

Reference: 01566535

Information Requests
information.requests@ofcom.org.uk

13 March 2023

Freedom of Information request: Right to know request

Thank you for the below request for information concerning Tiktok and Snapchat. Your request was received on 13 February 2023 and we have considered it under the Freedom of Information Act 2000 (the FOI Act).

Your request

I am writing to ask if Ofcom holds data pertaining to social media platforms Snapchat (Snap Inc.) and TikTok (Bytedance).

Specifically, do you have any data pertaining to the removal of underage users (that is, aged under 13) in the UK on either Snapchat or TikTok in the time period between 2020 and 2021?

Additionally, can you provide any correspondence between Ofcom and these companies (Snap Inc., TikTok/Bytedance) about these figures?

Our response

We do hold information (for the period May – December 2021 only) in scope of your request. However, we are unable to disclose this information as we consider its disclosure is exempt under section 44 of the FOI Act. Section 44 exempts the disclosure of information which is prohibited by another enactment. In this case, we are prohibited under section 393 of the Communications Act 2003 (the CA2003) from disclosing information which relates to a business (in this case, Snapchat and TikTok), which we have obtained in exercising our powers in relation to video sharing platforms under part 4B of the CA2003, unless we have the consent of that business or one of the statutory gateways for disclosure under section 393(2) of the CA2003 has been met, neither of which applies here. Section 44 is an absolute exemption and does not require a public interest test.

We also consider that other exemptions may apply, including section 41 of the FOI Act which exempts the disclosure of information if it was obtained by the public authority from any other person (including another public authority), and the disclosure of the information to the public (otherwise than under the FOI Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

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

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

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