



Improving the accuracy of Calling Line Identification (CLI) data

Good practice guide to help prevent misuse of sub-allocated and assigned numbers

Sky response to Ofcom consultations

April 2022

Introduction

This document sets out Sky's response to the following Ofcom consultations on proposals aimed at tackling scam calls and texts:

- 'Improving the accuracy of Calling Line Identification (CLI) data – consultation on changes to Ofcom's General Conditions and supporting guidance on the provision of CLI facilities', published 23 February 2022; and
- 'Good practice guide to help prevent misuse of sub-allocated and assigned numbers – a proposed guide for telecoms providers', published 23 February 2022.

Sky broadly agrees with Ofcom's proposals, subject to the comments and requests for clarification set out in this response.

Comments on proposed changes to General Condition C6.6 and the CLI Guidance

Sky agrees with Ofcom's proposed modification of General Condition C6.6 to require providers, where technically feasible, to identify and block calls with Calling Line Identification ("CLI") data which does not uniquely identify the caller. Sky also agrees with Ofcom's proposal to bring this modification into force six months after the publication of its statement, which is expected in Autumn 2022. [REDACTED]

Sky broadly agrees with Ofcom's proposed changes to the CLI guidance, subject to the following comments.

Requirement to identify and block calls that originate from abroad, which use a UK CLI as the Network Number and where such calls are not within the legitimate use scenarios specified in the guidance

Paragraph 4.17 of the draft CLI guidance requires calls from abroad using UK CLI to be blocked, except in certain specified use cases. [REDACTED]

[REDACTED] From a technical perspective, Sky understands that this requirement should apply only to the CP at the point of ingress (not to transit/terminating CPs). It would be helpful, however, if Ofcom could confirm that this is correct and amend paragraph 4.17 of the draft guidance to make this clear.

Requirement that for calls from a fixed access ingress, the Network Number should be a geographic number (and not a non-geographic number)

In principle, Sky supports the requirement for only *geographic* numbers to be allocated. [REDACTED]

Use of 084 and 087 non-geographic numbers

Sky would support a prohibition on the use of 084 and 087 numbers as Presentation Numbers, since this would help protect consumers against unexpected high call charges. [REDACTED]

Inability to block a non-dialable number

In response to Ofcom's consultation on changes to General Condition C6 in 2018,¹ NICC outlined how it is not technically feasible to undertake a real-time 'call back' on an inbound call in order to verify whether the CLI is, in fact, a dialable number. This remains the case, so it is important that Ofcom understands that it is still not possible for transit or terminating CPs to identify and block numbers on the basis that they are non-dialable numbers.

Continued need for urgent action to ban the use of premium rate numbers for ICSS

Sky would like to take this opportunity to reiterate the continued need for Ofcom to take urgent action to address the significant consumer harm caused by Information, Connection and Signposting Services ("ICSS").

Last year, the Phone-paid Services Authority ("PSA") acknowledged that the industry has long been concerned about the failure of the existing regulatory framework to protect consumers from the significant harm caused by the use of premium rate numbers for ICSS.² Despite industry calls for reform in this area,³ no action has yet been taken.

Consumers continue to be directly harmed by ICSS and it remains unclear why Ofcom is failing to afford this the same level of attention that it affords to other types of consumer harm. As set out in UKCTA's response to Ofcom's consultation on the PSA's 15th Code of Practice,⁴ the only way to effectively protect consumers is to prohibit outright the use of premium rate numbers for ICSS. It is incumbent on Ofcom to ensure that appropriate action is taken to protect consumers from such harm as a matter of urgency.

Comments on draft good practice guide to help prevent misuse of sub-allocated and assigned numbers

Sky understands from the draft good practice guide that due diligence checks should be undertaken and documented before numbers are assigned/sub-allocated to business customers. Accordingly, Sky understands that for new customers, CPs should not assign/sub-allocate numbers until satisfied with the results of the checks. However, Sky would like to make the following points and requests for clarification.

¹ Email from NICC to Ofcom dated 12 June 2018.

² PSA Consultation on the 15th edition of its Code of Practice, available at <https://psaauthority.org.uk/news/news/2021/april/psa-consults-on-new-code-of-practice-code-15>.

³ UKCTA Response to the PSA's Discussion Document on developing the next PSA Code of Practice, 12 July 2021, available at <http://www.ukcta.org.uk/ukcta-response-to-the-psas-consultation-on-a-new-psa-code-of-practice-code-15/>.

⁴ Ibid.

When the results of due diligence checks might require a stop-sell

It is unclear in what circumstances, if any, the results of due diligence checks might require a CP to refuse to sell to or stop selling to a customer. Sky would be grateful if Ofcom could clarify this and provide examples of indicators that CPs should treat as sufficiently suspicious such as to warrant non-supply of services.

How due diligence checks might vary depending on the size of the customer

The draft guide refers broadly to 'business customers', without distinguishing between business customers of different sizes. Since business customers can vary significantly in size, Sky considers that it would be appropriate for the nature of due diligence checks to vary between SMEs and other, larger business customers, for instance. However, it would be helpful if Ofcom could clarify this in the final version of the guide.

Circumstances in which further due diligence checks are required

In relation to further checks (beyond basic '*Know your customer*' checks), the draft guide states that further checks should be undertaken where:

- an existing business customer requests a significant number of additional numbers;
- a CP identifies that a business customer is potentially high-risk; or
- a high-risk customer requests additional numbers.

Since the allocation of additional numbers is only one way through which scams can occur, it would be useful if Ofcom could confirm whether it is in CPs' discretion as to when further checks are undertaken (i.e. beyond such number-related circumstances).

Sky

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