

Reference: 01397914

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Freedom of Information request: Right to know request

Thank you for your request for information regarding funding of and services provided by Stonewall. Your request was received on 15 December 2021 and we have considered it under the Freedom of Information Act 2000 (the 'FOI Act').

Background

As the UK's communications regulator, Ofcom is independent of Government and funded by the fees paid by the companies we regulate. We are required to be fully independent, impartial, and objective in the exercise of our functions.

Our approach to diversity and inclusion at Ofcom is an essential element in our aim of making communications work for everyone. We have developed an ambitious strategy for improving Ofcom's diversity over the next few years, because we believe we must be as representative as possible of the country we serve if we are to do our job well. We also want Ofcom to be a place that is inclusive and welcoming for all colleagues, whatever their background and experiences.

In support of this strategy, we enter into partnerships with external organisations, such as Stonewall, to provide us with expertise, challenge and ideas. We regularly review these arrangements to ensure they are still adding value and to check that they do not raise any risks of conflict of interest in accordance with our 'partnerships policy' ([conflict-free-partnerships-policy.pdf \(ofcom.org.uk\)](#)).

In line with this policy, we reviewed our relationship with Stonewall over the summer. We shared the decision to leave the champions scheme with our LGBT+ staff network prior to making an internal announcement in late August.

We had two reasons for stepping back from Stonewall's Diversity Champions programme. First, we had been in the programme for quite a few years and believed that we could now stand on our own two feet in delivering for our LGBT+ colleagues. Second – we are very clear that we have to protect our independence at all costs – it is our number one value. When we felt there was a danger that we could be drawn into a political campaign we realised that we had to preserve our independence and step away. We strongly believe that this decision doesn't, and never will, take away from Ofcom's support for LGBT+ people.

We want Ofcom to continue to be a great place to work for all LGBT+ colleagues. We have a clear LGBT+ engagement and events strategy and our employee network is in good health and growing. We're also maintaining our membership of Stonewall's Workplace Equality Index, and have recently

submitted our entry for this year. We believe the index provides a useful benchmark against other employers and will help us to ensure that we continue to improve and develop as a great place to work for LGBT+ people.

Our response

Please see our response to each of your requests below:

- 1. In respect of each of the years 2015-2021, please confirm what funding has been provided to Stonewall by Ofcom.**
- 2. Please specify whether the funding in 1 above has been in the form of:**
 - (a) direct grants for unlimited purposes;**
 - (b) direct grants for limited purposes (in that event, stating the purpose);**
 - (c) payment for goods or services (specifying the relevant goods and services).**

We confirm that, in the course of our relationship with Stonewall, Ofcom did not fund Stonewall and did not provide any direct grants for either unlimited or limited purposes.

Ofcom's payments to Stonewall were in the form of payment for services. Specifically, we paid annual Diversity Champions membership fees and other fees for services they have provided to us as an employer (for example, ad hoc training and conferences) over the period requested. As members of the Diversity Champions programme, we had access to a range of services that are outlined on Stonewall's website.

As disclosed in a previous published response to an FOI request ([stonewall-discussions-costs-feedback.pdf \(ofcom.org.uk\)](#)) please see the fees we have paid Stonewall below:

Date and Category of spend including VAT

- 2020: Training 5,400.00 GBP
- 2020: Conference 628.20 GBP
- 2020: Diversity Champions (DC) membership 3,000.00 GBP
- 2019: DC membership 3,000.00 GBP
- 2018: DC membership 3,000.00 GBP
- 2017: DC membership 3,000.00 GBP
- 2016: DC membership 3,000.00 GBP
- 2015: DC membership 3,000.00 GBP

- 3. Where the funding in 1 above has been by way of payment for goods or services, please specify:**
 - (a) what analysis has been conducted to ascertain whether these goods or services meet contractual and/or legal requirements;**

We do not hold this information.

- (b) what contractual or other recourse exists to reclaim in respect of goods or services that are defective, substandard or delivered in contravention of the law;**

The Stonewall Diversity Champions membership is subject to the standard [terms and conditions](#) published on Stonewall's website. In accordance with these terms and conditions, any dispute arising in respect of the services provided by Stonewall would be governed by English contract and consumer protection law.

(c) *what steps are being taken to seek recourse for any such contractual or legal shortfalls.*

None. We therefore do not hold this information.

4. *In respect of the payments referred to in 1 above, please state:*

(a) *What criteria were applied in deciding to make payments by way of direct grants;*

We do not hold this information, as Ofcom has not provided any direct grants to Stonewall.

(b) *What tendering process was conducted with regard to provision of goods or services;*

(c) *What alternative suppliers of goods or services were considered.*

Ofcom did not conduct a formal tendering process in engaging the services of Stonewall through the Diversity Champions programme. Rather, we took the decision to enter into partnership with Stonewall following a process of market testing.

Through our market testing, we considered alternative suppliers of LGBT+ corporate partnerships and advisory services focused on workplace LGBT+ inclusion. We found Stonewall to be the most widely established organisation supporting workplaces to be LGBT+ inclusive with an expansive list of clients. At the time of entering into membership we considered Stonewall's Diversity Champions programme provided a comprehensive breadth of offering and complimented the needs of our organisation at the time.

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

Julia Snape

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. The Information Commissioner can be contacted at:

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Wilmslow
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