

Reference: 1631612

Information Rights  
Information.requests@ofcom.org.uk

16 August 2023

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

Thank you for your request for information about communications between Ofcom and BT, City Fibre, or other CEOs regarding disadvantaged consumers.

We received this request on 14 June 2023 and requested further clarification on 5 July 2023, and have considered it under the Freedom of Information Act 2000 (“the FOI Act”).

### Your request

You asked:

*‘To request last 3 copies of communication between Office of communications and Any CEO  
BT City Fibre  
The length of time any individual consumer has continued to relay to your organisation as to being Disadvantaged’*

You clarified this request as:

*‘We are asking for the last 3 correspondence to any CEO and BT and City Fibre*

*We are asking for correspondence with any CEO for example how to achieve the following  
Could be research ie quote access to affordable, reliable communications service for all customers, high quality customer experience for all consumers to be treated fairly on an individual and collective basis, No consumer to be left behind, regardless of circumstances, providing robust evidence that can be used to command and support action on behalf of consumers, highlighting and acting on evidence of current and potential future consumer harm in the communications sector, work with other consumer bodies, industry, Ofcom and governments end quote We are asking for correspondence with To request last 3 copies of communication between Office of communications and BT City Fibre The length of time any individual consumer has continued to relay to your organisation as to being Disadvantaged*

*Where the company has not been able to meet the quote access to affordable, reliable communications service for all customers, high quality customer experience for all consumers to be treated fairly on an individual and collective basis, No consumer to be left behind, regardless of circumstances, providing robust evidence that can be used to command and support action on behalf of consumers, highlighting and acting on evidence of current and potential future consumer harm in the communications sector, work with other consumer bodies, industry, Ofcom and governments'*

## Our response

We consider that, given the broad nature of your request, the large number of documents to be considered, and the application of the request to different sectors and teams in Ofcom, a considerable amount of time would be required to locate, retrieve, identify and extract the information specified in your request. Section 12 of the FOI Act provides that we are not obliged to comply with a request for information if we estimate that the cost of complying with the request would exceed the "appropriate limit". The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the "Regulations"), and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, and locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour, which equates to 18 hours of time. We estimate that it would take over 18 hours to identify and extract the information you requested, and we are therefore refusing your request under section 12 of the FOI Act.

You may wish to consider submitting a narrower, more focused request, and we would be happy to consider such request under the FOI Act. For example, you could specify a narrower time frame, or a particular company that you are specifically interested in. Please note that, should you decide to make a further request for information, the aforementioned appropriate limit or other exemptions may apply; for example, information which relates to a particular business, which we have obtained in the exercise of our powers, would be exempt from disclosure under the FOI Act unless we have the consent of that business or one of the statutory gateways for disclosure, under section 393 of the Communications Act 2003, apply.

I hope this information is helpful. 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,

Information requests

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. 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