Remaining ISPs commit to the UK's Open Internet Code

19 January 2014: The Broadband Stakeholder Group (BSG) today announced that all of the UK's leading Internet Service Providers (ISPs) have now signed up to a voluntary Code of Practice in support of the Open Internet.

The Open Internet Code was launched in 2012, building on previous work on the transparency of traffic management. EE, Virgin Media and Vodafone have recently signed up to the Open Internet Code, meaning that all major ISPs, operating across both fixed and mobile networks, are now signatories. In its most recent Infrastructure Report Ofcom described the ISPs' commitment to the Code as an "effective self-regulatory model", which fulfilled a "key part of Government policy on Net Neutrality".

The code commits ISPs to the provision of full and open internet access products and confirms that traffic management practices will not be used to target and degrade the services of a competitor.

Matthew Evans, CEO of the BSG which facilitated the code, said: "Unlike some countries where net neutrality has become a controversial topic for discussion, the UK benefits from a fiercely competitive market and high levels of transparency – which together offer the best assurance of an Open Internet. The Code now provides an even stronger and more effective foundation, whilst also allowing for an environment where new business models for internet-based services which benefit consumer choice can thrive."

Jo Connell, Chair of the Communications Consumer Panel, said "The Code usefully supports open access to the internet and builds on previous commitments by ISPs to provide transparent information to consumers about their traffic management policies. We are delighted that EE, Virgin and Vodafone have now agreed to become signatories. The Code has gained significant interest internationally as a positive example of industry responding to a developing consumer need."

The signatories of the code are: BT, BSkyB, EE, KCOM, giffgaff, O2, Plusnet, TalkTalk, Tesco Mobile, Three, Virgin Media and Vodafone. By agreeing to the code, they confirm that they will:

1. Ensure that full and open internet access products, with no blocked services, will be the norm within their portfolio of products.
2. Provide greater transparency in instances where certain classes of legal content, applications and/or services are unavailable on a product. These products will not be marketed as "internet access" and signatories will be obliged to ensure that any restrictions are clearly communicated to consumers.
3. Not target and degrade the content or applications of specific providers.

Content providers are able to raise potential cases of targeted and negative discrimination with ISPs. If they are not satisfactorily resolved, these issues will be lodged with the BSG who will share them with Ofcom and government.

This initiative, which the BSG was asked to undertake on behalf of the Government, builds on the transparency code of practice published in 2011 which ensures that clear, understandable and comparable information on traffic management practices is available to consumers.

A link to the Open Internet Code can be found here:
http://www.broadbanduk.org/2012/07/25/isps-launch-open-internet-code-of-practice/

Notes to editors:

About the Open Internet:

An open internet is one in which no specific legal service is restricted or blocked, although some types of traffic may need to be managed during times of network congestion. In his statement of March 2011, Ed Vaizey MP stated that the concept of an open internet should be guided by three principles:

- Users should be able to access all legal content
- There should be no discrimination against content providers on the basis of commercial rivalry; and
- Traffic management policies should be clear and transparent.

The Open Internet Code delivers on all these principles.

About traffic management:

Traffic management refers to a range of practices that have long been employed by ISPs to make efficient use of their networks and help provide a good experience for consumers.

In making these commitments ISPs retain the ability to deploy reasonable traffic management practices over their networks. Such practices might include an ISP:

- Managing congestion on its network
- Blocking services it is required to do so by law or a court order
- Blocking sites and services included on the Internet Watch Foundation list
- Deploying age verification/child protection/parental control tools for its consumers
- (age verification includes the use of filtering and blocking deployed to protect children below a defined age)
- Supporting the delivery of managed services
- Ensuring elements of a consumer's contract are observed (e.g. data caps, download limits, heavy user policy)
- Safeguarding the security and integrity of its network (including using best endeavours to block virus's and spam to minimise the risk to customers)

About the Broadband Stakeholder Group

The Broadband Stakeholder Group (BSG) is the UK Government's leading advisory group on broadband. It provides a neutral forum for organisations across the converging broadband value-chain to discuss and resolve key policy, regulatory and commercial issues with the ultimate aim of helping to create a strong and competitive UK knowledge economy.

About the Communications Consumer Panel:

The Communications Consumer Panel encourages Ofcom, Government, industry and others to look at issues through the eyes of consumers and citizens and protects and promotes their interests. The Panel is independent and sets its own agenda: www.communicationsconsumerpanel.org.uk