

Reference: 1800467

Information requests  
Information.requests@ofcom.org.uk  
24 April 2024

## Freedom of Information request: Right to know request

Thank you for your request for information on behalf of GB News about Ofcom personnel. We received this request on 26 March 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

### Your request and our response

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*1. Please state whether any internal action, including disciplinary action has been taken since January 2022 in respect of a breach or potential breach of the policies and internal guidance in respect of communication with the press or third parties.*

We do not hold policies or internal guidance regarding communication with the press or third parties as confirmed in our FOI response to you dated 23 October 2023.

*2. In respect of Ofcom's seven principles of public life, please state:*

*(i) What internal guidance Ofcom has in place in respect of Ofcom's seven principles of public life;*

Please refer to Ofcom's Conflict of Interests policy which was provided to you in our FOI response dated 11 April 2024 and which contains the seven principles of public life.

*(ii) What internal procedures Ofcom has in place to ensure that employees adhere to the seven principles of public life;*

The Conflict of Interests policy is part of Ofcom's contract of employment and induction with its staff. Each colleague must submit an annual attestation of any conflicts of interest they may have. Any allegation of a breach of any of our policies is managed under Ofcom's disciplinary policy.

*(iii) Since January 2022, how many internal investigations have been carried out at Ofcom in respect of any breaches by any Ofcom employee and/or officer of the seven principles of public life;*

In accordance with section 40(5A) and (5B) of the FOI Act, we can neither confirm nor deny that we hold information in response to this question. Under these provisions, we are not required to confirm or deny that we hold information if that information, if it were held, would be exempt from disclosure under section 40(1) of the FOI Act which relates to personal data or would contravene any of the data protection principles. In our view confirming or denying that we hold information in response to this request would contravene the data protection principles.

- (iv) Whether any internal investigation has been carried out in respect of any potential breach by [redacted S40], in respect of the seven principles of public life since January 2022; and*
- (v) Whether any internal investigation has been carried out in respect of any potential breach by Ofcom's former [redacted S40], in respect of the seven principles of public life since January 2022.*

In accordance with section 40(5A) and (5B) of the FOI Act, we can neither confirm nor deny that we hold information in response to this question. Under these provisions, we are not required to confirm or deny that we hold information if that information, if it were held, would be exempt from disclosure under section 40(1) of the FOI Act which relates to personal data or would contravene any of the data protection principles. As stated above, in our view confirming or denying that we hold information in response to this request would contravene the data protection principles.

*3. In respect of Ofcom's recruitment procedures, please confirm:*

*(i) What supervisory procedures and policies or other relevant and related policies Ofcom has in place in respect of prospective employees and officers at the initial recruitment stages; and*

*(ii) What supervisory procedures and policies or other relevant and related policies Ofcom has in place in respect of prospective employees and officers before an offer of employment is made.*

We are not clear what is meant by "supervisory procedures and policies" in questions 3(i) and (ii). We are unable to answer this question as it stands and require further clarification to do so.

*4. In respect of Ofcom's employees and officers, please confirm:*

*(i) What supervisory procedures and policies or other relevant and related policies Ofcom has in place to satisfy itself that a prospective Ofcom employee and/or officer does not have a political or activist background; and*

*(ii) What supervisory procedures and policies or other relevant and related policies Ofcom has in place to satisfy itself that any Ofcom employee and/or officer does not have political or activist interests.*

In response to questions 4(i) and (ii) please refer to our Conflict of Interests Policy which was provided to you in our FOI response dated 11 April 2024. As stated above, each colleague must submit an annual attestation under this policy. Any allegation of a breach of any of our policies is managed under Ofcom's disciplinary policy, which is attached with this response.

*5. In respect of Ofcom's social media policies, please state:*

*(i) What supervisory procedures and policies or other relevant and related policies Ofcom has in place in respect of social media use of prospective employees and/or officers;*

*(ii) What supervisory procedures and policies or other relevant and related policies Ofcom has in place in respect of social media use of its employees and/or officers;*

In response to questions 5(i) and (ii) please refer to our Social Media policy as previously provided to you in our FOI response dated 11 April 2024. This policy is subject to regular review.

*(iii) Whether any internal investigation has been carried out in respect of any potential breach or actual breach by [redacted S40] in respect of Ofcom's social media monitoring procedures and policies since January 2023; and*

*(iv) Whether any internal investigation has been carried out in respect of any potential breach or actual breach by Ofcom's [redacted S40] in respect of Ofcom's social media monitoring procedures and policies since January 2023*

In response to questions 5(iii) and (iv), this information is exempt from disclosure under section 40 of the FOI Act which relates to personal information.

*6. In circumstances that Ofcom has conducted an internal investigation in respect of the issues at 5(iii) and 5(iv) above, please provide the details.*

See our answer to questions 5(iii) and 5(iv) above.

*7. In respect of [redacted S40], please state whether any review of [redacted S40] social media activities was carried out by Ofcom prior to his recruitment.*

*8. In respect of [redacted S40], please state whether any internal action regarding [redacted S40] social media activities is currently in progress.*

*9. In respect of Ofcom's internal investigation into Ofcom's former [redacted S40] what policy or policies were applied by Ofcom to ensure that she was held to the account in the appropriate manner.*

In response to questions 7, 8 and 9, we are unable to disclose any information in response to these questions as it is exempt from disclosure under section 40(2) of the FOI Act which relates to personal information.

*10. Please confirm what supervisory procedures and policies or other relevant and related policies Ofcom has in place to manage conflicts of interest.*

We have provided Ofcom's Conflict of Interests policy in our FOI response to you dated 11 April 2024.

*11. Please confirm who has sat on Ofcom's Disciplinary panel since January 2022.*

We have a number of individual colleagues and non-executives who are suitably qualified to sit on disciplinary panels and will be chosen as appropriate depending on the circumstances of each case.

We are unable to disclose personal details relating to these individuals as this information is exempt from disclosure under section 40(2) of the FOI Act.

## Conclusion

We have now received a large number of similar requests from [redacted] on behalf of GB News in a short period of time as detailed in our recent FOI response to you of 11 April 2024.

We reserve the right to consider further requests as repeated and vexatious if appropriate.

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

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### Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress.

Please email the Information Requests team ([information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)) to request an internal review.

### Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).