



‘It matters’

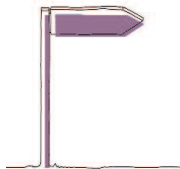
BT Undertakings code of practice

Part two

This section provides the details which apply to your part of the company. You should read the section for your organisation and, if you deal regularly with other parts of BT, their sections too.

Guidance for people in:

1. Openreach
2. BT Wholesale
3. BT Design
4. BT Operate
5. BT Ireland



1. Guidance for people in Openreach

A **Overview**

- Openreach was created to make sure we provide our services fairly. So, although there are some exceptions, as a rule you must treat your internal BT customers in the same way as all your other external customers
- it is important for all Openreach people to use the Openreach brand, as well as being clear about which communications provider they are representing when visiting or talking to customers
- there are restrictions on how other parts of BT can influence Openreach commercial policy, and how far you can influence theirs (see section 1b below)
- there are restrictions on sharing sensitive commercial or customer information with any other BT lines of business (see section 1c below)
- Openreach, however, remains an integral part of BT and can use its support services
- Openreach people can, and should, co-operate with the rest of BT as long as they observe the rules in this code of practice.

B **Influencing commercial policy**

Openreach people should not generally let other parts of BT influence its commercial policy or attempt to influence theirs.

You can, however, influence the commercial policy of another part of BT, if:

- you are doing so in ways available to external companies
- you need to do so to keep the Undertakings (for example, if you are developing Openreach services that use network assets managed by BT Wholesale, BT Retail, or BT Global Services)
- you are planning and building the next generation network
- you are listed in Part A of Annex 2.

People in other parts of BT can only influence Openreach commercial policy through processes available to external companies, or if they are in a business function listed in Annex 2 Part A of the Undertakings. You can check this through the listing on the BT internal directory.

C **Sharing commercial information and customer confidential information**

There are no restrictions in the Undertakings on sharing information with other parts of BT, except for commercial information and customer confidential information. So, for example, you are allowed to share information about working practices, training, job adverts, and general company news. You are allowed to co-operate with other parts of BT so long as you follow the principles of equivalence and the rules about sharing information.

The term 'customer confidential information' applies only to the Undertakings. It does not mean all the information about a customer, but only information the customer has told us is confidential, or, if they have told us in conversation, information we should realise is confidential because of what it is about. In the same way, only certain information about Openreach products is covered by the Undertakings' definition of 'commercial information'. Please refer to the section on sharing information (Part one, Section 3) for more details.



The general rule is that Openreach people should not share their commercial information or customer confidential information with other parts of BT. However, there are several exceptions to that rule. You can share Openreach's commercial information with other parts of BT if one of the following applies:

- you are confident it is, or would normally be, available to Openreach's other customers. If in any doubt, ask for guidance before sharing
- it is reasonably needed for BT to develop its next generation network
- you are sharing it with people on the Annex 2 list.

You can share **customer confidential information** with another part of BT if one of the following applies:

- the customer has agreed to it. Before sharing the information, make sure the customer knows and agrees which information can be shared, with which other part of BT, and for what purpose
- a customer has asked for an order to be transferred between Openreach and BT Wholesale. In this case, you can pass on only the customer confidential information that is needed for that transfer
- you are planning and building the next generation network
- you are listed in Part A of Annex 2.

You can share Openreach customer confidential information with some of the teams in BT Design (including the team dedicated to supporting Openreach), but you may not do so with the BT Design teams most closely supporting BT Wholesale, BT Retail or BT Global Services, or the 21CN core team (unless the information is reasonably required to develop our next generation network). You can find a list of the BT Design teams who can only receive restricted information at: <http://ccs.intra.bt.com/compliance/tsr/restrictedteams.htm>

You can also share Openreach customer confidential information with BT Wholesale, BT Operate and restricted teams in BT Design, if this is necessary to deliver our products. This would be the case, for example, for local loop unbundling orders. But you should pass on only information which is strictly necessary. In the same way, BT Wholesale can share customer confidential information with Openreach if this is necessary for BT Wholesale to deliver its products.

D Support from other parts of BT

You can use BT's support services or centres of excellence such as billing or BT property, as long as you keep to the rules about sharing information.

E The Statement of Requirements process

If a customer – including another part of BT – would like Openreach to supply a new or improved service, there is a specific procedure that you must follow. This is known as the Statement of Requirements process. The process is designed to make sure that decisions are made on an objective and fair basis without taking into account who the customer is.

BT Wholesale has a similar process which must be used by Openreach if it wants a new or changed service from it.

F Working with BT Ireland

BT Ireland (BTI) acts as delivery agent for Openreach, BT Wholesale and the rest of BT in Northern Ireland.



BTI does not have separate Openreach, BT Wholesale, BT Retail or BT Global Services businesses. Openreach does not operate in Northern Ireland.

If BTI people contact you in their role as delivery agent for BT Wholesale, BT Retail or BT Global Services, the general rules described in the previous sections apply, and you should work with them as if they were in those lines of business.

2. Guidance for people in BT Wholesale

A **Overview**

- specific rules apply to BT Wholesale, as well as the general requirements of the Undertakings
- you must treat your BT customers in the same way as your other customers in relation to certain specific products
- there are restrictions on sharing sensitive information with other lines of business, and between Core Network Services (CNS) and Value Added Network Services (VNS)
- there are restrictions on how Openreach can influence your commercial policy and on your ability to influence its commercial policy.

B **Equivalence and transparency**

Unlike Openreach, there is no general requirement for all of BT Wholesale's products to be provided on an equivalent basis, although the principle does apply to specific products and to certain future developments (especially wholesale products on BT's next generation network). If you manage products within BT Wholesale, you need to understand how the rules affect each product and any relevant requirements.

C **BT Wholesale organisation**

The Undertakings require BT Wholesale to manage specific groups of products separately. There are rules which apply to sharing information between these teams, as well as the general rules about sharing information described in part one of this code.

- There are two main product groups:
 - BT Wholesale Core Network Services (CNS) which manages those products for which Ofcom has found BT has a strong position in the market (referred to as 'significant market power' or 'SMP')
 - BT Wholesale Value Added Network Services (VNS) which manages other products especially important to the communications industry.

You can use support services or centres of excellence from elsewhere in BT, such as billing or BT property, as long as you keep to the rules for sharing information.

D **Rules for sharing information within BT Wholesale**

If you manage a CNS product you:

- can share commercial information about your products with people in any other part of BT Wholesale
- can share commercial information or customer confidential information with anyone on the Annex 2 list
- must not directly or indirectly disclose CNS customer confidential information to people in VNS unless the customer has consented
- must not let product managers in VNS influence your commercial policy unless they use processes available to external companies.



If you manage a VNS product you:

- can share commercial information about your products, and customer confidential information with people in any other part of BT Wholesale
- can share commercial information or customer confidential information with anyone on the Annex 2 list
- must not attempt to access systems which hold CNS customer confidential information
- must not attempt to influence CNS commercial policy unless you use processes available to external companies.

E Sharing information outside BT Wholesale

The Undertakings set out rules about what you, as a BT Wholesale person, can or cannot do. The general rules are:

Commercial information

You can share BT Wholesale commercial information with people in Group Operations, Openreach, BT Design and BT Operate, but not with BT Retail or BT Global Services.

Customer confidential information

You can provide BT Wholesale customer confidential information to:

- anyone listed under Annex 2 (see Part One, Section 5)
- anyone in group operations
- anyone in BT Design or BT Operate, except those teams most closely supporting BT Retail and BT Global Services. A record of the teams covered by the restrictions is kept at:
<http://ccs.intra.bt.com/compliance/tsr/restrictedteams.htm>

You can also provide BT Wholesale customer confidential information to Openreach if one of the following applies:

- the customer has agreed. Before sharing the information, make sure the customer knows and agrees exactly which information can be shared and for what purpose
- BT Wholesale would not be able to deliver its products unless the information is shared
- an order is being transferred between Openreach and BT Wholesale (in which case only the information necessary for that transfer can be passed on)
- it is reasonably needed for BT to develop its next generation network.

You can also provide BT Wholesale customer confidential information to BT Retail or BT Global Services if one of the following applies:

- the customer has agreed. Before sharing the information, make sure the customer knows and agrees exactly which information can be shared, and for what purpose
- it is reasonably needed for BT to develop its next generation network.

F Influencing commercial policy

You must not attempt to influence Openreach commercial policy unless you use processes available to other communications providers, such as industry consultations or the Statement of Requirements process, or if you have Annex 2 Part A status.

You can let Openreach influence BT Wholesale's commercial policy only if one or more of the following applies:

- Openreach is using processes available to other communications providers
- it is needed to meet the Undertakings, for example for developing Openreach services using network assets managed by BT Wholesale
- it is for planning and building the next generation network
- the person influencing the policy is on Part A of the Annex 2 list.



G ► The Statement of Requirements process

If a customer – including another part of BT – wants BT Wholesale to supply a new or improved service, there is a specific procedure you must follow. This is known as the Statement of Requirements process. The process is designed to ensure decisions are made on an objective and fair basis without taking into account who the customer is. Openreach has a similar process which must be used by BT Wholesale if it wants a new or changed service from it.

H ► BT Northern Ireland

BT Ireland (BTI) acts as delivery agent for Openreach, BT Wholesale and the rest of BT in Northern Ireland.

BTI does not have separate Openreach, BT Wholesale, BT Retail or BT Global Services businesses. BT Wholesale does not operate in Northern Ireland.

If BTI people contact you in their role as delivery agent for BT Wholesale, BT Retail or BT Global Services, the general rules described in the previous sections apply, and you should work with them as if they were in those lines of business.

3. Guidance for people in BT Design

A ► Overview

BT Design has contact with all of the lines of business (LoBs) and is central to the way we develop our products and services. This means that people working in BT Design have to understand how the Undertakings affect their role. They also need to be aware that the teams they are working with in the LoBs will be under certain obligations that may restrict how they are able to work with BT Design:

- there are restrictions on sharing sensitive information with other LoBs, and between teams supporting individual LoBs, and those working across all our businesses
- you need to be careful about the information you access and ask for when working with Openreach and BT Wholesale
- you need to be careful about the information you share, especially with BT Retail and BT Global Services
- there are restrictions on your ability to influence Openreach commercial policy.

B ► Sharing commercial information and customer confidential information

General guidance on sharing information is contained in Part One of this code of practice. This guidance provides more specific details for people in BT Design.

Openreach is not normally allowed to share its commercial information with BT Design at all, or its customer confidential information with 'restricted teams' in BT Design. However, there are exceptions. Openreach can always share its commercial information or customer confidential information with BT Design:

- if it is needed for planning and building the next generation network
- with people on the Annex 2 list.

Openreach can also share its customer confidential information with the restricted teams in BT Design if:

- the customer agrees
- it is necessary to do so to enable Openreach to deliver its products.

For the purpose of sharing Openreach customer confidential information, the **restricted teams** in BT Design include those who work most closely with BT Wholesale, BT Retail and BT Global Services, and the 21CN core convergence team. You can find an up-to-date record of the teams covered by the restrictions at: <http://ccs.intra.bt.com/compliance/tsr/restrictedteams.htm> If you are in one of those teams and you need to see such information, you should contact your regulatory or legal advisor.

BT Wholesale is normally allowed to share its commercial information with everyone in BT Design, but BT Design people must:

- treat it as confidential and not pass it on to BT Retail or BT Global Services (unless the person requiring the information is on the Annex 2 list)
- not use it to benefit work being done on behalf of BT Retail or BT Global Services.

BT Wholesale is allowed to share its customer confidential information with BT Design, except for the restricted teams. However, it can share its customer confidential information with the restricted teams if one or more of the following applies:

- the customer agrees
- it is needed for planning and building the next generation network
- the person asking for it is on the Annex 2 list.

For the purpose of sharing BT Wholesale customer confidential information, the restricted teams in BT Design include people in the teams who work most closely with BT Retail and BT Global Services.

BT Design people who receive restricted information are not allowed to share it with anyone who should not have received it directly. In particular, you should not pass on commercial information or customer confidential information to anyone working for a LoB unless it is the same LoB you received it from. Remember that sharing information can include making it available on an unrestricted intranet site, or by sharing access codes or passwords.

C ▶ The Statement of Requirements process

If you are working on developing products or services for BT Retail or BT Global Services, and these need changes or new products managed by BT Wholesale or Openreach, these requirements must be managed through the BT Wholesale or Openreach Statement of Requirement processes.

If you are working on developing products or services that use a regulated product as an input and a new or changed input is needed, it must be requested through the standard Statement of Requirements process. This will normally be done by the LoB which needs the change, but it may be possible for BT Design to manage the request as long as it is clear that it is being done on the LoB's behalf.



4. Guidance for people in BT Operate

A Overview

BT Operate has contact with all of the lines of business, and is central to the way BT delivers its products and services. This means people working in BT Operate have to understand how the Undertakings affect their role. They also need to be aware the teams they are working with in the LoBs may be under obligations that restrict how they are able to work with BT Operate:

- there are restrictions on sharing sensitive information with other LoBs, and between teams supporting BT Retail and BT Global Services and those working with Openreach and BT Wholesale
- you need to be careful about the information you access and ask for when working with Openreach and BT Wholesale
- you need to be careful about the information you share, especially with BT Retail and BT Global Services
- there are restrictions on your ability to influence Openreach commercial policy.

B Sharing commercial information and customer confidential information

General guidance on sharing information is contained in part one of this code of practice. This guidance provides more specific details for people in BT Operate.

Openreach is not normally allowed to share its commercial information with BT Operate at all. However, there are exceptions. It can share its customer confidential information with BT Operate if it is necessary to provide Openreach products, or if the customer agrees. And it can share its commercial information or customer confidential information with BT Operate if:

- it is needed for planning and building the next generation network
- the person asking for it is on the Annex 2 list.

BT Wholesale is normally allowed to share its commercial information with everyone in BT Operate.

BT Wholesale is allowed to share its customer confidential information with BT Operate, except for the service operations teams supporting BT Retail and BT Global Services. However, it can share its customer confidential information with those teams if:

- the customer agrees
- it is needed for planning and building the next generation network
- the person asking for it is on the Annex 2 list.

BT Operate people who receive restricted information are not allowed to share it with anyone who should not have received it directly. In particular, you should not pass on commercial information or customer confidential information to anyone working for a LoB unless it is the same LoB you received it from. Remember that sharing information can include making it available on an unrestricted intranet site, or by sharing access codes or passwords.



5. Guidance for people in BT Ireland

Introduction

Not all of the Undertakings apply to BT Ireland (BTI). The requirement to have a separate Openreach organisation, for example, does not apply. BTI acts as the delivery agent in Northern Ireland for Openreach and BT Wholesale products.

The general rules on sharing commercial information and customer confidential information, and on influencing commercial policy, do not apply to BTI. However, there is a specific obligation on BTI people engaged in business in Northern Ireland not to abuse their position to “circumvent the intent of the Undertakings” – in other words, to try and get around them and gain an unfair advantage for BT. To meet that obligation, we voluntarily follow the key information sharing rules:

- people working for BTI in their role as delivery agent for either BT Wholesale or Openreach, should act as if they were working for that LoB. They should follow the general rules on sharing commercial information, sharing customer confidential information, and influencing commercial policy that apply to BT Wholesale people or to Openreach people, as described in this code of practice
- members of the Ireland leadership team may have access to commercial or customer confidential information, but they may not share it with anyone who should not receive it
- anyone in BTI given access to commercial information or customer confidential information may be required to sign a confidentiality agreement.

These special rules only apply to people in BTI carrying out business in Northern Ireland. If they are in another part of BT, but just happen to be based in Ireland, then the rules for their part of BT apply. If they are in BTI and engaged in work outside the UK, the Undertakings do not affect them at all.

Customer confidential information relating to communications providers whose accounts are managed by BT Ireland

Normally, only Openreach and BT Wholesale will receive customer confidential information. But BTI may also be given such information by wholesale customers who are based in Northern Ireland and whose accounts are managed directly by BTI. This information must only be shared with another part of BT if the customer agrees, or one of the other exceptions applies (for example, if the information is required for the development of the next generation network).

Access to systems

Over time, Openreach computer systems are being separated from those in the rest of BT and access to systems holding commercial information and customer confidential information will be barred to anyone in BT Retail or BT Global Services. Obligations to separate systems do not apply as such to BTI. However, we have voluntarily put in place some restrictions on BTI people accessing systems. Because BTI delivers the products covered by these systems, some of its people need access to such systems to do their jobs. In cases like this, access is only allowed where this is necessary to supply products or services, and applications for access need to be approved by:

- the applicant’s line manager
- the head of regulation (NI), compliance & corporate services
- a representative of Openreach or BT Wholesale, as appropriate.



Influencing commercial policy

As the rules on influencing commercial policy do not apply to BTI, it is allowed to influence Openreach's and BT Wholesale's commercial policy. However, to make sure the Undertakings' restrictions on influencing Openreach's and BT Wholesale's commercial policy are followed, we have a policy that BTI should only attempt to influence the commercial policy of Openreach or BT Wholesale where this relates to BTI's role as their delivery agent, or where senior BTI managers are acting collectively as the BTI leadership team. For example, BTI owns BT's networks, and controls BT's engineering workforce in Northern Ireland. This means BTI may need to influence Openreach's and BT Wholesale's plans for product launch dates or network coverage and capabilities.

More information

If you have any questions about this code of practice or about the Undertakings, you should first check the website at: <http://codeofpractice.intra.bt.com>

If the website does not answer your question, you should contact the head of regulation (NI), compliance & corporate services
http://directory.intra.bt.com/cgi/startup.cgi?search_for=john+ellison

