

Reference: 01494164

Zach Westbrook
Information Rights Advisor
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19 August 2022

Freedom of Information request: Right to know request

Thank you for your request for information concerning Adopt a Kiosk - criteria (use). Your request was received on 10 August 2022 and we have considered it under the Freedom of Information Act 2000 ('FOI Act').

Your request

Could you please tell me how many times the kiosk 02074856294 was used in a recent year?

Our response

Whilst we do hold this information, it was supplied to us by BT on a confidential basis for the purposes of our review of universal service, so we cannot disclose this information as it is exempt from disclosure under section 44 of the FOI Act. This exemption provides that information is to be withheld if its disclosure is prohibited under other legislation – in this case section 393(1) of the Communications Act 2003 (the Act). Section 393(1) of the Act prevents us from disclosing information about a particular business, in this case BT, which we have obtained in the course of exercising a power conferred by, among other legislation, the Act, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Act is met, neither of which apply here. Section 44 is an absolute exemption under the Act and does not require a public interest test.

'Adopt a Kiosk' is a BT-led initiative and BT will therefore be able to advise whether this kiosk is available for adoption. Ofcom does not have a role in this scheme.

We therefore suggest that you contact BT directly about this request at payphones@bt.com.

If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely

Zach Westbrook

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF