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Broadband Delivery UK (BDUK)

2016 National Broadband Scheme for the UK

Guidance: Transparency (Monitoring & Reporting)

1. **What is transparency?**
 - 1.1. The 2016 National Broadband Scheme (2016 NBS) is consistent with the requirements of the European Commission's Broadband Guidelines and requires transparency in the investment of public funding for broadband projects.
 - 1.2. The requirements of the 2016 NBS place certain obligations and responsibilities on BDUK as administrator of the Scheme (the National Competence Centre), on implementing bodies as aid granting authorities and on suppliers as aid beneficiaries.
 - 1.3. The term transparency applies not only to the sound administrative management and record keeping in relation to the 2016 NBS and the projects implemented under it but also in relation to the publication of specific information about the State aid scheme and its projects.
2. **BDUK's role and obligations**
 - 2.1. BDUK has an obligation to ensure that there is a high level of transparency relating to the use of public funds under the 2016 NBS.
 - 2.2. As under the 2012 scheme, BDUK will maintain a central web page so that information relevant to the 2016 NBS can be shared with stakeholders and act as a starting point for implementing bodies seeking to utilise the 2016 NBS, suppliers seeking to participate in a procurement and for those suppliers awarded contracts¹.
 - 2.3. The information available on the webpage will include the following:-
 - 2.3.1. The Commission's decision approving the 2016 NBS.
 - 2.3.2. Specific guidance on how to comply with and meet the compatibility requirements of the 2016 NBS, including:-
 - 2.3.2.1. An overview of the Scheme

¹ <https://www.gov.uk/government/publications/bduk-new-procurement-pipeline>

- 2.3.2.2. Delivery and Funding Models
 - 2.3.2.3. Mapping and Public Consultation
 - 2.3.2.4. The role of NGA technologies under the UK's State aid Scheme
 - 2.3.2.5. Wholesale Open Access Network Requirements
 - 2.3.2.6. Wholesale Access and Pricing Benchmarking
 - 2.3.2.7. Transparency
 - 2.3.2.8. Clawback Mechanism
- 2.3.3. Template for open market review and public consultation documents.
 - 2.3.4. Procurement guidance and template documentation.
 - 2.3.5. Information in relation to forthcoming procurement opportunities.
 - 2.3.6. The Evaluation for the assessment of the 2016 NBS that will take place over the duration of the decision.
- 2.4. BDUK have also published *Broadband Delivery UK (BDUK): Table of Local Broadband Projects*². The document links to the local broadband projects and provides information on their progress, public consultations, procurement information, coverage mapping and infrastructure built under the 2016 NBS.
- 2.5. Implementing bodies and suppliers with questions or comments can contact BDUK via the email address stateaidforbroadband@culture.gov.uk.
- 3. Implementing body obligations**
- 3.1. Implementing bodies have a major role in ensuring the transparency requirements in the 2016 NBS are met. These obligations will be met by the publication of information on their own project websites with information contained there linked through to the BDUK Table of Local Broadband Projects referred to in 2.4.
- 3.2. Implementing bodies must, in particular, publish and maintain on their website :-
- 3.2.1. General information on the progress of the project and how to access broadband.
 - 3.2.2. Open Market Reviews and Public Consultations including final maps.
 - 3.2.3. Details in relation to procurement and its outcome (including selected bidder, aid amount, aid intensity and technology used).
 - 3.2.4. Summary details of infrastructure built (when capable of serving customers) and access conditions that apply, to be updated each quarter.
 - 3.2.5. Coverage maps and timing of coverage to be provided so that existing and planned coverage can be identified at a postcode level.

²

<https://docs.google.com/spreadsheets/d/1Hs00bNsyRV1WoOt-fow3rsNXzpcKg26AsOWvk1bvJRk/edit#gid=1156200112>

- 3.3. Superfast Warwickshire is an example of a project website³ and Superfast Dorset is a best practice example of a coverage map⁴.
- 3.4. Failure to comply with the transparency requirements could result in a broadband project being considered incompatible with its approval under the 2016 NBS.
- 3.5. Implementing bodies should also ensure that tender and contract documentation is not restricted in such a way that it prevents information being utilised to meet the above requirements and also in meeting the 2016 NBS Reporting and Evaluation requirements. In addition to the information above the following information should be made available by implementing body suppliers so that it can be shared with BDUK and the European Commission:-
 - 3.5.1. When broadband services went live on the network.
 - 3.5.2. The wholesale access products offered on the network.
 - 3.5.3. Details of access seekers and service providers on the network.
 - 3.5.4. Details of premises passed by the network and connected to it, by end user premise
 - 3.5.5. Details of technology types used on the network.

4. Supplier obligations

- 4.1. The main obligation for suppliers is to be open and transparent about information for suppliers seeking to access the newly subsidised infrastructure and to publish upon their own websites details of the access products available on the new network and their pricing.
- 4.2. Where a supplier also provides retail services, a reference offer for wholesale services must be made available to competitors at least 6 months before starting the provision of retail services.
- 4.3. Additionally, the supplier's website should clearly provide details of how information can be obtained by potential access seekers about the location of the new infrastructure and its components should they wish to seek access to the new infrastructure.
- 4.4. BDUK will provide links to suppliers' websites via the Table of Local Broadband Projects referred to above.

5. How long should the information be published and maintained?

- 5.1. Implementing bodies must publish and maintain information on their broadband projects for a minimum of 7 years from completion of the infrastructure deployed i.e. the operational phase of the project; where wholesale services shall be made available.
- 5.2. All records relating to the project should be retained for a minimum of 10 years from the date that State aid is awarded (i.e. when the contract is executed), or any longer period as specified by local requirements or funding requirements.

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³ <http://www.cswbroadband.org.uk/>

⁴ <https://mapping.dorsetforyou.gov.uk/superfast/map>