

Reference: 01948717

Information Requests
information.requests@ofcom.org.uk

24 February 2025

Freedom of Information request: Right to know request

Thank you for your request for information concerning the suballocation of numbers. Your request was received on 28 January 2025, and we have considered it under the Freedom of Information Act 2000 (“the FOI Act”).

We note that this a follow-up request to cases 01898261 (call providers) and 01916690 (the misuse of telephone numbers sub-allocated by call providers).

Your request

I understand Ofcom allocates telephone numbers to commercial companies to allow them to operate, and Ofcom monitors their use of the telephone number. However the commercial company can in turn sub-allocate them to a third party, and Ofcom has no knowledge to whom the numbers are sub-allocated. In turn Ofcom passes on the responsibility of monitoring the numbers use to the company they have originally allocated the number to. I have a number of questions regarding this process:-

- 1. Is there any restrictions on how many times a number can be sub allocated. Thus, as an illustration, if Ofcom allocates the number to company A it can sub-allocate to company B. My Question is can B sub allocate to C, C to D etc.*
- 2. My understanding is that the company who sub allocates the number has the same responsibilities as Ofcom had of Monitoring the number's use. What forms does this monitoring take? I can only surmise there is a written protocol you provide setting out the duties of the companies who sub allocate numbers. Can I have an explanation of these duties and a copy of this protocol? If it does not exist please provide a list of these responsibilities.*
- 3. In the case of identified misuse of a sub-allocated number, is the company who sub allocated the misuse, required to inform Ofcom of the misuse? Or are they only required to take enforcement action on behalf of Ofcom? and report the any action they took??*

Background

We consider that your questions are covered by publicly available information (please see here what the ICO says about [Information accessible to the applicant by other means \(section 21\) | ICO](#)). However, for ease, below we provide links to the relevant information and also answer your questions based on this information:

- 1) We have General Conditions of Entitlement relating to the allocation, adoption and use of telephone numbers by Communications Providers – See General Condition B1 (which starts

on page 11 of this document: [General Conditions of Entitlement - Unofficial Consolidate Version](#)) and the [National Telephone Numbering Plan](#) (the Numbering Plan).

- 2) This [Good practice guide to help prevent misuse of sub-allocated and assigned numbers statement](#) provides a helpful summary of our rules around misuse of numbers including suballocated numbers (see paragraphs 2.16 to 2.25).
- 3) As part of the above statement, we published a "[Good practice guide to help prevent misuse of sub-allocated and assigned numbers](#)" (the Guide) which sets out the steps we expect providers to take to help prevent valid telephone numbers being misused, including to facilitate scams and we take into account this guide when considering enforcement action.

Our response

Question 1:

There are no restrictions under our rules that limit the number of times a number can be sub-allocated. However, we have rules relating to the sub-allocation of numbers in General Condition B1.9 including that providers shall not transfer use of numbers unless the numbers are used in accordance with the Numbering Plan and are used effectively and efficiently. Additionally, we require the providers to take all reasonably practicable steps to secure that their customers comply with our rules in General Condition B1, the Numbering Plan and the Non-provider Numbering Condition.

We expect all providers to ensure that they are undertaking due diligence checks before sub-allocating numbers onwards. Section 3 of the Guide suggests that providers should: document the checks they carry out before sub-allocating or assigning numbers; have appropriate governance in place to ensure that these checks are carried out as intended and record their risk assessments; and keep the level of risk posed by a business customer under review by monitoring for potential number misuse.

Question 2:

The good practice guide outlines ways in which providers can ensure continued compliance and ways to reassess risk after numbers have been suballocated in section 4. These are not protocols but steps we expect providers to take when sub-allocating numbers. For instance, we expect providers to have contractual controls to ensure continued compliance with General Condition B1. We also expect providers to periodically test and/or monitor specific risks associated with their business customer.

Question 3:

The good practice guide outlines ways in which providers can address incidences of misuse in section. We expect providers to investigate incidents of suspected misuse and respond appropriately to prevent further potential misuse of numbers once identified. This could include the use of their contractual controls, suspending or blocking numbers or withdrawing the numbers completely from the sub-allocatee.

Providers are not expected to undertake enforcement action on behalf of Ofcom. We expect range holders (providers allocated numbers directly by Ofcom) to consider whether incidences of misuse should be reported to Ofcom for potential enforcement action, particularly:

- incidents that have resulted in significant consumer harm;
- repeat incidents involving a particular customer; and,
- incidents where reports of misuse have not been investigated in a timely manner or otherwise dealt with appropriately.

We hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).