



Case T-116

Update to guidance on the provision of a public emergency call service

Proposal for consultation

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1 Overview

- 1.1 The duties of the Jersey Competition Regulatory Authority (the **Authority**) include a primary one to ensure that telecommunications services are provided to satisfy all current and prospective demands for them. One demand critical for the safety and security of Islanders and visitors is being able to contact the Emergency Services (**ES**) by dialling either 999 or 112.
- 1.2 The availability and reliability of this Public Emergency Call Service (**PECS**) is of paramount importance to the Authority, which has responsibility for licensing telecoms operators required to provide the service. The obligation to provide a PECS is set out in conditions contained in the licences issued to Class II and Class III licensed operators (**LOs**).
- 1.3 The Authority issues guidance on the provision of a PECS (the **Guidance**)¹ to provide important supplemental information for LOs, clarifying how they should go about meeting their licence obligations. The expectations included within the Guidance may also be taken into account by the Authority when investigating and assessing the cause and impact of any PECS incidents.
- 1.4 Following two recent developments related to the provision of a PECS in Jersey, the Authority plans to update the Guidance. The first involved changes in the technical platform arrangements used to answer calls made to the ES. The second was the creation of a code of practice by Justice and Home Affairs (**JHA**) setting out several best practice recommendations for organisations involved in the local provision of a PECS.
- 1.5 This document contains the Authority's proposed updates to accommodate these developments, along with background, analysis and validation. In summary, these updates are:
 - Section 1: update point 1.5 to acknowledge the new code of practice and adjust wording within the Guidance for this purpose;
 - Section 2: update to include new End-to-End sub-section to restate obligations on LOs to provide a PECS following changes in the technical platform arrangements used to answer calls made to the ES;
 - Section 3: update point 3.16 to incorporate guidance on the use of automated answer/response systems within the CHA function; and
 - Section 3: update to include reference to the Government of Jersey owned Call Handling Agent (**CHA**) / Emergency Services technology platform and guidance on expectations on LOs in relation to it.
- 1.6 The updated Guidance with the full proposed changes in mark-up is shown in Annex A of this document. The Authority welcomes comments on its analysis and views, and these proposals,

¹ See [here](#) for present PECS Guidance.

which will be carefully considered should there be a decision to proceed, specifically responses to the following questions:

Question 1: Do you agree with the proposed update in Section 1 to accommodate certain points contained in the agreement between parties responsible for providing the Island's emergency call handling service? If not, please explain why.

Question 2: Do you have any comments on the proposed update to Section 2 to restate end-to-end obligations on providing a PECS following changes in the technical platform arrangements?

Question 3: Do you agree with the proposed update to Section 3 incorporating guidance on the use of automated answer/response systems? If not, please explain why.

Question 4: Do you have any comments on the proposed update to Section 3 to include a reference to the CHA / ES technology platform and clarify associated expectations on LOs?

1.7 The closing date for comments is 31 May 2024 with information in section 3.7 on how to submit them.

2 Background

2.1 This section introduces the consultation and sets out the Authority's legal and procedural basis for considering this matter. Its contents include:

- The purpose of the Guidance
- The reasons for updating the Guidance
- Legal framework and planned timetable

The purpose of the Guidance

2.2 The ability to dial a short single number to call the ES (police, ambulance, fire service or coastguard) is key for the safety and security of Islanders and visitors. Given this, the performance and security of a PECS is critically important to the Authority.

2.3 The Class II and Class III licences issued to certain local telecoms operators require them to provide a PECS that enables users to communicate with the ES by calling 112 or 999. This obligation is met by LOs providing an end-to-end PECS that allows members of the public to call 112 or 999 and be promptly connected to the ES.

2.4 The Guidance sets out the Authority's expectations on how Class II and Class III LOs should approach compliance with these PECS-related licence conditions. It may be taken into account in enforcement actions against LOs on other binding requirements including the obligation to provide a PECS and CHA function.

The reasons for updating the Guidance

2.5 The present Guidance recognises that providing an effective PECS requires the active involvement of several parties, including JHA, the Government of Jersey department responsible for providing ES in the Island which may produce codes of practice or similar addressing emergency call answering and handling standards or the provision of certain emergency call service features.

2.6 A 999 Liaison Committee formed by JHA since issuing the Guidance and including all parties involved in providing the Island's PECS has produced a Code of Practice for the Provision of the Public Emergency Call Service (the **PECS Code**). This details best practice for the provision of a PECS, containing comprehensive information on relevant responsibilities of all parties involved.²

2.7 The PECS Code also recognises the use of a recently implemented combined emergency services control centre / emergency call handling technology platform (the **CHA / ES Technology**

² The PECS Code is an internal document developed as a point of reference between its parties and not a public document.

Platform) owned by the Government of Jersey that supports both the CHA function and ES call handing duties.

- 2.8 The Authority believes it important to review the Guide given these developments – the PECS Code and CHA / ES Technology Platform – and ensure its contents both acknowledge and potentially change to accommodate both.

Legal framework and planned timetable

Powers to issue and consult on guidance

- 2.9 The Telecommunication (Jersey) Law 2002 (the **Law**) sets out the primary duty of the Authority is to perform its functions as to ensure that telecoms services are provided that satisfy all current and prospective demands for them.
- 2.10 Section 7 of the Law includes a specific JCRA duty to: ‘ . . . protect and further the short-term and long-term interests of users within Jersey of telecommunication services and apparatus . . . ’.
- 2.11 The Authority has issued licence conditions on the provision of a PECS, which it believes protects and furthers the short-term and long-term interests of users within Jersey. The Authority has issued Guidance to ensure that LOs more fully understand and take account of their obligations under these licence conditions.
- 2.12 While the issuing of Guidance, which is not legally binding, is outside the Authority’s statutory duties, Section 9 (2) of the Law requires the Authority to consider any representation made to it on the running of a telecommunication system and the provision of telecommunication services in Jersey. The Authority believes this consultation aligns with this requirement, and with best practice policy making.

The process followed and planned timetable

- 2.13 Although the subject of this consultation does not relate to a specified statutory function, the Authority intends following a structure broadly based on the process set-out in article 11 of the Law.
- 2.14 The timetable, which may be subject to change, for completing the process is:

Apr 2024	Issue this consultation setting out the Authority’s updated Guidance for views and comments.
May 2024	Close the consultation and consider views and comments received.
Jul 2024	Issue statement confirming the updates being made and the final Guidance.

3 Proposed updates to the Guidance

3.1 This section explains the proposed updates the Authority plans making to the Guidance and specific questions it would like to receive comments on. Its contents include:

- [Proposed updates](#)
- [Next steps](#)

Proposed updates

3.2 Alongside minor cosmetic amends to the Guidance text, the Authority proposes to make the four specific updates shown below to reflect the recent local PECS developments. Annex A contains an updated version of the Guide with these specific changes shown in mark-up text.

Section 1: Introduction

3.3 The Authority proposes updating point 1.5 to accommodate certain points contained in the PECS Code developed between parties responsible for providing the Island's emergency call handling service.

Question 1: Do you agree with the proposed update in Section 1 to accommodate certain points contained in the agreement between parties responsible for providing the Island's emergency call handling service? If not, please explain why.

Section 2: Legal context, scope and enforcement

3.4 The Authority proposes to update this section by inserting a separate sub-section focused on restating the end-to-end obligations placed on Class II and Class III LOs by the licence conditions following recent developments. The Authority has clarified the two key elements associated with providing an end-to-end service, noted the present arrangements for CHA service provision and included a diagram incorporating the employed CHA / ES Technology Platform being used to support both the CHA function and ES call handling.

Question 2: Do you have any comments on the proposed update to Section 2 to restate end-to-end obligations on providing a PECS following changes in the technical platform arrangements?

Section 3: Guidance for licensed operators providing a public emergency call service

3.5 The PECS Code describes a scenario in which end-users reaching the CHA may be answered by an automated answer/response system rather than a human call operator. The Authority proposes updating the Guidance to reflect this position but also clarify our expectations on the use of such systems.

- 3.6 The Authority has further updated this section to acknowledge and briefly describe the CHA / ES technology platform and to restate the obligations that remain with LOs if using third party systems and suppliers.

Question 3: Do you agree with the proposed update to Section 3 incorporating guidance on the use of automated answer/response systems? If not, please explain why.

Question 4: Do you have any comments on the proposed update to Section 3 to include a reference to the CHA / ES technology platform and clarify associated expectations on LOs?

Next steps

- 3.7 The Authority invites written views and comments on the issues and questions raised in this document. All responses to this proposal should be submitted in writing, clearly marked 'T-116 Update 999 Guidance', and received by the Authority before 5.00 pm on 31 May 2024. Submissions can be sent by email to info@jcra.je or alternatively in writing to:

Jersey Competition and Regulatory Authority
2nd Floor Salisbury House
1-9 Union Street
St Helier
Jersey
JE2 3RF

- 3.8 It would be helpful if any response includes direct answers to the questions asked in this document. It would also help if you can explain why you hold your views and how the Authority's proposals would impact on you, supported by any quantitative or qualitative evidence that you possess.
- 3.9 Under Authority policy, non-confidential responses to the consultation may be made available on its website (www.jcra.je). Any material that is confidential should be put in a separate annex and clearly marked as such.
- 3.10 Once this Consultation has closed, the Authority will review responses which may be taken into account within a final version of the Guidance. The intention is issuing this as reasonably soon as possible after the consultation period conclusion.

Annex A: Proposed updated Guidance

This section contains a version of the proposed Guidance showing marked-up changes from the present version.

1 Introduction

- 1.1 The ability to dial a short single number to call the police, ambulance, fire service or coastguard (jointly the **Emergency Services** or **ES**) is key for the safety and security of Jersey's citizens and visitors. Given this, the performance and security of a Public Emergency Call Service (**PECS**) is critically important to the Authority.
- 1.2 The Class II and Class III licences issued by the Authority to certain local telecoms operators require them to provide a PECS that enables users to communicate with the ES by calling 112 or 999. This obligation is met by licensed operators providing an end-to-end PECS that allows members of the public to call 112 or 999 and be promptly connected to the ES.³
- 1.3 Class III LOs have a further licence obligation contained in LC 14.3, which is to make emergency call services available to other local operators (**LOs**). This is presently addressed by Class III LO JT (Jersey) Limited through its Emergency Services Access Service (**ESAS**) available to other LOs through that company's Reference Interconnect Offer (**RIO**) and which has historically provided and presently provides the emergency Call Handling Agent (**CHA**) function described within the Guidance.
- 1.4 This Guidance sets out the Authority's expectations on how Class II and Class III licensed operators should approach compliance with these PECS-related licence conditions. It may be taken into account in enforcement actions against licensed operators on other binding requirements including the obligation to provide a PECS and CHA.
- 1.5 The Authority recognises that providing an effective PECS requires the active involvement of several parties, including Justice and Home Affairs (**JHA**), the Government of Jersey department responsible for providing ES in the Island⁴. [JHA oversees the production of a Code of Practice for the Provision of the Public Emergency Call Service \(the PECS Code\) establishing best practice emergency call answering, setting handling standards and the provision of certain emergency call service features and explaining how the parties will work together to deliver an effective PECS.](#) ~~which may produce codes of practice or similar addressing emergency call answering and handling standards or the provision of certain emergency call service feature.~~
- 1.6 The interworking between

³ Obligation confirmed by a Direction to JT (Jersey) Limited and Sure (Jersey) Limited in November 2020 within JCRA Document No: JCRA 20/27.

⁴ Or its successors.

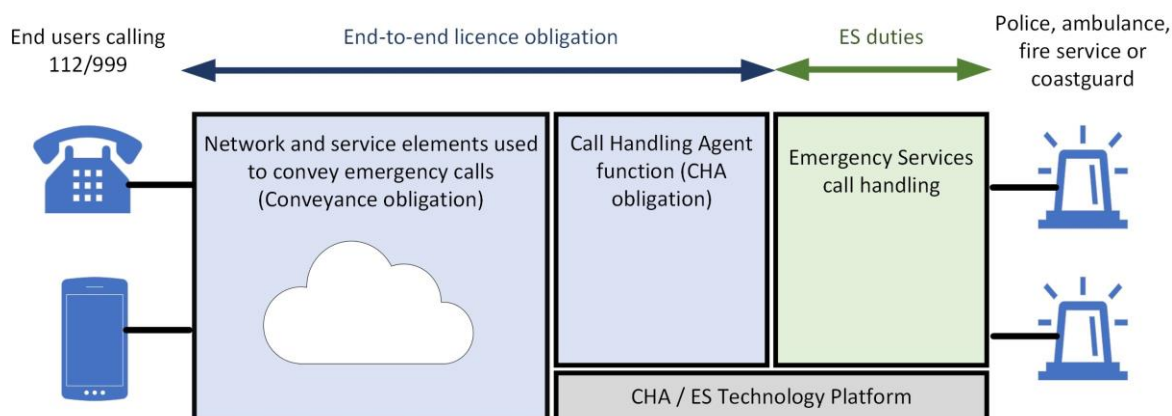
2 Legal context, scope and enforcement

Legal context

- 2.1 The requirement for Class II and Class III licensed operators to provide a PECS is contained in Licence Conditions 14.1 and 14.2, which require the provision of a free of charge service to users allowing them to communicate with the ES by using codes 112 and 999.
- 2.2 The requirement for Class III licensed operators to provide emergency call services available to other licensed operators is contained in Licence Condition 14.3. This supports expectations set-out within this Guidance for the provision of a CHA function.
- 2.3 The requirement for Class II and Class III licensed operators to provide the Authority with information, including reports, is contained in Licence Condition 4, which supports expectations set-out within this Guidance for PECS performance and incident reporting.
- 2.4 The requirement for Class II and Class III licensed operators to take all reasonable steps to ensure network integrity is contained in Licence Condition 9, which supports expectations set out within this Guidance to ensure PECS resilience and reliability.⁵

End-to-End licence obligations

- 2.5 [Licence Conditions 14.1 and 14.2 place an end-to-end obligation on Class II and Class III licensed operators to provide a PECS that connects end users calling 112 and 999 to the ES. This end-to-end obligation consists of two elements:](#)
 - [Conveyance obligation: connecting calls from end users over the network and service elements used to convey emergency calls to the CHA function; and](#)
 - [CHA obligation: answering received calls and connecting to the appropriate ES, e.g. police, ambulance, fire service or coastguard.](#)
- 2.6 [For clarity the scope of these obligations are shown graphically in Diagram 1 below:](#)



⁵ Licence Condition 9.1 states that 'The Licensee shall take all reasonable steps to ensure the integrity of the Network...'

- 2.7 [Class III licensed operator JT presently addresses the provision of a CHA function through its Emergency Services Access Service \(ESAS\), which is made available to other licensed operators obliged to provide a CHA function through JT's Reference Interconnect Offer \(RIO\), which presently allows other licensed operators to discharge their end-to-end licence obligation.](#)

Scope

- 2.8 This Guidance applies to all Class II and Class III licence holders obliged to provide a PECS service.
- 2.9 Its focus is on underlying resilience and reliability of networks and systems used to convey calls to the ES, and the effectiveness of any associated processes and people. When providing a PECS, licensed operators should also take into account any codes of practice or similar issued by JHA which may relate to emergency call answering and handling standards or the provision of certain emergency call service features.
- 2.10 The Authority may need to make changes to this Guidance from time-to-time and will consult on these changes in the usual way as and when appropriate.

Enforcement

- 2.11 Although this Guidance is not legally binding, the Authority may take it into account in enforcement action against other binding requirements, including licence conditions.

3 Guidance for licensed operators providing a public emergency call service

3.1 This section sets out the principles for licensed operators providing a PECS on how it should be provided to meet the requirements of their licence conditions. Its contents are:

- Overarching principles
- Access network resilience
- VoIP considerations
- CHA function
- [CHA/ES technology platform](#)
- Service management and development
- Service reporting
- Incident reporting

Overarching principles

3.2 Given the potentially life-threatening or personal security-related consequences involved, Islanders and visitors should have access to a reliable and high-standard PECS comparable to that available in other relevant jurisdictions.⁶

3.3 While the end-to-end process of providing a complete local emergency service relies on several separate and distinct activities that may be undertaken by different organisations, licensed operators should recognise they have a pivotal role in achieving the reliability and high-standard expected and should focus every reasonable effort towards designing, developing, maintaining and managing the networks, systems, people and processes needed to connect users with the ES.

3.4 Licensed operators should further monitor network and service elements used to convey emergency calls and be able to report on reliability and detect loss of service incidents, which should be reported to the Authority and may be investigated.

3.5 Additional to this Guidance, licensed operators should be aware of and aim to comply with any reasonable requests, instructions, code of practice or similar issued by JHA in connection with providing a local PECS to the expected standard.

Operator network resilience

⁶ While not required to apply national or international best practice standards, we refer to guidance provided by UK communications regulator Ofcom or contained within the European Electronic Communications Code or its successors.

- 3.6 Licensed operators should ensure their networks and services are generally reliable and resilient with extra attention given to network and service elements used to convey calls to the ES.
- 3.7 Given the critical nature of ES calls, licensed operators should take enhanced measures to ensure uninterrupted access through effective design, building and maintaining of any element associated with ES calls. These include but are not limited to network infrastructure, systems, buildings, power, processes and people. The Authority recognises that various industry standards exist to establish best practice in some of these areas and commitment to and compliance with such standards is always to be encouraged.⁷
- 3.8 Particular attention should be taken to avoid single points of failure associated with any elements carrying ES calls where it is reasonably possible to do so. Concessions to this may be where geographical or physical constraints exist or where doing so may be disproportionately expensive.
- 3.9 Licensed operators may decide to outsource to third parties some or all of their elements of the operator network associated with ES calls. In this case, sufficient levels of contractual control over third parties should be in place to ensure continued compliance with licence condition obligations and the expectations set-out in this Guidance.

VoIP considerations

- 3.10 Licensed operators providing services over broadband connections using Voice over IP (**VoIP**) technology should take into account the impact of power cuts on a user's ability to make ES calls.
- 3.11 Attention is also drawn to ensuring ES calls made using any VoIP service in Jersey are correctly routed to Jersey's ES.

CHA function

- 3.12 The Authority would expect licensed operators providing a CHA function to establish appropriately enhanced organisational structures, operational processes, networks and systems and that these are continually monitored and managed to ensure that they remain effective. There should also be close liaison and understanding with JHA to ensure staff and management associated with the CHA are meeting expressed responsibilities.
- 3.13 Given the safety of life implications associated with emergency calls, the Authority expects licensed operators providing an CHA function to achieve the following KPIs:
- **Service availability:** the CHA function should be designed and managed to remain operational (in that incoming calls can be answered at any level of performance) 99.999%

⁷ Commitment to relevant ISO standards or equivalent for example.

of the time ('five nines' availability), measured on a monthly basis⁸. Such availability encompasses all elements of the CHA function including systems, networks and personnel. This target complements the call answer time performance criterion below, where the Authority would expect a strict constraint on the allowable degradation of service that can occur.

- **Service performance:** in conjunction with the service availability expectations stated above the Authority would expect that 95% of calls made to 999 or 112 that are received into CHA call queues will be answered within five seconds, as measured over a 24-hour period (midnight to midnight). Any calls abandoned by the caller without answer within 5 seconds need not be included though should be noted.

3.14 The Authority accepts there may be occasions when achieving these KPIs is not possible due to exceptional circumstances, including but not limited to:

- Major site loss or damage;
- Unavoidable unscheduled staff evacuations;
- Wide-scale staffing challenges caused by unpredictable Island-wide issues;
- Severely disrupting weather events; and
- Unforeseen major local incident.

3.15 Notwithstanding this, the Authority expects licensed operators to take all reasonable steps to avoid or minimise the risk of exceptional circumstances affecting their ability to provide the ES function and have arrangements in place to rapidly restore services should they occur.

3.16 [The Authority also expects that outside of the exceptional circumstances described in 3.14 above, the CHA should avoid the use of automated answer/response systems through ensuring sufficient human call operators are available. However, the Authority accepts there may be times when the use of automated messages may be a proportionate response to higher than anticipated call volumes reaching the CHA.](#)

3.17 Given the complexities involved in providing an CHA function the Authority recognises that licensed operators may choose to contract another licensed operator or competent agency to provide this service on their behalf. In this case, the Authority reminds the originating licensed operator that they remain responsible for ensuring reliable and resilient interconnect arrangements to a level established by the expectations of this Guidance are in place to provide for assured emergency calls continuity and, as part of the arrangements, are able to satisfy

⁸ Availability = (Uptime/Total Time), where Uptime is time during which the CHA is able to answer incoming calls and Total Time is the sum of the Uptime and Downtime.

themselves that the CHA function is being performed according to the expectations set out in this Guidance.

- 3.18 Given the critical nature of the service, however, in the event a licensed operator chooses to outsource their CHA function responsibilities to another licensed operator or competent agency, they should only do so to one evaluated and approved by JHA.

CHA / ES technology platform

- 3.19 [Jersey operates a combined emergency services control centre / emergency call handling technology platform that supports both the CHA function and ES call handling duties. This platform is owned by the Government of Jersey and deployed in a redundant configuration to ensure resilient functionality.](#)
- 3.20 [Given the safety of life implications associated with emergency calls, the Authority expects licensed operators to satisfy themselves that the technology platform used to support the CHA function is being provided and operated according to the expectations set out in this Guidance.](#)

Service management and development

- 3.21 To ensure appropriate focus on the quality and provision of a PECS service, licensed operators should designate a single point of responsibility within their organisation for ensuring effective service management and development and to be ultimately accountable for them within the organisation.
- 3.22 The Authority would expect licensed operators to ensure their emergency calls handling systems are developed to include best practice functionality comparable with that found in other relevant jurisdictions and to cooperate, where it is reasonably possible to do so, with requests from JHA for service and feature development. In particular, the technical functionality used to ascertain and provide accurate and reliable caller location information.

Service reporting

- 3.23 For assurance, licensed operators should monitor and record data on ES calls they convey and the reliability and resilience of all associated network and service elements.
- 3.24 Licensed operators providing an CHA function, whether directly or through an outsourced arrangement, should be able to demonstrate the effective operation of their service and successful interoperability with JHA. The Authority may request periodic reports to evaluate this, to ideally include:
- Service availability against KPI expectations;
 - Number of calls received (within a period – e.g. day, week, month);
 - Call answering times against KPI expectations; and

- Average call handling times.

Service incidents

3.25 The Authority considers any loss of ES calls to be urgent in nature and therefore service failure incidents should be reported to the Authority as soon as possible and ideally within 24 hours of a licensed operator becoming aware of them.

3.26 The Authority would expect licensed operators to use the following criteria when determining which incidents to report:

Network / service type	Minimum number of users affected	Minimum duration of service loss or major disruption
Fixed or mobile network providing access to the emergency services	100	1 hour
Fixed or mobile network providing access to the emergency services	1,000	Any duration
CHA function	Any service disruption leading to a failure to achieve KPIs or being unable to pass calls to JHA.	

3.27 In addition to above, the Authority would expect licensed operators to report any incident involving ES calls that may attract significant media attention.

3.28 The Authority may agree or establish different criteria or reporting thresholds for individual licensed operators from time-to-time, in view of exceptional circumstances that may limit their ability to report for a period or because enhanced reporting is required for a period

3.29 Incident reports should contain the following information:

- Licensed operator name;
- A unique reference number for the incident;
- Date and time of the incident;
- Number of affected users and the nature and duration of service disruption they experienced; and
- Whether incident is resolved or ongoing.

3.30 The Authority would expect licensed operators to provide us with periodic updates on any ongoing incidents and a final update once resolved.

3.31 The Authority would expect licensed operators to also comply with incident reporting requirements established in any reasonable requests, instructions, code of practice or similar issued by JHA in connection with providing a local PECS to the expected standard.