

Reference: 01549561

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25 January 2023

### Freedom of Information: Right to know request

Thank you for your request for information in relation to Royal Mail's postage stamp swapout scheme and assistance for disabled people. We received this request on 28 December 2022. We have considered it under the Freedom of Information Act 2000 (the "FOI Act").

### Your request and our response

*Please can OFCOM help me by supplying the following information, or causing the following information to be supplied:*

*1). A copy of the Royal Mail plc "Impact Assessment" relating to "barcoded" Royal Mail postage stamp swapout procedures and appropriately redacted correspondence, email and other communications between Royal Mail plc and OFCOM that relate to disabled persons and Royal Mail plc compliance with the Equality Act 2010 (as amended) in this matter?*

We do not hold information falling within this request.

*2). A copy of the Royal Mail plc "Deadline Extension" relating to "barcoded" Royal Mail postage stamp swapout procedures and appropriately redacted correspondence, email and other communications between Royal Mail plc and OFCOM that relate to disabled persons and Royal Mail plc compliance with the Equality Act 2010 (as amended)?*

We do not hold information falling within this request. Please note that we understand from Royal Mail the deadline for use of relevant non-barcoded stamps remains 31 January 2023. However, it is adopting a grace period up to 31 July 2023 where use of relevant non-barcoded stamps will be treated as 'postage-paid' mail and not subject to surcharge, which means such items will be delivered without undue disruption or delay.

*3). Have any of the 3,000 Royal Mail customers affected by following article, reported to or made complaint to OFCOM of this alleged Royal Mail "postage stamp barcode swapout" mess? [Royal Mail admits error over missing Swap Out scheme stamps | This is Money](#)*

*If "yes" to any of the 3,000 injured parties, please can OFCOM forward a copy of the relevant correspondence/report: appropriately redacted so as to avoid refusal of this enquiry.*

We can neither confirm nor deny whether we hold the information you have requested. By virtue of section 44(2) of the FOI Act, the duty to confirm or deny holding information does not arise if the confirmation or denial that would be given in itself reveals information that falls under the exemption in section 44(1) of the FOI Act. Section 44(1) provides that information is exempt from disclosure if its disclosure is prohibited by or under any enactment. In this instance, disclosure of such information is prohibited under section 56 of the Postal Services 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 being 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 applies, neither of which apply here. Section 44 is an absolute exemption under the Act and does not require a public interest test.

I hope this information is helpful. If you have any queries, then please contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk). Please remember to quote the reference number above in any future communications.

Yours sincerely,

Temiloluwa Dawodu

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