



## **FCS response to Ofcom consultation: Protecting people from illegal harms online**

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

The FCS welcomes the opportunity to respond to Ofcom's consultation: Protecting people from illegal harm, and agrees that on-line safety should be a high priority for the regulator. As most FCS members are ISPs or resellers, who do not directly generate user-to-user content or provide search services and are, therefore, outside the scope of the legislation, we have not responded to individual consultation questions. However, we would like to make the following general points:

1. The FCS welcomes Ofcom's collaborative approach to the introduction of the legislation. It is very important that Ofcom works with industry to build understanding in this area. The recent Ofcom webinars and checklist to see who is covered by the Act are very good examples of how this can be done. It is particularly important to smaller providers that they are able to check their understanding of the requirements in a non-threatening way and the FCS encourages Ofcom to continue with, and expand upon, this approach.
2. The FCS agrees with the risk-based regulatory approach that Ofcom is advocating. It is important that the requirements are proportionate and do not stifle innovation, particularly from smaller providers, whilst, at the same time, keeping people safe on-line. The measures and requirements suggested in the Code of Practice cover a wide range of areas, many of which do not apply to small, low-risk services. It might be helpful, in due course, to provide specific guidance for those small, low-risk services so that smaller providers and new entrants are not overwhelmed by requirements that might not apply to them.

The FCS will continue to keep members informed of progress in this important area and would be happy to discuss these points further if it would be helpful to do so.

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