

Reference: 01564127

Temiloluwa Dawodu
Information Rights Advisor
information.requests@ofcom.org.uk

1 March 2023

Freedom of Information: Right to know request

Thank you for your request for information in relation to your neighbour's licence and test results from his mast. We received this request on 7 February 2023. We have considered it under the Freedom of Information Act 2000 (the "FOI Act").

Your request

I am applying under the Freedom of Information Act for a copy of the License [my neighbour] holds under the Spectrum Ofcom Organisation as I understand it has restrictions, and also a copy of the test results carried out from the temporary installation and confirmation your Organisation are completely satisfied this Installation is fit for purpose and will not affect our Wi -Fi and that of others.

Our response

I am applying under the Freedom of Information Act for a copy of the License [my neighbour] holds under the Spectrum Ofcom Organisation as I understand it has restrictions?

We are unable to disclose a copy of the licence your neighbour holds as we consider that this information is personal data and is exempt from disclosure under Section 40(2) of the FOI Act. Section 40(2) provides that personal information about persons other than the requester is exempt where its disclosure would contravene any of the data protection principles in the UK General Data Protection Regulation and the Data Protection Act 2018. This includes the principle that personal data must be processed fairly and lawfully. Section 40 is an absolute exemption under the FOI Act and does not require a public interest test.

You can however find the [Amateur Radio Licence terms](#) on our website.

And also a copy of the test results carried out from the temporary installation?

The tests carried out by your neighbour are not for/or on behalf of Ofcom. Ofcom has no record of tests or monitoring carried out at the location requested.

Confirmation your Organisation are completely satisfied this Installation is fit for purpose And will not affect our Wi -Fi and that of others?

Ofcom are not responsible for the installation/maintenance of radio equipment and as explained above, Ofcom has no record of tests or monitoring carried out at the location. Therefore, we cannot comment on whether or not the installation is fit for purpose.

We also cannot confirm whether or not your wifi and that of others will be affected by the equipment. You may wish to have a look at this page about [Licence-exempt radio use](#) for further information.

I hope this information is helpful. If you have any queries, then please contact 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.

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