



Lindsey Fussell
Consumer Group Director
Ofcom
Riverside House
2a Southwark Bridge Road
London,
SE1 9HA

05 July 2019

Dear Lindsey Fussell,

BT's non-confidential Information Sharing Statement under Universal Service Condition G.5

I am writing to you concerning the requirement under Universal Service Condition G.5, set out in Annex 1. Legal instruments of Ofcom's Statement: *'Delivering the Broadband Universal Service - Statement: Designating Universal Service Providers and setting conditions'*, published on 6 June 2019 (**Universal Service Statement**).

Universal Service Condition G.5 requires BT to:

- a) *prepare and provide to Ofcom no later than 5 July 2019 a non-confidential Information Sharing Statement which sets out a description of the measures BT has implemented in order to comply with conditions G.1 to G.4 (inclusive), in preparation for receiving the Ofcom Information. Such a description must include any measures implemented in the following areas:*
 - (i) *IT systems;*
 - (ii) *arrangements to deal with the co-location of employees and/or agents of BT and/or Openreach who work on the delivery of BT's obligations under these Conditions with other employees and/or agents of BT and/or Openreach who are not working on the delivery of BT's obligations under these Conditions and, in particular, how the information described in Condition G.1 will be protected where such co-location occurs;*
 - (iii) *training and guidance for employees and agents of BT and Openreach to ensure BT's compliance with Conditions G.1 to G.4 (inclusive); and internal compliance checks to ensure that the measures in place to manage information sharing in compliance with Conditions G.1 to G.4 (inclusive) are sufficient and appropriate, including risk assessments;*
- b) *update the Information Sharing Statement if material changes to the measures referred to in Condition G.5(a) are made once BT starts to receive any Ofcom Information.*

Monica Ariño
Regulatory Affairs Director,
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Annex 1 to this letter sets out a description of the measures we have implemented in order to comply with conditions G.1 to G.4, in preparation to receive the Ofcom Information.

Please let me know if you would like to discuss any of the issues covered by this non-confidential Information Sharing Statement further.

Yours Sincerely,

A handwritten signature in purple ink that reads "Mónica Ariño". The signature is fluid and cursive, with a large loop at the end of the name.

Monica Ariño
Regulatory Affairs Director,
Group and Governance

Annex 1

Non-confidential Information Sharing Statement under broadband USO Condition G.5

To ensure BT can carry out its role as the designated USP in compliance with the Universal Service Conditions we have designed a specific broadband USO compliance programme. This compliance programme is built on our experience of managing sensitive Openreach information as part of the Commitments given to Ofcom by BT in July 2019 regarding how Openreach is legally separated from the rest of BT¹². The Commitments information management programme uses a regulatory compliance marker system to identify which individuals can receive information from Openreach. This marker system is supported by a compliance monitoring programme.

The broadband USO compliance programme uses the same system as the Commitments and includes additional specific measures to ensure that:

- Ofcom Information is only shared with BT and/or Openreach to the extent that it is necessary for BT to deliver its Universal Service Obligations;
- Ofcom Information is only shared with (or accessed by) restricted team(s) of employees in BT and/or Openreach that have an appropriate broadband USO marker;
- Markers are indicators that we use internally on our pan-BT corporate directory to indicate that an individual is approved to access certain information and/or systems;
- Individuals are required to provide the details of what Ofcom Information they need to access and the reasons and purpose for needing that information; this process must be completed before a broadband USO directory marker is agreed;
- Once agreed an individual will receive training and guidance as to what their responsibilities are regarding Ofcom Information;
- Anyone with a marker will be required to regularly justify why they continue to need a marker via renewal marker requests.

Our compliance measures in relation to Ofcom Information are as follows:

- (i) **IT systems** – Ofcom Information will be logically separated by storing it in database areas separate from the rest of BT's data. Access rights will be limited to those employees designated with an appropriate broadband USO directory marker. User Access rights to the systems with Ofcom Information will be monitored on a weekly basis by our User Access Audit Tool which we also use to control access to systems with Openreach information.
- (ii) **Location/co-location** – Where feasible, employees will be located separately, but in many occasions employees will be co-located with employees who are not involved in the broadband USO. In these instances, their workspace will have additional measures such as secure privacy screen filters, desk partitioning and secure printing.
- (iii) **Training and guidance** – We will provide specific training for individuals involved in our broadband USO compliance programme with an appropriate directory marker, to ensure they understand the need to limit the sharing of Ofcom Information to others with broadband USO markers. BT and/or Openreach's employees will be provided with guidance regarding the sharing of Ofcom Information.
- (iv) **Internal compliance programme checks** – Our broadband USO compliance programme will routinely check that only people with a broadband USO directory marker have the ability to access Ofcom Information. In addition, there will be quarterly site visits to audit the UBSG team and review whether it is operating compliantly and that Ofcom Information is being accessed appropriately and in accordance with our USO conditions. Any potential inappropriate access will be investigated and action taken.

¹ Our Commitments –

<https://www.btplc.com/Thegroup/Policyandregulation/Governance/OurCommitments/index.htm>

² Delivering a more independent Openreach - <https://www.ofcom.org.uk/consultations-and-statements/category-3/delivering-a-more-independent-openreach>

BT intends to apply the same measures to all information covered by conditions G.1-G.4

Description of the measures BT has implemented to comply with Universal Service Conditions G.1 to G.4

Ofcom Condition G.1

G.1 In respect of any Ofcom Information, or any information otherwise collected by BT and/or Openreach in connection with performing the obligations under these Conditions, BT must:

- a) ensure that such information is used only for the purpose of performing its obligations under these Conditions; and*
- b) put in place measures, including appropriate separation of data, to prevent access to such information by any employee or agent of BT and/or Openreach who is not directly involved in any matters relating to BT's obligations under these Conditions.*

BT Response

As described above we have implemented measures covering our IT systems, training and guidance and internal compliance measures checks, to ensure that Ofcom Information is used only for the purpose of performing our obligations under these Conditions; and prevent access to such information by any employee or agent of BT and/or Openreach who is not directly involved in any matters relating to our obligations under these Conditions:

Ofcom Condition G.2

G.2 BT must ensure that in relation to any Bulk Data provided by Ofcom to BT, including but not limited to any Bulk Data that is shared by BT with Openreach:

- a) only named employees and/or agents of BT and Openreach who are working on the delivery of BT's obligations under these Conditions have access to the Bulk Data;*
- b) any such employees and/or agents do not influence any commercial deployment decisions whilst they have access to the Bulk Data; and*
- c) any such employees and/or agents do not influence any commercial deployment decisions for an appropriate period of time after they have ceased having access to the Bulk Data.*

BT Response

We have implemented the following measures in order to comply with this condition:

- a) Only those individuals who are working on the delivery of BT's obligations under these conditions, will have a broadband USO compliance marker, allowing them access to the Bulk Data provided by Ofcom. We will ensure that any employees who have access to the Bulk Data have the appropriate broadband USO compliance marker and that they are subject to compliance monitoring to ensure that the Bulk Data is not used for any purpose other than the broadband USO.
- b) Only employees whose role does not involve the influencing of commercial deployment decisions will be able to qualify for the broadband USO marker.
- c) As part of the broadband USO compliance process, all individuals who ceased having access to the Bulk Data (for example, due to change in roles) will be reminded of their responsibilities not to influence any commercial deployment decisions for an appropriate period of time.

Ofcom Condition G.3

G.3 BT must ensure that in relation to any Ofcom Information other than the information referred to in Condition G.2, or any information collected by BT and/or Openreach in connection with performing obligations under these Conditions, no employee or agent of BT and/or Openreach who is not working on the delivery of the universal service under these Conditions shall have access to that information.

BT Response

Please see our response in relation to Condition G.1.

Ofcom Condition G.4

G.4 BT must maintain:

- a) a list of the names of all employees and agents, including their roles, who have received any material amount of information of the type referred to in Condition G.1 above; and*
- b) a description of the nature of the information so received.*

BT Response

We will maintain a list of all employees who have access to Ofcom Information via the broadband USO directory marker and a description of the nature of the information that individuals can receive. The broadband USO marker must be in place before Ofcom Information is shared with an individual. We will keep records of individuals who had markers and have moved into different roles within BT. When an individual moves roles they will get a “mover’s letter” advising them of their compliance obligations not to share information they received in their previous roles.