

Reference: 01406128

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### **Freedom of Information request: Right to know request**

Thank you for your request for information concerning complaints against Hermes.

Your request was received on 8 January 2022 and we have considered it under the Freedom of Information Act 2000 (the 'FOI Act').

### **Your request**

*"Can you please provide me with details of complaints made against Hermes to ofcom, the action that ofcom took (both specific, and general) and how ofcom monitored Hermes improvement or otherwise in service.*

*I would like this information summarised by year for the last 7 years."*

### **Our response**

While we hold further information within the scope of your request, we consider that disclosure of this information is exempt under section 44 of the FOI Act. Section 44(1) of the Act provides that information is exempt from disclosure if its disclosure is prohibited by or under any enactment. The enactment that prohibits the disclosure of this information is the Postal Service Act 2011. Section 56 of the Postal Services Act 2011 prevents us from disclosing information that we have obtained, which relates to the affairs of a particular business (so long as the business is carried on), unless we have the consent of that business or one of the other gateways for disclosure in section 56(2) of the Postal Services Act 2011 apply, neither of which apply here. Section 44 is an absolute exemption and does not require a public interest test

However, a discussion of parcels market was included in section 3 of our [Annual Monitoring Update on Postal Services: Financial Year 2019-2020 \(ofcom.org.uk\)](#) which you may find useful. In addition, Ofcom is currently consulting on how we regulate parcels operators such as Hermes. In our [consultation](#), we set out that Parcel operators need to make substantial improvements in customer service and complaints handling and, as a result, we are proposing new guidance on how complaints should be handled.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto: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](mailto: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. The Information Commissioner can be contacted at:

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