

Investigation into Gigaclear Limited's compliance with General Conditions A3.5 and A3.6(a) concerning the provision of caller location information to emergency organisations

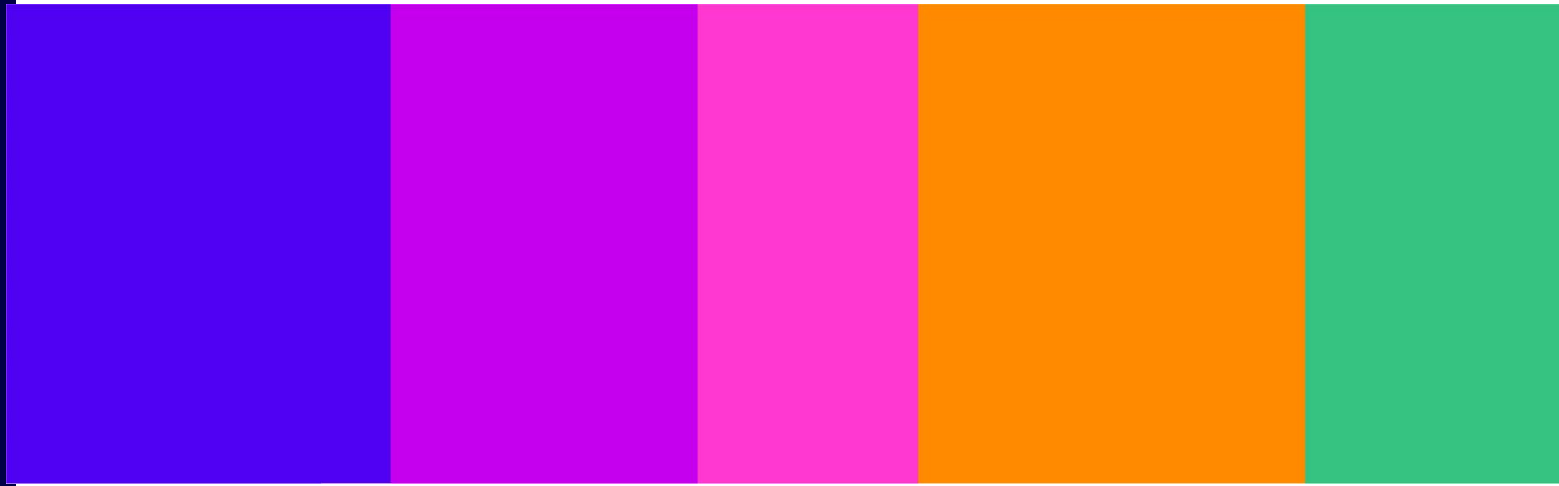
Confirmation Decision under section 96C of the Communications Act 2003 finding Gigaclear Limited contravened General Conditions A3.5 and A3.6(a)

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1. Overview

- 1.1 On 11 October 2024, the Office of Communications (Ofcom) opened an investigation into Gigaclear Limited (Gigaclear) following its notification to Ofcom of issues concerning its provision of caller location information to emergency organisations between January 2022 and 11 March 2024.
- 1.2 In light of the facts and evidence, we have found that Gigaclear contravened General Conditions (GC) A3.5 and A3.6(a) and are imposing a penalty of £122,500 on Gigaclear.
- 1.3 This document sets out the findings of our investigation.

What we have found – in brief

Between January 2022 and 11 March 2024, Gigaclear provided either inaccurate caller location information, or no caller location information, to emergency organisations for all emergency calls made by its Voice over Internet Protocol (VoIP) customers. This affected a total of 948 calls to emergency organisations.

As a result, our investigation has found that Gigaclear has breached General Conditions A3.5 and A3.6(a). We consider this to be a serious breach of the relevant framework.

During this period, when any Gigaclear VoIP customer called 999 or 112, the information about the caller's location made available to the emergency call handling agent taking the call was inaccurate. This caller location information is important, as it may be needed to ensure an emergency response is dispatched to the correct location.

Our investigation found that Gigaclear had failed to test or monitor the availability of accurate caller location information, including full postal addresses, to emergency organisations. Gigaclear also failed to ensure its third-party supplier configured the systems involved in the provision of caller location information to emergency organisations correctly.

Gigaclear has since taken action to remedy the contravention and ensure accurate caller location information is now made available for calls to emergency organisations.

We are imposing a penalty of £122,500 on Gigaclear. This includes a 30% discount on the penalty figure of £175,000 which we would have otherwise imposed. This discount reflects the resource savings achieved by Ofcom as a result of Gigaclear's admission of liability and its completion of Ofcom's settlement process. Our view is that this penalty is appropriate and proportionate to the contravention, having regard to all the evidence referred to in this document and our published Penalty Guidelines.

The overview section in this document is a simplified high-level summary only. Our findings and reasoning are set out in the full document.

2. Introduction

- 2.1 This Confirmation Decision sets out our view that Gigaclear has contravened GC A3.5 and A3.6(a) concerning the provision of caller location information to emergency organisations.¹
- 2.2 Under GC A3.5, regulated providers² are required to make accurate and reliable caller location information available for all calls to the emergency call numbers 112 and 999, to the extent technically feasible. GC A3.6(a) requires that, where a regulated provider provides a service at a fixed location, this caller location information accurately reflects the location of the user's equipment, including the full postal address.
- 2.3 These conditions are set by Ofcom to ensure, wherever possible, emergency organisations are provided with accurate and up-to-date information about a caller's location, to assist the relevant emergency services in locating a person requiring emergency assistance.
- 2.4 People's ability to contact and access the support of emergency services is a critically important function of a communications network. The conditions set by Ofcom relating to caller location information reflect the fact that the provision of accurate caller location information is an integral aspect of this access to emergency services. Ofcom takes any possible breach of regulatory obligations concerning access to emergency services, or the emergency services' ability to locate a caller, very seriously. In this case, Gigaclear customer calls were connected to the emergency organisations, however there were issues with the caller location information provided.
- 2.5 Issues with the Gigaclear's caller location information were first brought to Ofcom's attention when Gigaclear self-reported the issues to Ofcom on 26 April 2024. An investigation was opened on 11 October 2024.
- 2.6 As part of this investigation, we also considered Gigaclear's compliance with GC C6.4(a) and C6.6 concerning calling line identification facilities. These GCs require regulated providers³ to ensure the calling line identification data associated with a call includes a valid, dialable telephone number which uniquely identifies the caller, at the network level and/or presented to the call recipient. It also requires that calls, other than calls to emergency organisations, that do not meet the relevant requirements are identified and prevented from being connected. In the context of this case, calling line identification data is used by emergency organisations to look up the caller's location information held on the emergency services location database. As a matter of administrative priority, we have decided not to pursue making findings in relation to GC C6.4(a) and C6.6.

¹ Ofcom, [General Conditions of Entitlement](#).

² For the purposes of GC A3.5 and A3.6(a), a regulated provider is any Communications Provider who provides End-Users with a Number-based Interpersonal Communications Service, or provides access to such a service by means of a Pay Telephone, for originating calls to a number or numbers in the National Telephone Numbering Plan and/or in an international numbering plan, excluding any Click to Call Service.

³ Providers of Number-based Interpersonal Communications Services and Public Electronic Communications Networks over which Number-based Interpersonal Communications Services are each a regulated provider for the purposes of GC C6.

- 2.7 We have found that Gigaclear contravened GC A3.5 and A3.6(a) by failing to make accurate caller location information, including full postal addresses, available for all calls to emergency organisations between January 2022 and 11 March 2024. We consider this to amount to a serious contravention of the relevant legal framework.
- 2.8 Our finding was informed by information provided to us by Gigaclear in response to statutory requests for information sent pursuant to s135 of the Act.
- 2.9 We consider it is appropriate to impose a penalty that will reflect the seriousness of the contravention. We are therefore imposing a penalty of £122,500 on Gigaclear, which includes a 30% discount on the penalty figure of £175,000 which we would have otherwise imposed. This discount reflects the resource savings achieved by Ofcom as a result of Gigaclear's admission of liability and its completion of Ofcom's settlement process. We consider this penalty to be appropriate and proportionate in relation to the contraventions for which it has been imposed.
- 2.10 In taking this view, we have had regard to all the information and evidence referred to in this document, together with our published Penalty Guidelines.⁴ The basis for our penalty decision is explained in Section 5.

Structure of this document

- 2.11 This document sets out the evidence that underpins our findings on contravention and our assessment of the appropriate level of penalty. The structure of this document is as follows:
- a) In Section 3, we set out the legislation and regulation relevant to this investigation.
 - b) In Section 4, we set out our findings from our investigation and the reasons for finding that Gigaclear contravened its obligations.
 - c) In Section 5, we set out the financial penalty for this contravention.
- 2.12 It also contains the following annexes:
- Annex A1: Confirmation Decision under section 96C
- Annex A2: Glossary of terms

⁴ Ofcom, [Penalty Guidelines](#), 14 September 2017. See also Section 392 of the [Act](#).

3. Regulatory framework

- 3.1 In this section, we set out the legal framework relevant to our investigation. It provides an overview of the GCs and the requirements of the relevant GCs.⁵

The General Conditions of Entitlement

- 3.2 Under section 45 of the Communications Act 2003 (the Act),⁶ Ofcom has the power to set regulatory conditions with which all providers of public electronic communications networks and services (PECN/S) operating in the UK must comply. These are known as the General Conditions of Entitlement.⁷
- 3.3 Relevant to this investigation are the following GCs:
- a) GC A3.5 requires that regulated providers, to the extent technically feasible, make accurate and reliable caller location information available for all calls to the emergency call numbers “112” and “999” at no charge to end-users and the emergency organisations handling those calls, at the time the call is answered by those organisations.
 - b) GC A3.6(a) requires that, in order to make accurate and reliable caller location information available to the emergency organisations handling the calls to “112” and “999”, regulated providers must comply with certain requirements. Where providers offer an electronic communications service at a fixed location, the caller location information must, at least, accurately reflect the fixed location of the end-user’s terminal equipment including the full postal address.

Importance of these requirements

- 3.4 The conditions set by Ofcom relating to caller location information are intended to ensure that emergency organisations are provided with accurate information about a caller’s location, wherever possible. This information is important because it helps assist the relevant emergency services in locating a person requiring emergency assistance.
- 3.5 In the UK, all emergency calls are handled by BT, who operate the Emergency Call Handling Service.⁸ When a member of the public calls an emergency call number, the call is connected to a BT emergency call handling agent, who will transfer the call to the relevant emergency authority (such as the caller’s local police, fire or ambulance service). Certain information is provided with an emergency call to assist the emergency call handling agent, including information about the caller’s location.
- 3.6 Where a regulated provider provides a service at a fixed location, such as the VoIP call service provided by Gigaclear, the regulated provider must provide location information that accurately reflects this fixed location, including the full postal address. Gigaclear is

⁵ Ofcom, [General Conditions of Entitlement](#).

⁶ [Communications Act 2003](#).

⁷ Ofcom, [General Conditions of Entitlement](#).

⁸ British Telecommunications Plc (BT)

responsible for uploading its customers' full postal address information to the emergency services location database, which is managed by BT.

- 3.7 When a customer makes an emergency call, the calling line identification data provided with the call, specifically the network calling line identification number, is used by BT to look up the customer's address held on the emergency services location database.

Ofcom's investigatory and enforcement powers

- 3.8 Where Ofcom considers that a provider is not complying or may have failed to comply with its regulatory obligations, such as the GCs, Ofcom may open a formal investigation if, following an initial assessment,⁹ it is satisfied that the case is an administrative priority, and the evidence justifies it.¹⁰ The investigation seeks to establish whether there are reasonable grounds for believing that the provider has contravened one or more relevant regulatory requirement(s).¹¹
- 3.9 Where this is found to be the case, Ofcom may issue a notification under section 96A of the Act, setting out its provisional decision. The provisional decision will specify the contravention and, where applicable, the period within which the provider should comply with the notified condition(s) and remedy the consequence(s) of the notified contravention(s). It will also specify any penalty which Ofcom is minded to impose in accordance with section 97 of the Act.
- 3.10 If, following representations from the provider under investigation, Ofcom is satisfied that the provider is contravening or has been in contravention of regulatory requirements, as set out in the section 96A notification, Ofcom may issue a confirmation decision under section 96C of the Act.
- 3.11 A confirmation decision issued under section 96C of the Act may (among others) require the person to pay the penalty specified in the notification issued under section 96A, or such lesser penalty as Ofcom considers appropriate in light of the person's representations, or steps taken by the person to comply with the regulatory requirement or remedy the consequences of the contravention. Under section 97 of the Act, the amount of any penalty notified under section 96A should be appropriate and proportionate to the contravention(s) for which it is imposed and may not exceed 10% of the turnover of the relevant business of the party subject to investigation for the relevant period. In determining the amount of any financial penalty, Ofcom is also required to have regard to its Penalty Guidelines.¹²

⁹ Ofcom, [Enforcement Guidelines](#), 31 January 2025, paragraphs 3.9-3.23.

¹⁰ Ofcom, [Enforcement Guidelines](#), 31 January 2025, paragraph 3.22(a).

¹¹ Ofcom, [Enforcement Guidelines](#), 31 January 2025, paragraph 5.6. See also Section 96A(1) of the [Act](#).

¹² Ofcom, [Penalty Guidelines](#), 14 September 2017.

4. Our investigation and findings

- 4.1 We have found that Gigaclear contravened GC A3.5 and A3.6(a) by failing to make accurate caller location information, including full postal addresses, available to emergency organisations between January 2022 and 11 March 2024.
- 4.2 In this section we set out the evidence and reasoning that underpins our decision.

Our investigation

- 4.3 On 26 April 2024, Gigaclear notified Ofcom of issues with its caller location information between January 2022 and 11 March 2024. Gigaclear provided Ofcom with further information regarding this matter on 1 May 2024 and 18 June 2024.
- 4.4 On 11 October 2024, Ofcom opened an investigation into Gigaclear's compliance with GC A3.5 and A3.6(a). Following further consideration of the information provided, Ofcom widened the scope of the investigation on 19 November 2024 to additionally consider Gigaclear's compliance with GC C6.4(a) and C6.6. As a matter of administrative priority, we have since decided not to pursue making findings in relation to GC C6.4(a) and C6.6.
- 4.5 To obtain information for the purpose of this investigation, Ofcom issued statutory requests for information to Gigaclear pursuant to s135 of the Act. In response to these requests for information:
- a) Gigaclear provided its First Response on 25 February 2025.
 - b) Gigaclear provided information to supplement its First Response on 12 March 2025.
 - c) Gigaclear provided its Second Response on 9 May 2025.
 - d) Gigaclear provided its Third Response on 6 June 2025.

Relevant facts

- 4.6 In this section we set out the facts and timeline of events concerning the issues with caller location information, and the actions taken by Gigaclear to remedy the issues.

Gigaclear Limited

- 4.7 Gigaclear is a fibre broadband provider, operating in the UK, with a focus on providing broadband to rural communities.¹³ Gigaclear began providing a VoIP call service to residential customers over its broadband network in January 2022, with key technology being supplied by third parties.¹⁴

¹³ Gigaclear, [About Gigaclear](#), accessed 2 June 2025.

¹⁴ Gigaclear, First Response, Question 2.

The cleansing exercise and discovery of the configuration error

- 4.8 In January 2024, Gigaclear raised a request with one of its third-party suppliers (Supplier A) to remove certain calling line identification numbers (telephone numbers) registered to Gigaclear's account, which were not being used.¹⁵ Supplier A was responsible for (among other things) connecting calls to the public switched telephone network (PSTN), including emergency calls to emergency organisations, and updating the postal address information held on the emergency services location database.¹⁶
- 4.9 On 1 March 2024, Supplier A carried out this 'cleansing exercise' as requested by Gigaclear. When making this request, Gigaclear had inadvertently included the Gigaclear default network number in the list of numbers provided to Supplier A in error, therefore requesting this number be removed from its account.¹⁷
- 4.10 The 'Gigaclear default network number' refers to the Gigaclear calling line identification number that Supplier A defaults to inserting in place of the customer's network calling line identification number, in the event that this number is invalid. The purpose of this process (which is explained in further detail below) is to ensure emergency calls are still connected to emergency organisations where the network calling line identification number is invalid.
- 4.11 Following the cleansing exercise, at 22:49 on 2 March 2024, a Gigaclear customer made a call to emergency services and there was no caller location information available to the emergency call handling agent.¹⁸ The call handling agent raised this with Supplier A, who notified Gigaclear via email at 10:01 on 7 March 2024. Supplier A reported that the call was from a non-live calling line identification number and, as a result, there was no caller location information available for the call.
- 4.12 At 15:54 on 8 March 2024, Supplier A reported another emergency call from a non-live calling line identification number, and with no caller location information, to Gigaclear. It identified that the calling line identification number was recently 'ceased', meaning it was removed from Gigaclear's account with Supplier A.
- 4.13 Gigaclear began its own investigation into the issues affecting these calls on 7 March 2024.¹⁹ On 8 March 2024, it identified a configuration error affecting the calling line identification data provided for emergency calls.

The configuration error

- 4.14 Gigaclear's investigation found that a configuration error had affected the calling line identification data provided for emergency calls and, consequently, the caller location information made available to emergency organisations for all emergency calls since Gigaclear began providing a VoIP service in January 2022.²⁰
- 4.15 This configuration error related to the configuration of the PAID (P-Asserted-Identity) SIP (Session Initiation Protocol) header. SIP headers are used to convey information regarding VoIP calls. The PAID header is used to assert the identity of the user sending

¹⁵ Gigaclear, First Response, Question 2.

¹⁶ Gigaclear, First Response, Question 3 and 5(a).

¹⁷ Gigaclear, First Response, Question 13(a).

¹⁸ Gigaclear, information provided to supplement the First Response, Question 2.

¹⁹ Gigaclear, First Response, Question 2.

²⁰ Gigaclear, First Response, Annex 11 "VoIP 999 Post Incident Report".

the request (the caller). The network calling line identification number is carried in the PAID header.²¹

- 4.16 In this case, Gigaclear outsourced the configuration of its VoIP service, including the PAID header, to a third-party supplier (Supplier B).
- 4.17 Supplier B made an error in its configuration of the PAID header for emergency calls.²² Gigaclear reported that this was the result of human error. The network calling line identification number being populated into the PAID header was in a format that was not supported by Supplier A's network. Specifically, the PAID header was being populated with a username instead of a valid telephone number.²³
- 4.18 Supplier A's network did not recognise the username as a valid telephone number. To ensure emergency calls were still connected, Supplier A's system automatically inserted the Gigaclear default network number into the PAID header for all emergency calls.²⁴
- 4.19 As a result, between January 2022 (when Gigaclear began providing the VoIP service) and 1 March 2024 (when Gigaclear's default network number was removed from its account with Supplier A in error), the calling line identification data provided to emergency organisations was the Gigaclear default network number instead of the customer's own network calling line identification number. As this number is used to look up the caller location information in the emergency services location database, this resulted in the address associated with the Gigaclear default network number being provided to emergency organisations, instead of the caller's own address held on the database.²⁵
- 4.20 Between 1 March 2024 and 8 March 2024, during the period in which the Gigaclear default network number was not registered with Supplier A, there was no caller location information made available to emergency organisations when a Gigaclear customer called an emergency call number.²⁶ This alerted Supplier A, and subsequently Gigaclear, to an issue with its calling line identification and caller location information.

Remedial actions

- 4.21 Once aware of an issue with its caller location information, following notification by Supplier A on 7 March 2025, Gigaclear began an internal investigation and consulted with its suppliers.²⁷
- 4.22 At 18:14 on 8 March 2025, Supplier A provided its initial findings to Gigaclear that the root cause of the issue was the incorrect configuration of the PAID header, resulting in its system inserting the Gigaclear default network number, which had been removed from Gigaclear's account in error as of 1 March 2025.

²¹ As described in [NICC ND 1439](#), the Network Number CLI (network calling line identification number) represents the point at which the call entered the public network and is carried in the P-Asserted-Identity header field.

²² Gigaclear, First Response, Question 6.

²³ A valid telephone number is a number that complies with the international public telecommunication numbering plan [ITU-T E.164](#).

²⁴ The configuration error did not impact non-emergency calls.

²⁵ Gigaclear, First Response, Question 6.

²⁶ Gigaclear, First Response, Question 7.

²⁷ Gigaclear, First Response, Question 2.

- 4.23 On 8 March 2024, the Gigaclear default network number was re-registered to its account with Supplier A. This resulted in the caller location information associated with the Gigaclear default network number being provided for emergency calls made by Gigaclear customers again, for a further 3 days. This action was taken as a temporary measure while further development and testing of the correct configuration of the PAID header was carried out.²⁸
- 4.24 The correct configuration was implemented at 14:00 on 11 March 2024 and test calls made to 999 and 112 confirmed that accurate calling line identification and caller location information was now being provided to emergency call handlers.
- 4.25 Following correcting the configuration error, Gigaclear took additional remedial actions, including:
- a) Conducting a post-incident review, which began on 11 March 2024 and was finalised on 10 April 2024.²⁹ This review set out: a summary and timeline of the incident, observations regarding the causes of the issues, and an action plan.³⁰
 - b) Carrying out monthly test calls to 999 and 112, during which it confirms that the calling line identification number and caller location information available to the emergency call handling agent matches the customer's calling line identification number and address.^{31 32} This aims to ensure any future similar issues can be identified and correctly swiftly.
 - c) Putting in place a specific procedure for any future calling line identification cleansing exercises, which includes additional checks to ensure that certain required calling line identification numbers are not included in the list provided to Supplier A be removed, including the Gigaclear default network number.³³
 - d) Revising its incident management processes to expressly clarify that an incident affecting the information provided to emergency services, or that in any way restricts the emergency services' ability to identify the location of a Gigaclear caller, will be treated as a major incident.^{34 35}
 - e) Providing additional training to the Network Operational Teams in relation to responding to issues affecting voice services and emergency calls.³⁶

Impact

- 4.26 Gigaclear's investigation concluded that the configuration of the PAID header had been incorrect since Gigaclear began providing its VoIP service in January 2022. From January 2022 to 1 March 2024, and from 8 March 2024 to 11 March 2024, the caller location information Gigaclear made available to emergency organisations for emergency calls

²⁸ Gigaclear, First Response, Question 32.

²⁹ Gigaclear, First Response, Question 2.

³⁰ Gigaclear, First Response, Annex 11 "VoIP 999 Post Incident Report".

³¹ Gigaclear, First Response, Question 9(b).

³² Gigaclear, First Response, Annex 10 "VoIP Emergency Call Test Process" sets out the process for conducting such test calls and how to escalate an incident in the event that testing fails.

³³ Gigaclear, First Response, Question 15(b).

³⁴ Gigaclear, First Response, Question 25(b).

³⁵ Gigaclear, First Response, Annex 13 "Incident Management Process V2.0".

³⁶ Gigaclear, First Response, Question 30(b).

was inaccurate. Between 1 March 2024 and 8 March 2024, Gigaclear made no caller location information available to emergency organisations for emergency calls.³⁷

- 4.27 Issues with the caller location information made available to emergency organisations impacted all emergency calls made to 999 and 112 by Gigaclear customers for a period of 26 months.³⁸
- 4.28 Inaccurate caller location information was provided for 944 calls and no caller location information was provided for four emergency calls.³⁹ A total of 948 calls were therefore impacted.
- 4.29 Gigaclear reported to Ofcom that it has had no notification of, and is not aware of, any actual harm as a result of the issues.⁴⁰
- 4.30 One Gigaclear customer raised a complaint with Gigaclear on 9 March 2023, reporting that they had called 999 and the caller location information was inaccurate.⁴¹ The complaint was investigated from 15 April 2023 and closed on 16 June 2023 without further action, because the case was assumed to be an anomaly. The customer raised the issue again on 24 July 2023 and no further action was taken, as it was determined it had been investigated following the first complaint. This complaint did not report any specific impact or harm as a result of the error.
- 4.31 As part of our investigation, we have considered the potential harm to Gigaclear customers, including the potential risk that emergency services would have been unable to locate a person requiring emergency assistance. Our consideration of the potential harm to those affected is set out in Section 5.

Our assessment

- 4.32 We set out below the facts and evidence that form the basis of our view that Gigaclear contravened GC A3.5 and A3.6(a).
- 4.33 GC A3.5 required Gigaclear to make, to the extent technically feasible, accurate and reliable caller location information available for all calls to emergency organisations, at the time the call was answered by those organisations. GC A3.6(a) required Gigaclear to ensure this caller location information, at least, accurately reflected the location of the user's equipment, including the full postal address. Based on the evidence obtained in our investigation, our view is that Gigaclear failed to make accurate caller location information available for emergency calls, including accurate full postal addresses, and that there were technically feasible actions Gigaclear should have taken to prevent this contravention.
- 4.34 In summary:
 - a) Gigaclear was responsible for ensuring the systems its VoIP service relied on were configured correctly and functioning as expected where it decided to outsource aspects of such systems to third-party suppliers. Gigaclear should have carried

³⁷ Gigaclear, First Response, Question 45(a-c).

³⁸ Gigaclear, First Response, Question 47.

³⁹ Gigaclear, First Response, Question 45(a-c).

⁴⁰ Gigaclear, First Response, Question 48.

⁴¹ Gigaclear, First Response, Question 51.

out appropriate testing to check its suppliers had configured the systems involved in the provision of caller location information correctly.

- b) Gigaclear should have conducted testing to ensure accurate caller location information would be made available to emergency organisations before launching its VoIP service.
- c) Gigaclear should have monitored whether accurate caller location information was being made available to emergency organisations during regular test calls to emergency call numbers.
- d) Gigaclear should have done more in response to the customer complaint raised about inaccurate caller location information. Specifically, Gigaclear should have taken further action to assess the nature and cause of the issue, such as contacting the complainant for further detail and testing the caller location information made available to emergency organisations for the complainant. Gigaclear should have acted to resolve the cause of the issue before making the decision to close the complaint.

The configuration of the system

4.35 Gigaclear explained that human error by Supplier B meant that the PAID header was not configured correctly. The PAID header did not contain a valid telephone number, meaning it did not conform to the requirements of Supplier A's network.⁴²

4.36 Specifically, this configuration error impacted the network calling line identification numbers being used for the purpose of emergency calls. Ofcom has produced guidance on the provision of calling line identification facilities.⁴³ This guidance explains the importance of calling line identification (referred to below as CLI) in relation to GC A3.5:

*"General Condition A3.5 requires all Regulated Providers to make available Caller Location Information when a caller makes a call to the emergency numbers 999 or 112. To discharge this obligation on behalf of the Regulated Provider the 999/112 Call Handling Agency (CHA) with whom they have contracted to process emergency calls, will, for all types of call, need the Network CLI of the call. The CHA will use this Network CLI as a reference with which to interrogate either a database of pre-provided location information or other systems which can identify the caller's location in real-time."*⁴⁴

4.37 The guidance stipulates that regulated providers must supply the relevant calling line identification when an emergency call is initiated from their network including, as a minimum, the network calling line identification.⁴⁵ It also clarifies that where an emergency call has invalid or non-dialable calling line identification, regulated providers

⁴² Gigaclear, First Response, Question 6.

⁴³ Ofcom published guidance on the provision of Calling Line Identification facilities on 26 April 2018, which was updated on 30 July 2018 and 14 May 2019, and applied to regulated providers in the period in which Gigaclear established its VoIP service: [Guidance on CLI facilities](#). Ofcom published a new version of this guidance on 29 July 2024, which applies from 29 January 2025: [CLI Guidance](#).

⁴⁴ Ofcom, [Guidance on CLI facilities](#), 14 May 2019, paragraph 6.1.

⁴⁵ Ofcom, [Guidance on CLI facilities](#), 14 May 2019, paragraph 6.2.

should connect the call, as opposed to blocking or filtering the call as is required for non-emergency calls.⁴⁶

- 4.38 In this case, as a result of the system configuration, the network calling line identification was not relevant to, and did not accurately identify, the caller making the emergency call. As part of its Post Incident Report, Gigaclear made a number of observations including that the SIP header (relating to the network calling line identification) was not compliant at the point of creation and a failure to configure the VoIP system to make accurate and reliable caller location information available for all calls to emergency organisations.⁴⁷
- 4.39 Gigaclear reported that it had no reason to suspect that Supplier B had configured the system incorrectly, therefore emergency call testing prior to launching the VoIP service did not include validating calling line identification or caller location information.⁴⁸ Gigaclear did not report carrying out any specific testing to verify that the systems involved in the provision of caller location information were configured correctly, or were functioning as expected, in relation to the accuracy of the caller location information.⁴⁹
- 4.40 Gigaclear explained that Supplier A *“did not inform Gigaclear... that its network had inserted the network calling line information for emergency service calls.”*⁵⁰ While Supplier A did not inform Gigaclear that this process was taking place during the impacted period, Gigaclear was provided with a technical service description from the supplier explaining this process when they entered into a commercial agreement.⁵¹ This document explained that, for emergency calls, the default network calling line identification number would be presented in the event that the presented number was invalid (for example, if it did not comply with the international standard E.164 format⁵²).⁵³ The practice of connecting emergency calls, even where the calling line identification is invalid or non-dialable, is in line with Ofcom guidance.
- 4.41 It is our view that Gigaclear, as the Regulated Provider under the relevant GCs, was ultimately responsible for ensuring the systems its VoIP service relied on were configured correctly where it outsourced aspects of such systems to third-party suppliers. Gigaclear failed to carry out any relevant testing or monitoring to assess whether its third-party suppliers had configured the systems involved in the important function of providing accurate calling line identification data for emergency calls correctly. As a result, Gigaclear failed to identify the configuration error and its impact on the accuracy of the caller location information made available to emergency organisations for a period of 26 months.

⁴⁶ Ofcom, [Guidance on CLI facilities](#), 14 May 2019, paragraph 6.3.

⁴⁷ Gigaclear, First Response, Annex 11 “VoIP 999 Post Incident Report”.

⁴⁸ Gigaclear, First Response, Question 8.

⁴⁹ Gigaclear, First Response, Question 20.

⁵⁰ Gigaclear, First Response, Question 6.

⁵¹ Gigaclear, Second Response, Question 3.

⁵² The International Telecommunications Union (ITU-T) defines the format of telephone numbers in the International Public Telecommunication Numbering Plan [ITU-T E.164](#).

⁵³ Gigaclear, Second Response, Annex 1 “SIP Trunks Technical Service Description V2.4”.

- 4.42 Gigaclear failed to maintain effective oversight of whether its service was meeting regulatory requirements, in particular GC A3.5 and A3.6(a) concerning the provision of caller location information.

Testing prior to launch of the VoIP service

- 4.43 Gigaclear carried out pre-production testing between June 2021 and December 2021, as well as a friendly customers trial in January 2022.⁵⁴ It ran various tests for its VoIP system, including reporting to test call features, transport connectivity, trunk connectivity, resiliency, monitoring and provisioning.⁵⁵
- 4.44 The evidence shows Gigaclear failed to check whether accurate caller location information would be made available to emergency organisations as part of its pre-production testing before the VoIP service was launched. Gigaclear did carry out testing relating to emergency calls, however this was limited to ensuring connectivity and two-way speech and did not include validation of caller location information.⁵⁶
- 4.45 As part of its Post Incident Report, Gigaclear acknowledged that a number of factors were overlooked during production and deployment testing, in particular:⁵⁷
- *“SIP header was not compliant with the standard, at point of creation. This was not tested before the VOIP service was made live.”*
 - *“When tested before the service went live, we did not test if the address that was being displayed, was in fact the customer’s address. This was not part of the testing stage for VOIP.”*
 - *“Network CLI’s were not clearly identified for our system. This was overlooked at point of production.”*
- 4.46 In relation to the testing of caller location information prior to launching the VoIP service, Gigaclear explained that, as it was unaware of Supplier B’s configuration error, *“it assumed that the caller location information presented would be accurate and therefore made no further specific tests on that aspect of its service.”*⁵⁸ Gigaclear highlighted that failover and disaster recovery connectivity tests were completed prior to the launch of the service, which indicated the system was operationally robust.
- 4.47 It is our view that, in order to ensure compliance with GC A3.5 and A3.6(a) when its VoIP service was live, Gigaclear should have carried out specific testing relating to the accuracy and reliability of the caller location information that would be made available to emergency organisations, prior to launching the VoIP service. Such testing should have included checking the accuracy of the network calling line identification number and that an accurate full postal address of a user of its VoIP service would be available to the emergency call handler, in the event that a Gigaclear VoIP customer made an emergency call. Completing this testing would have likely alerted Gigaclear to the relevant configuration error, and enabled it to correct this error before offering the service to customers, preventing the contravention.

⁵⁴ Gigaclear, First Response, Question 2.

⁵⁵ Gigaclear, First Response, Question 8.

⁵⁶ Gigaclear, First Response, Question 8.

⁵⁷ Gigaclear, First Response, Annex 11 “VoIP 999 Post Incident Report”.

⁵⁸ Gigaclear, First Response, Question 20.

Test calls to emergency organisations

- 4.48 The evidence we have collected in this investigation shows that Gigaclear failed to test or monitor the provision of accurate and reliable caller location information to emergency organisations for a period of 26 months. This is a significant concern in this case.
- 4.49 Gigaclear explained that test cases prior to March 2024 concerned confirming two-way communication.⁵⁹ During the same period, Gigaclear carried out isolated testing of the emergency services location database, which it says were deemed a success when the information was consistent with its internal data held for the customer.⁶⁰
- 4.50 Gigaclear did not carry out test calls to the emergency services at regular intervals to understand whether accurate and reliable caller location information was being made available, as Ofcom would expect in order to monitor its compliance with GC A3.5 and A3.6(a) and any risk to its VoIP customers.
- 4.51 As Gigaclear was carrying out test calls to check two-way communication, it would have required very limited additional resource to also check the accuracy of the caller location information being made available. Gigaclear's failure to take proactive steps to monitor the provision of caller location information resulted in a reliance on reactive measures, such as incident and complaints management. Taking into consideration the technically feasible and accessible option of checking caller location information on test calls, this created an unnecessary risk to Gigaclear VoIP customers, as incidents and complaints are typically raised following adverse events. In this context of accessing the support of emergency services, such adverse events have the potential to be very serious. It is Ofcom's view that it is not appropriate to rely solely on such reactive measures to monitor the accuracy of the caller location information made available to emergency organisations.

Customer complaint

- 4.52 On 9 March 2023, Gigaclear received a complaint from a customer concerning the accuracy of the caller location information available on an emergency call.⁶¹ The complainant said they had called 999 and given their home address. The operator requested that they confirm their address, as the location information they had was inaccurate. The complainant requested that Gigaclear correct this location information.
- 4.53 The complaint was investigated from 15 April 2023 and closed on 16 June 2023 without further action or a substantive response being issued to the complainant.⁶² This investigation involved checking files relating to calls made by the customer and the customer's registered address. As these were as expected, Gigaclear said the case was assumed to be an anomaly.
- 4.54 The customer raised the issue again on a call to Gigaclear on 24 July 2023, mentioning their address was still inaccurate.⁶³ No further investigation was conducted, and no

⁵⁹ Gigaclear, First Response, Question 23.

⁶⁰ Gigaclear, First Response, Question 8.

⁶¹ Gigaclear, First Response, Question 51.

⁶² Gigaclear, Second Response, Annex 4 "Salesforce Case 01124225".

⁶³ Gigaclear, Second Response, Question 7(c).

further action was taken by Gigaclear in response to the complainant re-raising the issue, as it was determined it had been investigated following the first complaint.

- 4.55 It is our view that Gigaclear should have done more in response to this customer complaint. Specifically, Gigaclear should have tested the accuracy of the caller location information being made available to emergency organisations when the customer made emergency calls, in addition to checking files relating to the customer's calls and their registered address. Gigaclear should have contacted the complainant to gather further detail regarding the nature of the issue, and to check whether the issue was ongoing, rather than closing the complaint without issuing a substantive response. Taking into account that the complaint related to the caller location information available when the customer called 999, it was not appropriate for Gigaclear to close the case based on an assumption that it was an anomaly and without identifying and resolving the cause of the issue.
- 4.56 Gigaclear explained it had no reason to suspect that the issue could have had a wider impact.⁶⁴ It is our view that customer complaints relating to caller location information should be treated seriously and investigated thoroughly, in order to appropriately assess whether the issue is more widespread. In this case, the complaint file was closed without determining the cause of the issue or investigating whether other Gigaclear customers were affected.
- 4.57 Gigaclear has emphasised that it had no reason to suspect the system was configured incorrectly, and therefore, to implement testing of calling line identification and caller location information. This complaint shows Gigaclear had an earlier opportunity to identify the longstanding, widespread issue with caller location information, as a result of the configuration error. The complaint was first received approximately one year before the cleansing exercise and subsequent investigation which alerted Gigaclear to issues with the caller location information being made available to emergency organisations. Earlier identification of the issue would likely have prevented the continuation of the contravention of GC A3.5 and A3.6(a).
- 4.58 While Gigaclear did not receive a high number of complaints regarding the issues with caller location information, the evidence suggests Gigaclear should have done more to investigate and resolve the customer complaint it received.

Ofcom's determination of contravention

- 4.59 In light of the facts outlined above, we have found that Gigaclear has contravened GC A3.5 and A3.6(a).
- 4.60 Gigaclear failed to provide accurate caller location information to emergency organisations, including full postal addresses, between January 2022 and 11 March 2024. It is our view that there were technically feasible actions available to Gigaclear, which Gigaclear should have taken in order to prevent the contravention but failed to take in this case.
- 4.61 Specifically, Gigaclear failed to test and monitor the provision of accurate caller location information to emergency organisations, prior to launching the service and while the service was live. Effective testing would have likely alerted Gigaclear to Supplier B's

⁶⁴ Gigaclear, First Response, Question 51.

configuration error. Gigaclear failed to maintain effective oversight of its regulatory compliance, in particular, in relation to systems provided by third-party suppliers. Gigaclear missed an earlier opportunity to identify the issue by failing to appropriately investigate a customer complaint concerning the provision of caller location information and closing the case without resolving the cause of the issue.

- 4.62 We set out our consideration of whether to impose a penalty, and the financial penalty amount in Section 5, below.

5. Financial penalty

- 5.1 As set out in Section 4 above, Ofcom's view is that Gigaclear has contravened GC A3.5 and A3.6(a). This constitutes a serious breach of its obligations under the GCs, and Ofcom considers it appropriate and proportionate to impose a penalty that will reflect the seriousness of the contravention.
- 5.2 We are therefore imposing a penalty of £122,500 on Gigaclear, which includes a 30% discount on the penalty figure of £175,000 which we would have otherwise imposed. This discount reflects the resource savings achieved by Ofcom as a result of Gigaclear's admission of liability and its completion of Ofcom's settlement process.
- 5.3 In reaching this view, we have considered all of the factors set out in Ofcom's Penalty Guidelines, which we discuss in more detail below.⁶⁵

Consideration of whether to impose a financial penalty

- 5.4 The investigation found that Gigaclear failed to make accurate caller location information available to emergency organisations for a period of 26 months. We found that there were technically feasible actions Gigaclear should have taken to prevent the contravention.
- 5.5 People's ability to contact and access the support of emergency services is a critically important function of a communications network. The conditions set by Ofcom relating to caller location information reflect the fact that the provision of accurate caller location information is an integral aspect of this access to emergency services. Ofcom takes any breach of regulatory obligations concerning access to emergency services, and the emergency services' ability to locate a caller, very seriously.
- 5.6 Given the importance of the GCs concerning the provision of caller location information, Ofcom has considered whether to impose a financial penalty.
- 5.7 As set out in our Penalty Guidelines, the central objective for imposing a penalty is to effectively deter contraventions of regulatory requirements. We consider that imposing a financial penalty in this case would incentivise Gigaclear to ensure it takes appropriate steps to comply with its obligations. More broadly, the imposition of a penalty would demonstrate to the wider sector how seriously Ofcom takes compliance with these obligations.
- 5.8 As explained in our Penalty Guidelines, we expect management to recognise that it is not more profitable for business to break the law and pay the consequences than to comply with the law in the first instance.
- 5.9 Ofcom has therefore concluded that a financial penalty is appropriate in this case.

⁶⁵ Ofcom, [Penalty Guidelines](#), 14 September 2017.

Penalty amount

- 5.10 In considering the level of penalty which should be applied, Ofcom has had regard to its published Penalty Guidelines.⁶⁶ We have set out below the factors which we consider to be relevant to this case.
- 5.11 The level of the penalty must be sufficient, having regard to the turnover of the regulated body, to have a material impact on the regulated body so that it is incentivised to bring itself into compliance and avoid recurrences of the contraventions in future. Regulated bodies with a large turnover, for example, may be subject to higher penalties in order for a deterrent effect to be achieved. We will impose the penalty which is appropriate and proportionate taking into account all the circumstances of the case in the round, keeping in mind the central objective of deterrence.

Gigaclear's relevant turnover

- 5.12 In accordance with the Act, any penalty we impose must be appropriate and proportionate to the contravention for which it is imposed and must not exceed 10% of Gigaclear's turnover for its relevant business for the relevant period.⁶⁷
- 5.13 As set out in our Penalty Guidelines, Ofcom will have regard to the size and turnover of the regulated body when considering the deterrent effect of any penalty.⁶⁸
- 5.14 We note the turnover of Gigaclear's relevant business for the financial year ending 31 March 2025 was £[REDACTED].^{69 70} This figure has been taken into account as a starting point when considering whether the penalty is appropriately high to deter Gigaclear from future contraventions.

Seriousness and duration

- 5.15 Ofcom considers that any failure concerning access to the support of emergency organisations is very serious, including a failure that may hinder emergency organisations' ability to locate a person requiring emergency assistance.

⁶⁶ Ofcom, [Penalty Guidelines](#), 14 September 2017.

⁶⁷ Section 97 of the [Act](#). Section 97(5) defines "relevant business" as "(subject to the provisions of an order under subsection (3) and to subsections (6) and (7)) so much of any business carried on by the [person] as consists in any one or more of the following— (a) the provision of an electronic communications network; (b) the provision of an electronic communications service; (c) the making available of associated facilities; (d) the supply of directories for use in connection with the use of such a network or service; (e) the making available of directory enquiry facilities for use for purposes connected with the use of such a network or service; (f) any business not falling within any of the preceding paragraphs which is carried on in association with any business in respect of which any access-related condition is applied to the person carrying it on". Section 97(5) defined "relevant period", "in relation to a contravention by a person of a condition set under section 45 [or of a commitment that is made binding by a commitments decision]" as "(a) except in a case falling within paragraph (b) or (c), the period of one year ending with the 31st March next before the time when notification of the contravention was given under section 94 [or 96A]; (b) in the case of a person who at that time has been carrying on that business for a period of less than a year, the period, ending with that time, during which he has been carrying it on; and (c) in the case of a person who at that time has ceased to carry on that business, the period of one year ending with the time when he ceased to carry it on."

⁶⁸ Ofcom, [Penalty Guidelines](#), 14 September 2017, paragraph 1.11.

⁶⁹ Gigaclear, Third Response, Question 1.

⁷⁰ This turnover figure was prepared by Gigaclear specifically for the purpose of this investigation. It is noted that Gigaclear's financial year runs to 31 December each year in relation to its audited financial accounts.

- 5.16 In addition to the inherent seriousness of any failure concerning access to the support of emergency organisations, we have considered the seriousness of the circumstances of this particular contravention.
- 5.17 In particular, we note that the 26-month duration of the issues with caller location information is a highly extended period of contravention amounting to significant duration. All calls to emergency organisations during this period were impacted, with inaccurate caller location information, or no caller location information, being made available for 948 emergency calls made by Gigaclear VoIP customers.
- 5.18 A further factor contributing to the seriousness of the contravention is Gigaclear's failure to respond appropriately to a complaint made by its customer concerning inaccurate caller location information. Gigaclear had an opportunity to shorten the duration of the contravention, which it missed as a result of its failure to appropriately investigate and resolve the complaint.
- 5.19 We consider that the absence of any testing of the accuracy of caller location information prior to launching the VoIP service, and for over two years while the service was live, was a serious oversight. While Gigaclear is not aware of any harm coming to Gigaclear customers as a result of the issues, the potential harm has been taken into account in our consideration of the seriousness of the contravention.

Degree of actual or potential harm

- 5.20 We have considered the degree of harm, whether actual or potential, caused by the contravention. As stated in our Penalty Guidelines, when considering the degree of harm caused by the contravention, Ofcom will not necessarily seek to quantify this precisely in all cases.⁷¹
- 5.21 As noted above, Gigaclear has had no notification of, and is not aware of, any actual harm as a result of the issues with caller location information.⁷² During our investigation, we have not seen evidence that actual harm was suffered as a result of these issues. However, given the circumstances and duration of the issues, there was a risk that actual harm could have occurred.
- 5.22 As is standard industry practice for all VoIP calls, emergency calls from Gigaclear VoIP customers were marked with an 'unreliable address' signal.⁷³ This should have prompted the emergency call handling agent taking the call to verbally check the caller's location by asking the caller to confirm their location. For the majority of customers contacting emergency services, this is likely to have mitigated the impact of the issues with caller location information, as most callers likely will have been able to verbally confirm their location to the emergency call handling agent. This may still, however, have resulted in a delay while the emergency call handling agent established that the caller's correct address was different to the address presented to them on the system. Dealing with inaccurate caller location information may have also caused stress to emergency call handling agents already working in a high-pressured and fast-paced role.

⁷¹ Ofcom, [Penalty Guidelines](#), 14 September 2017, paragraph 1.13.

⁷² Gigaclear, First Response, Question 48.

⁷³ Gigaclear, First Response, Question 55(a).

- 5.23 Gigaclear received one complaint concerning inaccurate caller location information during the impacted period, which did not report any harm. We note callers may not have been aware that Gigaclear was responsible for providing the inaccurate caller location information to emergency services and, within the context of making emergency calls, may have been less likely to seek to clarify who to raise this issue with.
- 5.24 Gigaclear stated that the process of marking VoIP calls with the unreliable address signal *“significantly mitigates any risk of harm arising from any inaccuracy with the caller location information attached to a VoIP call marked in this way.”*⁷⁴ It is our view that, while this process mitigated some risk of harm, it did not significantly mitigate any risk of harm to Gigaclear customers.
- 5.25 A significant risk of harm remained to any caller who was unable to verbally confirm their location. This may include callers in especially vulnerable situations, for example:
- a young child calling emergency services who does not know their address;
 - a person experiencing a serious illness or injury limiting their ability speak; or
 - a person making a “silent call” where making noise may put the caller or someone else in danger.⁷⁵
- 5.26 For all callers in emergency situations, any confusion or delay surrounding the emergency service’s ability to locate them and provide effective assistance had the potential to cause significant distress. The issues with the caller location information made available to emergency organisations created a potential risk to life for Gigaclear customers in need to emergency assistance. It is our view that Gigaclear failed to appropriately assess the risk of the issues with caller location information to its customers, in particular, to those in vulnerable circumstances.
- 5.27 In the event that a person calling emergency services was unable to verbally correct their location information from the inaccurate information being presented to the emergency call handling agent, there was a risk that an emergency response would be dispatched to an incorrect location. This would have left the caller without necessary emergency assistance and wasted the emergency service’s time attending the incorrect location, and potentially investigating the error themselves. Ofcom is not aware that such an event occurred in this case.
- 5.28 We have taken the potential risks arising from the failures relating to caller location information into consideration, up to and including a risk to life.
- 5.29 The standard set in the relevant GCs reflects the seriousness of the risks of harm where the caller location information made available to emergency organisations is inaccurate or unreliable. While we are unable to quantify the potential harm that could have been caused by the contravention, we have considered the potential risks to the customers who made the 948 calls where there were issues with the caller location information

⁷⁴ Gigaclear, First Response, Question 49.

⁷⁵ The “[Silent Solution](#)” is a system that filters out accidental or hoax 999 calls and alerts police when a caller is in genuine need of help but unable to speak. A recorded message will instruct callers who can’t talk to press 55 to be put through to the police.

provided, and to all Gigaclear VoIP customers during the impacted period, who could have been at risk had they had need to call the emergency services.⁷⁶

Any gain made by Gigaclear

- 5.30 There is no evidence that Gigaclear made any financial, or other, gain as a result of the contravention. We consider that there would have been limited costs associated with carrying out the testing and monitoring of caller location information necessary to prevent the contravention. Therefore, we do not consider that Gigaclear is likely to have made any significant gain or savings as a result of its failure to take such action.

Steps taken to prevent the contravention

- 5.31 As set out in Section 4, Gigaclear's failure to take appropriate steps to prevent the contravention was a key consideration in our investigation and findings.
- 5.32 In summary, Gigaclear failed to ensure its third-party suppliers configured the systems its VoIP service relied on correctly and that such systems were functioning as expected, for example, through appropriate testing. Of significant concern, Gigaclear failed to test the accuracy of the caller location information made available to emergency organisations prior to launching the VoIP service, or at regular intervals while the service was live.
- 5.33 We have noted that Gigaclear failed to respond appropriately to a customer complaint raised about inaccurate caller location information by failing to investigate thoroughly and closing the coming without resolving the cause of the issue. Had Gigaclear handled this complaint appropriately, it would have likely prevented the continuation of the contravention. Additionally, Gigaclear's discovery of the configuration error as the root cause of the issues was made incidentally, following an error during the cleansing exercise carried out with Supplier A. Gigaclear failed to take proactive steps to prevent the contravention or maintain effective oversight of whether its service was meeting the regulatory requirements.

Steps taken in response to the issue and to remedy the contravention

- 5.34 As part of our penalty assessment, we may also take into account whether the contravention in question continued, or timely and effective steps were taken to end it, once the regulated body became aware of it.⁷⁷
- 5.35 We note Gigaclear did not respond appropriately to an issue with caller location information first being brought to its attention by a complainant on 9 March 2023. The contravention continued for approximately a further 12 months following this complaint.
- 5.36 Once Gigaclear was notified of issues with its caller location information by Supplier A on 7 March 2024, Gigaclear's response was generally effective, and it has taken steps to remedy the contravention. This included correcting the configuration error on 11 March 2024 and conducting a post incident review. Gigaclear has implemented measures

⁷⁶ The number of live Gigaclear VoIP customers throughout the impacted period from January 2022 and 11 March 2024, who could have potentially been impacted by the issues with caller location information had they had reason to call the emergency services, varied substantially and peaked at approximately 13,502 on 11 March 2024 - Gigaclear, First Response, Question 43.

⁷⁷ Ofcom, [Penalty Guidelines](#), 14 September 2017, paragraph 1.12.

aiming to ensure future similar issues are identified and corrected swiftly, notably, carrying out monthly emergency services test calls to confirm the accuracy of the caller location information available to emergency call handling agents.

The extent to which the contravention occurred deliberately or recklessly

- 5.37 We have no reason to believe that the contravention was deliberate or reckless.

History of contraventions

- 5.38 Our Penalty Guidelines state that we may consider whether the regulated body in breach has a history of contraventions and repeated contraventions may lead to significantly increased penalties.⁷⁸
- 5.39 We note that Gigaclear has no relevant history of contraventions.

Cooperation with Ofcom

- 5.40 Gigaclear has fully cooperated with our investigation and provided Ofcom with information in a timely manner when requested.
- 5.41 We welcome Gigaclear's decision to self-report the issues with caller location information to Ofcom and note that Gigaclear engaged with us prior to the investigation.
- 5.42 We have taken Gigaclear's cooperation prior to and during our investigation into account when determining the penalty in this case.

Precedents

- 5.43 As set out in our Penalty Guidelines, Ofcom will have regard to any relevant precedents set by previous cases, where they are relevant, but we will not regarding the amounts of previously imposed penalties as placing upper thresholds on the amount of any penalty.⁷⁹
- 5.44 Ofcom has made no previous findings under GC A3.5 and A3.6(a) or taken enforcement action in cases considered to be sufficiently similar to the relevant facts in this case. Ofcom has imposed financial penalties in previous cases against regulated providers for contravening their regulatory obligations under GC A3.2 (or equivalent) to provide uninterrupted access to emergency services calls: Vonage (2018), KCOM (2017) and Three (2017).⁸⁰ In 2024, Ofcom imposed a financial penalty of £17.5 million (including a 30% settlement discount on the penalty that Ofcom would have otherwise imposed) on BT following disruption to its emergency call services for contravention of its security duties under the Communications Act 2003, as amended by the Telecommunications

⁷⁸ Ofcom, [Penalty Guidelines](#), 14 September 2017, paragraph 1.12.

⁷⁹ Ofcom, [Penalty Guidelines](#), 14 September 2017, paragraph 1.14.

⁸⁰ In 2018, Ofcom imposed a financial penalty of £24,500 (including a 30% settlement discount on the penalty that Ofcom would have otherwise imposed) on [Vonage](#) for a contravention of then GC 3.1(c) (now GC A3.2(b)). In 2017, Ofcom imposed a financial penalty of £0.9m on [KCOM](#) for contravention of then GC 3.1(c) (now GC A3.2(b)). In 2017, Ofcom imposed a financial penalty of £1.9m (including a 30% settlement discount on the penalty that Ofcom would have otherwise imposed) on [Three](#) for contravention of then GC 3.1(c) (now GC A3.2(b)).

(Security) Act 2021, and the Electronic Communications (Security Measures) Regulations 2022.⁸¹

- 5.45 As part of our penalty considerations, we have noted that the duration and potential degree of harm differs considerably than in these previous cases. We have also considered the relative size of Gigaclear in relation to other regulated providers.

Ofcom's conclusion on the penalty amount

- 5.46 In the specific circumstances of this case and having considered all the relevant factors discussed above, we have decided that it is appropriate to impose a penalty of £122,500. This includes a 30% discount on the penalty figure of £175,000 which we would have otherwise imposed, reflecting the resource savings achieved by Ofcom as a result of Gigaclear's admission of liability and its completion of Ofcom's settlement process.
- 5.47 In accordance with the Act, any penalty we impose must be appropriate and proportionate to the contravention for which it is imposed and must not exceed 10% of Gigaclear's turnover for its relevant business for the relevant period.
- 5.48 Gigaclear's turnover for its relevant business for the financial year ending 31 March 2025 was £[<].⁸² Accordingly, our proposed penalty does not exceed the statutory cap.
- 5.49 Ofcom's view is that this penalty is appropriate and proportionate to the contraventions in respect of which it is imposed. Our central objective in setting the penalty is deterrence. We have also looked to impose a level of penalty that reflects Gigaclear's contravention of important GCs, the potential harm, and the actions Gigaclear should have taken to prevent to contravention.
- 5.50 Having regard to Gigaclear's turnover, our judgement is that a penalty of £122,500 would secure these objectives in a proportionate way. It appropriately reflects each of the facts described above, taking particular account of the seriousness of the breach, and the need for effective deterrence.

[<]

Stuart McFadyen

Principal, Enforcement

30 July 2025

⁸¹ Ofcom, [Non-Confidential decision - Investigation into BT following 999 emergency call service outage on 25 June 2023](#), 24 September 2024.

⁸² Gigaclear, Third Response, Question 1.

A1: Confirmation Decision under section 96C

Section 96C of the Communications Act 2003

- A1.1 Section 96C of the Communications Act 2003 (the Act) allows the Office of Communications (Ofcom) to issue a Confirmation Decision to a person where that person has been given a Notification under section 96A of the Act; that person has been given the opportunity to make representations about the matters notified; and the period allowed for the making of representations has expired. However, Ofcom may not give a Confirmation Decision to a person unless, having considered any representations, it is satisfied that the person has, in one or more of the respects notified, been in contravention of a condition specified in the Notification under section 96A.
- A1.2 A Confirmation Decision under section 96C of the Act is a decision confirming the imposition of requirements on a person, or the giving of a direction to a person, or both, in accordance with a corresponding notification under section 96A which, among other things:
- a) must be given to the person without delay;
 - b) must include the reasons for the decision;
 - c) may require immediate action by the person to comply with the requirements of a kind mentioned in section 96A(2)(d) of the Act, or may specify a period within which the person must comply with those requirements; and
 - d) may require the person to pay: the penalty specified in the Notification issued under section 96A of the Act, or such lesser penalty as Ofcom consider appropriate in light of the person's representations or steps taken by the person to comply with the condition or remedy the consequences of the contravention; and may specify the period within which the penalty is to be paid.

The General Conditions of Entitlement

- A1.3 Under the regulatory regime set out in the Act, regulated providers do not require a licence to operate in the United Kingdom, but they can be made subject to conditions of general application. The General Conditions of Entitlement (GCs) are the regulatory conditions that all providers of electronic communications networks and services of a particular description specified for the respective General Conditions must comply with if they want to provide their services in the United Kingdom.
- A1.4 Section 45(1) of the Act gives Ofcom the power to set conditions, including GCs, binding on the person to whom they are applied.
- A1.5 Relevant to this Confirmation Decision are the following GCs.
- A1.6 GC A3.5 states, *"Regulated Providers shall, to the extent technically feasible, make accurate and reliable Caller Location Information available for all calls to the emergency call numbers "112" and "999", at no charge to End-Users and the Emergency*

Organisations handling those calls, at the time the call is answered by those organisations.”

- A1.7 GC A3.6(a) states, *“In order to make accurate and reliable Caller Location Information available to the Emergency Organisations handling the calls to “112” and “999”, a Regulated Provider must comply with the following requirements: (a) where it provides an Electronic Communications Service at a fixed location, the Caller Location Information must, at least, accurately reflect the fixed location of the End-User’s terminal equipment including the full postal address”.*

Subject of this Confirmation Decision

- A1.8 This Confirmation Decision is addressed to Gigaclear Limited (Gigaclear), whose registered company number is 07476617. Gigaclear’s registered office is Building One, Wyndyke Furlong, Abingdon, Oxfordshire, United Kingdom, OX14 1UQ.

Notification given to Gigaclear under section 96A of the Act

- A1.9 On 18 July 2025, Ofcom gave notification under section 96A of the Act (Notification) to Gigaclear, as Ofcom had reasonable grounds for believing that Gigaclear had contravened GC A3.5 and A3.6(a) by failing to make accurate caller location information, including full postal addresses, available to emergency organisations between January 2022 and 11 March 2024.
- A1.10 Our provisional view was that there were technically feasible actions available to Gigaclear, which Gigaclear should have taken to make accurate and reliable caller location information available for all calls to the emergency call numbers “112” and “999” that Gigaclear failed to take in this case. Specifically, Gigaclear failed to test and monitor the provision of accurate caller location information to emergency organisations, prior to launching the service and while the service was live. Gigaclear failed to maintain effective oversight of its regulatory compliance, in particular, in relation to systems provided by third-party suppliers. Gigaclear missed an earlier opportunity to identify the issue by failing to appropriately investigate a customer complaint concerning the provision of caller location information and closing the case without resolving the cause of the issue.
- A1.11 This Notification also specified the penalty that Ofcom was minded to impose on Gigaclear in respect of the above contraventions. It further specified that, on the basis of the steps taken by Gigaclear to remedy the contraventions, Ofcom considered that there are no further remediation steps to be taken by Gigaclear. We noted that Gigaclear corrected the configuration error on 11 March 2024 and implemented measures aiming to ensure future similar issues are identified and corrected swiftly. Ofcom noted that Gigaclear now carries out monthly emergency services test calls to confirm the accuracy of the caller location information available to emergency call handling agents.
- A1.12 The Notification allowed Gigaclear the opportunity to make representations to Ofcom about the matters set out in the Notification.

Confirmation Decision under section 96C of the Act

- A1.13 Gigaclear confirmed in a letter to Ofcom of 24 July 2025, that it waived its rights to make representations about the matters notified and admitted liability for the

contraventions. The period for Gigaclear to make representations has therefore expired.

- A1.14 Accordingly, Ofcom is satisfied that Gigaclear has contravened GC A3.5 and A3.6(a) by failing to make accurate caller location information, including full postal addresses, available to emergency organisations between January 2022 and 11 March 2024.
- A1.15 Ofcom has therefore decided to give Gigaclear this Confirmation Decision confirming its contravention of GC A3.5 and A3.6(a).
- A1.16 The extent of these contraventions and the reasons for Ofcom's decision are set out in the explanatory statement to which this Confirmation Decision is annexed.

Penalty

- A1.17 Ofcom is imposing a penalty of £122,500 on Gigaclear in respect of the contravention of GC A3.5 and A3.6(a) as set out in paragraphs A1.9 and A1.10 of this Confirmation Decision. This includes a 30% discount on the penalty figure of £175,000 which Ofcom would have otherwise imposed, as a result of Gigaclear's admission of liability and its completion of Ofcom's settlement process.
- A1.18 Ofcom requires Gigaclear to pay that penalty to Ofcom by no later than 4 weeks from the date of this Confirmation Decision issued under section 96C of the Act. If not paid by that deadline, it can be recovered by Ofcom accordingly.⁸³

Interpretation

- A1.19 Except insofar as the context otherwise requires, words or expressions used in this Confirmation Decision have the meaning assigned to them in this Confirmation Decision and otherwise any word or expression shall have the same meaning as it has been ascribed for the purpose of the General Conditions or the Act.

Signed by

[✂]

Stuart McFadyen

Principal, Enforcement

A person duly authorised by Ofcom under paragraph 18 of the Schedule to the Office of Communications Act 2002

30 July 2025

⁸³ Section 96C(7) of the Act.

A2: Glossary of terms

A2.1 In this Annex, except insofar as the context otherwise requires, words and expressions shall have the meaning assigned to them in the Table below.

Term	Meaning
Caller location information	As defined in Ofcom's General Conditions
Calling line identification or CLI	As defined in Ofcom's General Conditions
Calling line identification facilities	As defined in Ofcom's General Conditions
Customer(s)	Has the meaning given to it in the Communications Act 2003
Emergency call handling agent	Agents at BT emergency call handling centres who handle emergency calls
Emergency organisation	As defined in Ofcom's General Conditions
Gigaclear	Gigaclear Limited, company registration number 07476617
Impacted period	The period during which there were issues with the caller location information provided to emergency organisations, from January 2022 to 11 March 2024
Network number or Network CLI	A telephone number that unambiguously identifies the line identity of the fixed access ingress to or egress from a received Public Electronic Communications Network or a subscriber or terminal/telephone that has non-fixed access to a Public Electronic Communications Network. It is carried in the P-Asserted-Identity field of the SIP header.
Public Electronic Communications Service	Has the meaning given to it in the Communications Act 2003
Regulated provider	As defined in Ofcom's General Conditions
SIP	Session Initiation Protocol
VoIP	Voice over Internet Protocol (IP)