



FCS Response to Ofcom's approach to enforcement: consultation on revising the Regulatory Enforcement Guidelines - July 2022.

Introduction

The Federation of Communication Services represents companies which provide professional communications solutions to business users. Our members deliver telecommunications services via mobile and fixed line telephony networks, broadband, satellite, wi-fi and business radio. Our members' customers range from SMEs, home-workers and micro-businesses up to the very largest private enterprises and public sector users. FCS is the largest trade organisation in the professional communications arena, representing the interests of circa 350 businesses which supply B2B services nationwide.

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Your response

Question	Your response
<p>Question 1: Do you have any comments on our proposed approach to including the enforcement of the VSP framework, OES obligations and the TSA in the Regulatory Enforcement Guidelines?</p>	<p><i>Is this response confidential? No</i> FCS would encourage Ofcom to ensure that regulation and associated enforcement is targeted at the capability provider who is accountable and has the power related to any action. This is often not the end customer provider or reseller but providers further back in the value chain.</p>
<p>Question 2: Do you have any comments on the proposed addition of regime-specific annexes?</p>	<p><i>Is this response confidential? No</i> FCS supports the proposed regime specific annexes, which should make it easier to navigate to and access the required guidance.</p>
<p>Question 3: Do you have any comments on the proposed redrafting of the settlement section of the Regulatory Enforcement Guidelines?</p>	<p><i>Is this response confidential? No</i> FCS supports the proposed simplification of the section on settlement.</p>
<p>Question 4: Do you have any comments on the proposed updates and clarifications to the text in the Regulatory Enforcement Guidelines?</p>	<p><i>Is this response confidential? No</i> FCS understands the different case by case variations and supports this Ofcom initiative to clarify its regulatory powers and the differing procedural obligations.</p>
<p>Question 5: Do you have any comments on Ofcom's proposed guidance on how to apply for consent to bring civil proceedings against companies in breach of relevant regulatory requirements?</p>	<p><i>Is this response confidential? No</i> FCS support the proposed inclusion in the guidelines of an explanation of the process for applying for consent and how Ofcom will approach such requests.</p>
<p>Question 6: Do you have any other comments on the proposed changes to the Regulatory Enforcement Guidelines?</p>	<p><i>Is this response confidential? No</i> FCS would like to invite Ofcom to engage with and talk to our membership about its enforcement and the changing enforcement environment.</p>