.

Question 3

Do you consider the measures in the proposed guidance relating to the resilience of the Management Plane to be appropriate and proportionate?

Arqiva has separately replied to the s135 Communications Act Information Request relating to the Telecommunications Security Act and the requirements of the Security Code of Practice. This is part of an ongoing initiative by Ofcom that Arqiva is happy to support.

This relates to a significant number of areas in the Management Plane. We would ask that Ofcom maintains clarity on how the requirements of the resilience guidance will operate alongside the other initiatives that it is undertaking.

Question 4

Do you consider the measures in the proposed guidance relating to communications providers' own managed services to be appropriate and proportionate?

Arqiva does not see these own managed services as relevant to the broadcast networks and services that Arqiva operates.

Question 5

Do you consider the measures in the proposed guidance relating to communications providers' arrangements for preparing for adequate process, skills and training to be appropriate and proportionate?

Arqiva recognises that the communications providers' arrangements for adequate processes, skills and training are a key part of delivering the networks and services for its broadcast and other customers at the high availability levels required by these customers.

Arqiva supports Ofcom's efforts to address the issue of networks and services resilience through the use of the guidance.

About Arqiva

Arqiva is a leading UK communications service and infrastructure provider serving multiple industries.

We operate at the forefront of the UK broadcast industry, enabling our customers to reach and engage audiences across technologies and platforms for watching TV and other content. We deliver a range of products and services for the management and distribution of content at-scale, both in the UK and internationally. We are also a UK critical national infrastructure operator, managing the digital terrestrial television (DTT) network and broadcast radio network that ensures the universal availability of a wide range of free-to-air TV and radio services. Our customers include UK public service broadcasters, as well as a wide range of commercial TV and radio providers, which deliver news, information, education, and entertainment across the entire UK.

We are dedicated to supporting and advancing the UK's broadcast and streaming industries, ensuring that our customers can deliver their content to audiences wherever they are and however they choose to watch – with services meeting the highest standards for user experience, reliability, and security.