openreach

Commitments Code of Practice

Living up to our Commitments

26/07/22
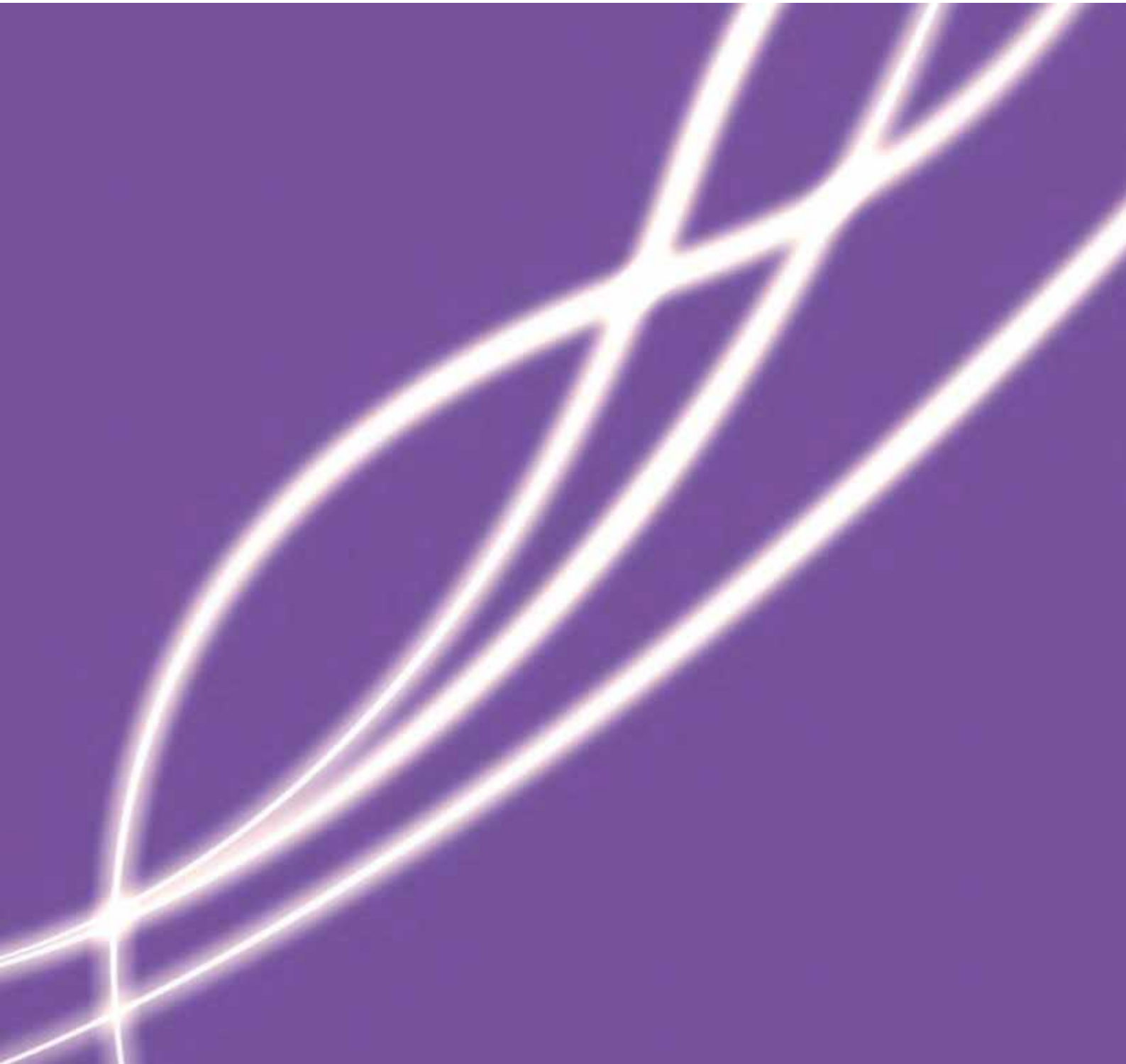
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The Openreach Business Integrity team

What is the Commitments Code of Practice (CCoP)?

BT has given Ofcom and industry a set of commitments on how Openreach will operate, how it treats its Communication Providers (CPs) and how both Openreach and BT people will behave (the Commitments).

We did this because, despite successful delivery of the Undertakings, industry still felt that BT had an unfair **strategic influence** over Openreach, which could harm other CPs. Both Ofcom and CPs recognised that Openreach products were being delivered equivalently, and on a day to day basis, all CPs received the same service, prices and terms and conditions. This must continue, and the Commitments still require us to do this, but to address the concerns around BT's perceived unfair strategic influence over Openreach, they also require us to be organised differently.

To show that Openreach is far more independent from BT we've made some big organisational changes that change the way in which we run our business, and our relationships with BT and industry.

The main changes are that:

- Openreach Limited was created as a wholly-owned subsidiary of BT and Openreach people have transferred to the new company;
- Openreach has more independence for setting its strategy;
- An Openreach Board now oversees the running of the company, with a key objective to make sure customers are treated equally;
- The Openreach brand doesn't mention BT;
- A new customer consultation process was introduced so that CPs can discuss ideas relating to future development of our network and products, this includes a wholly confidential phase; and
- As well as keeping commercial information and customer confidential information securely, we also need to disclose when we share any significant information with BT. This replaced the previous "Annex 2" arrangements.

The CCoP sets out how we should all behave.

Why is it important?

It's important as the CCoP sets out the behaviours that Ofcom and CPs expect us to work to.

Openreach Limited will only be successful if CPs and Ofcom are both confident we are delivering on the Commitments and this means everyone in Openreach and BT must behave in the right way.

Actions speak louder than words! We are under the spotlight, and Ofcom and our CPs are keeping a close eye on how we are behaving. **If someone is found not to be following the CCoP then disciplinary action may be taken.**

If we don't keep to our Commitments, then Ofcom may look again at how we are organised and may decide that only full structural legal separation can give industry the confidence they are getting a fair deal.

The Openreach Business Integrity team

The top level principles.

Openreach treats all CPs <u>equally</u>.

Openreach takes the strategic decisions for the Openreach network, and the products and services that Openreach provides.

Who is covered by the CCoP?

All Openreach people are covered by the CCoP. BT has its own CCoP, so everyone who deals with UK customers, products and services is covered.

What do <u>YOU</u> need to do?

To make a success of the Commitments we all need to play a part, you need to:

- Make sure you're familiar with the CCoP and understand how it applies to your job.
- Treat all CPs equally.
- Understand the information disclosure rules and keep Openreach Commercial Information (CI) and Customer Confidential Information (CCI) safe.
- Follow the processes you are given and if you think you're being asked to do something that's not right, call it out.
- Keep your mandatory training up-to-date.
- Call out if you're unsure of what to do or you see something you think isn't right.

Where do I go if I need further help?

If you have a question, or are unsure what the right thing to do is, please speak to your line manager or contact the Business Integrity team at: **integrity@openreach.co.uk**

Remember, if you come across something that isn't right or doesn't seem to fit with our Commitments, you have a responsibility to raise it. You can do so by contacting the Business Integrity team at: **integrity@openreach.co.uk**

You can speak to a member of the Business Integrity team in confidence or you can report an issue anonymously to the BT Speak Up line via **this web link** or by calling **0800-032-7870**.

You can also take a look at the CCoP Frequently Asked Questions (FAQs) for more information from the **FAQ webpage link** As well as these there are detailed sections below for (1) engineers, (2) office based staff and (3) office based staff who handle commercially sensitive data.

But apart from that, a lot stays the same.

The Openreach Business Integrity team

Living up to our Commitments

Openreach engineers – what you need to know

For engineers, it's mostly business as usual and it's still as important as ever to treat all CPs equally.

To signify our greater independence from BT to our customers, we removed the 'BT' element from the Openreach logo. This is a visual sign to reflect how we deal with everyone on equal terms.

For some years now all of our vans and uniforms have reflected the revised Openreach brand.

But apart from that, a lot has remained the same.

Keeping it simple

don't

- Use "BT" in any conversation or interaction with customers.

do

- Use the "Openreach" name when introducing yourself to customers.
- Making sure you know which CP you're working for, before you visit their customer.
- Looking after CPs and customers equally.
- Avoiding recommending a CP or answering questions on CP prices, instead refer the customer to their CP.
- Treating CP projects or orders as confidential, not discussing with anyone outside of Openreach.
- Declining tips from customers.
- Rejecting requests for private "cash-in-hand" work, if you don't you risk disciplinary action.

If in any doubt contact Integrity@openreach.co.uk we're here to help you!

Living up to our Commitments

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Office based people – what you need to know

Keeping it simple

don't   **do**

- When conducting telephone conversations do not greet people with "BT" or "BT Openreach" It isn't correct so please don't say it!
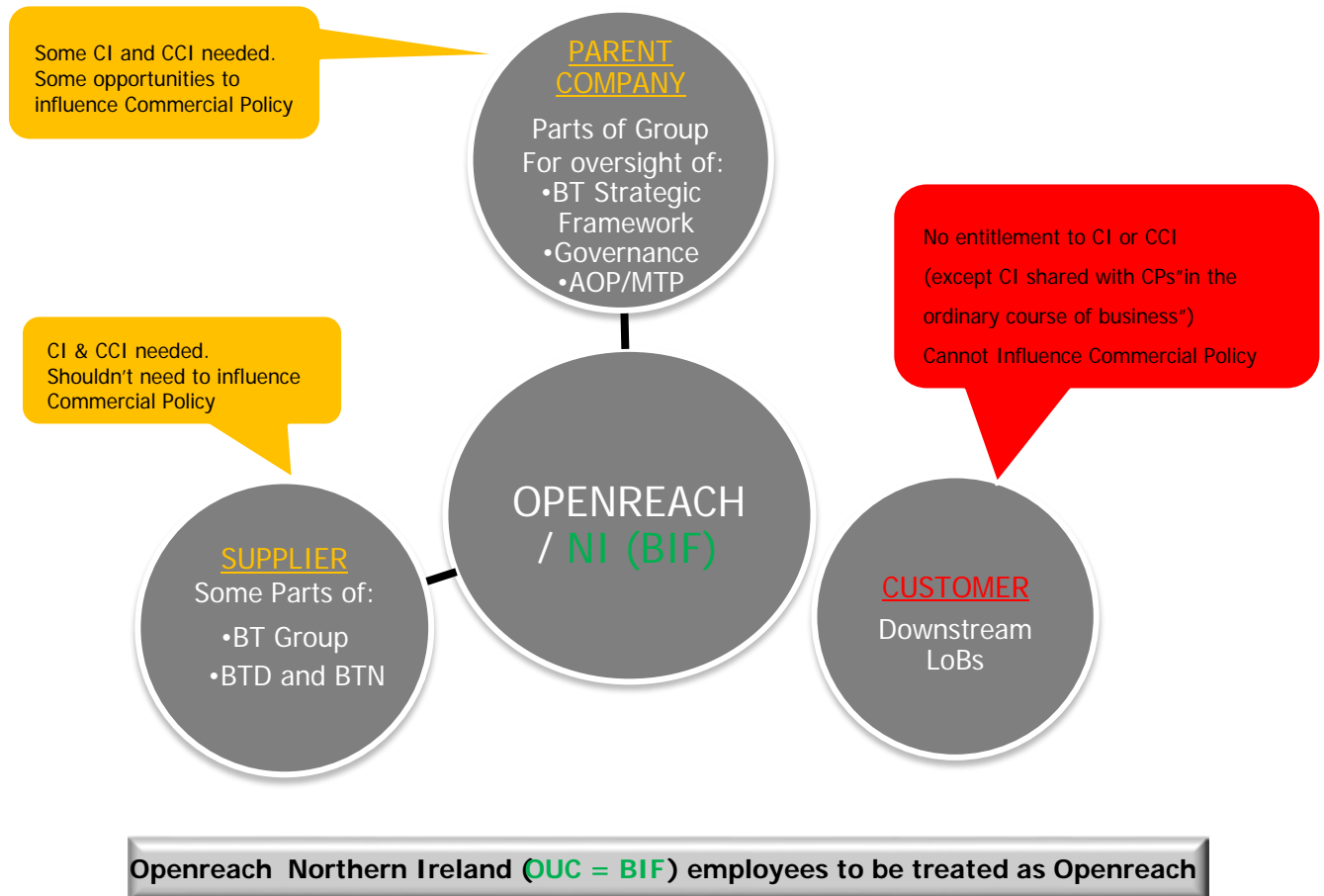
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- Make sure you only ever use Openreach branded letter heads, compliment slips, email signatures and any other newly branded material.

- If you are making a call to a CP, make sure you say you are calling from "Openreach" when you introduce yourself to a customer.

- Look after CPs equally, that means, regardless of which CP you are dealing with, treat them in the same way.

- Keep information about CP projects or orders confidential, don't talk about this with anyone outside of Openreach.

Information Sharing and Working with BT

We work with people from BT in a number of ways, so it's important to understand the different relationships. This is shown in the schematic diagram below.

The Parent Company/Supplier model

Some CI and CCI needed. Some opportunities to influence Commercial Policy

PARENT COMPANY
Parts of Group
For oversight of:
•BT Strategic Framework
•Governance
•AOP/MTP

No entitlement to CI or CCI
(except CI shared with CPs"in the ordinary course of business")
Cannot Influence Commercial Policy

CI & CCI needed. Shouldn't need to influence Commercial Policy

OPENREACH / NI (BIF)

SUPPLIER
Some Parts of:
•BT Group
•BTD and BTN

CUSTOMER
Downstream LoBs

Openreach Northern Ireland (OUC = BIF) employees to be treated as Openreach

The Internal Directory shows what relationship individuals have with Openreach. People in specific BT Group functions that can legitimately ask for and receive Openreach information are shown as "Parent Company". Other BT people who provide support services to Openreach are indicated as "Supplier". If people are not shown as either a "Parent Company" or "Supplier", then information should not be shared with them.

Commercial Information (CI): This includes information concerning commercial strategy, details of products, indicative prices, our capability from a network and resource perspective and the other things that could give an individual CP an advantage if we shared it with just them rather than all of industry.

Customer Confidential Information (CCI): This means the information that one CP shares with us, such as forecasts, strategic plans or anything that the CP believes would disadvantage them if shared with another CP.

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The Disclosure Record Process

If Significant Information (SI) belonging to Openreach is shared with a BT person, then under the disclosure process this must be recorded. SI can be either CI or CCI as defined above. In practice this is what this looks like:

Scenario: An Openreach person is asked by a BT person to share some SI.

1. The Openreach person must:
(a) Check the Information Sharing Agreement (ISA) list to see if this data is on the list, and if there is an appropriate ISA and the recipient is listed as "Parent Company" or "Supplier", you can share the data without creating a Disclosure Record.
(b) If there isn't an appropriate ISA, then you must create a Disclosure Record.

2. The BT person must:
a) Upon receiving notification of a Disclosure Record, agree the entry of the Openreach person.
b) Record the information onto the Disclosure Record if they have received SI data without a corresponding notification.
c) If the BT person wants to then share the data received from Openreach, then they must create a subsequent record, using the original Disclosure Record reference number.

3. **Openreach Business Integrity and Group Compliance** will review the Disclosure Record on a quarterly basis to check that data has only been shared appropriately.

NB: Anyone who receives SI should challenge the sender if they don't get a notification from the Disclosure Record, and make a record themselves if the sender still does not do so.

4. **BT will provide a quarterly Disclosure Record Report to the Openreach Board Audit, Risk and Compliance Committee (OBARCC)**, who will share the disclosure record with Ofcom at their request. The record will include:

1. A summary of the information that has been exchanged.
2. The names of all initial and secondary recipients of the data.
3. The roles and responsibilities of each recipient, and their status i.e. "Parent Company" or "Supplier".

For full details of the Disclosure Process, please access this link

Working with BT as a customer

- **Don't** share Openreach CI unless you give it to all the CPs at the same time.
- **Don't** allow BT to influence Openreach strategic and commercial decisions, unless all CPs can do so.

Getting help from other parts of BT

You can get help from BT Centres of Excellence (CoEs), this can include Billing, Group Property, HR, BTTC and BT Technology; just so long as you stick to the information sharing rules. This list isn't exhaustive so if in any doubt please ask **integrity@openreach.co.uk**

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Customer Consultation Process

Openreach is committed to consulting CPs when it wishes to make a significant investment.

If a CP wants to make a significant investment in our network or in a new or existing product, Openreach has a new consultation process. Initially this may be discussed on a confidential basis, **during the confidential phase no CP information can be shared with anyone outside of Openreach, without the CPs consent.**

If the proposal is being seriously considered by Openreach then the consultation will move into a public phase during which we'll consult with CPs.

If you are involved at any time with the new "Customer Consultation Process", you'll need to be extremely careful who you discuss matters with as the data could be highly sensitive.

If you've been dealing with the **"Customer Consultation Process"**, and you are leaving Openreach to take up a BT role, you must inform the CCP Gatekeeper to arrange for the removal of your access to the secure Share-Point.

The Statement of Requirements process

Any CP can ask Openreach to develop a new service or change an existing one. They can do this by using the "Statement of Requirements" process. This process makes sure that any decisions we make are fair, transparent and unbiased.

Working with Openreach Northern Ireland

Openreach Northern Ireland (a virtually separate business), are responsible for providing Openreach products in Northern Ireland. You can work with them and they can have access to our systems; their people do the same job as us.

There may also be a need for you talk to Openreach NI about product development and forecasts, for example to make sure we both have enough stores items for a particular product. They'll only use the data to make sure they can meet their responsibility to make available our products in Northern Ireland.

If in any doubt contact "integrity@openreach.co.uk" we're here to help you!

The Openreach Business Integrity team

Document Control Record				
S/N	Issue Number	Author	Date	Description
1	V1.0	Steve Brown – Openreach Compliance Manager	30 June 2017	Initial draft
2	V2.0	Steve Brown – Openreach Compliance Manager	13 July 2017	Additional detail included covering Openreach office based staff – NOT in a high risk team.
3	V3.0	Steve Brown – Openreach Compliance Manager	06 November 2017	Revised BT LoB relationship schematic, and details of the Information Disclosure process.
4	V4.0	Steve Brown – Openreach Compliance Manager	16 November 2017	Changes to text as recommended by the OBARCC.
5	V5.0	Steve Brown – Openreach Compliance Manager	22 January 2018	Revised BT LoB relationship schematic, showing NIN as being the same as Openreach.
6	V6.0	Steve Brown – Openreach Compliance Manager	19/09/18	Text changes to reflect that BT NIN is to be known as Openreach NI wef 1st October 2018, with an OUC of BVI.
7	V7.0	Steve Brown – Openreach Compliance Manager	19/09/19	Text changes to reflect that changes to organisation and brand are shown in the past tense.
8	V8.0	Steve Brown – Openreach Compliance Manager	15/07/22	Changes to table contents, correction of OUCs to reflect changes to Openreach Northern Ireland; and also to replace broken hyperlinks.