

Reference: 01667208

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

3 October 2023

### Freedom of Information request: Right to know request

Thank you for your request for information concerning power backups and the switch to digital voice. Your request was received on 5 September 2023 and we have considered it under the Freedom of Information Act 2000 ('the FOI Act').

#### Your request & our response

*With regards to the switchover to digital phone services from PSTN when that network is discontinued in 2025, I have the following questions: (each \* denotes a separate question for FOI purposes)*

*OFCOM has consulted regarding the impact of these changes, in specific regarding the necessity for customers who rely on a landline to still be able to contact the emergency services in the event of a power cut;*

*\*In any of the consultations regarding this since 2017, how many Scottish local authorities were invited to respond, and how many did?*

Ofcom consulted on guidance on protecting access to emergency organisations where there is a power cut at the customer's premises in 2018. The consultation was placed on Ofcom's website. No Scottish local authorities responded. A full list of respondents and their responses can be found on our [website](#).

*\*In any of the consultations regarding this since 2017, how many Scottish emergency services or other "first responders" (eg. Scottish Fire and Rescue Service, Police Scotland etc) responded?*

Ofcom consulted on guidance on protecting access to emergency organisations where there is a power cut at the customer's premises in 2018. No Scottish emergency services or other Scottish "first responder" organisations responded. A full list of respondents and their responses can be found on our [website](#).

*\*If the answer to either of the above is NOT zero, what were the content/summary of their responses.*

Please see our response to the previous question.

*In regards to power backups, what is the current average, minimum and maximum length of power-backup at PSTN exchanges that serve island communities in the following local authority areas:*

*\*Shetland islands*

*\*Orkney*

*\*Nah eileanan an iar*

*\*Highland*

*\*Argyll & Bute*

*If this information is not accessible/would take too long to gather, any indication of what island or Very Remote Rural Areas (per the 2016 Scottish Government definition of rurality, ie Areas with a population of less than 3,000 people, and with a drive time of over 60 minutes to a settlement of 10,000 or more) telephone exchanges currently have in terms of power backup durations would be a acceptable answer.*

We do not hold this information.

*\*In terms of the guidance issued for operators of landline phone services, I believe there is NO requirement for emergency service provision to extend beyond one hour in the event of a power cut. Can you confirm this is true?*

Our 2018 Guidance on protecting access to emergency organisations where there is a power cut at the customers' premises states that "providers should have at least one solution that enables access to emergency organisations for a minimum of one hour in the event of a power outage in the premises". You can read the full guidance on our [website](#).

*\*Having regard to mobile telephone operators, what is the current minimum required backups for masts in Very Remote Rural Areas or island communities in Scotland?*

There is currently no explicit minimum requirement for power backup at mobile mast sites. Operators determine how they comply with their obligations.

*\*Is this requirement greater, the same or less than in masts in urban or mainland locations?*

Please see our response to the previous question.

*\*Does OFCOM have any information on how long the average power backup for a mobile mast is in the previously listed local authority areas (specifically focussing on island and Very Remote Rural Areas)? If so, please provide.*

In considering this part of the request we have noted Section 84 of the FOI Act which defines "information" as "information recorded in any form" and guidance from the ICO which confirms that we are not required to create information for the purposes of complying with a request for information under the FOI Act. We are unable to provide this information as we do not record it in this way.

*\*Does OFCOM have any information regarding how many customers have already been switched to digital voice services within any of the listed local authority areas (not specifically Very Remote Rural*

*Areas/Island communities as I am aware that information will unlikely to be held)? If so, please provide.*

We do not hold this information. However, you may find it helpful to view our Connected Nations 2022 report which notes that 27% of UK fixed landlines are now delivered over VoIP. Please note that the % figure of VoIP lines relates primarily to residential and SME landlines rather than all landlines. The full report can be found on our [website](#).

*\*Does OFCOM have any information on how many customers in the listed local authority areas have been provided with battery backups, uninterruptible power supplies or similar by operators when switching from PSTN to digital voice service? If so, please provide.*

We do not hold this information.

*\*When the guidance/regulations were being drafted & consulted on regarding the length of time for power backups for providers of digital voice services, were any Scottish local authorities, Scottish emergency services or the Scottish Government consulted, and if so, what were their responses?*

We do not have a record of this information.

*\*Having regards to the previous question, was an Island Communities Impact Assessment carried out in regards the impact of the switch to digital phone services? If so, please provide this.*

We do not have a record of this information.

*\*Please provide any e-mails between OFCOM employees and the UK Govt, Scottish Government, or any Scottish local authorities regarding the digital voice switch as it pertains to island or Very Remote Rural Areas in Scotland.*

We can confirm that we do hold some information within the scope of your request. However, we consider this information is exempt from disclosure under section 44 of the FOI Act. Section 44 exempts the disclosure of information which is prohibited by another enactment. In this case the other enactment is section 393(1) of the Communications Act 2003 (the Act), which prohibits the disclosure of information which relates to a business and has been obtained in the exercise of Ofcom's functions, including information obtained in preparation and publication of infrastructure reports, unless Ofcom has the consent of the business or one of the statutory gateways for disclosure in section 393(2) of the Act is engaged, neither of which is engaged here. Section 44 is an absolute exemption under the FOI Act and does not require a public interest test.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) quoting the reference number above in any future communications.

Yours sincerely

Zach Westbrook

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

**Timing**

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF