

Reference: 01803956

Information Requests
information.requests@ofcom.org.uk

11 April 2024

Freedom of Information request: Right to know request

Thank you for your request for information about Plan.com investigations.

We received this request on 3 April 2024 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request

“Could you let me know whether Ofcom is investigating Plan.com for fraudulently miss-selling mobile phone contracts. I believe the practice has been underway for some time but brought to prominence through today's You and Yours programme on BBC Radio 4 - link below - I'd very much appreciate it if you could give me details of ongoing or potentially upcoming actions taken by Ofcom.

<https://www.bbc.co.uk/programmes/m001xvgy>”

Our response

While we may hold information falling within the scope of your request, we consider that this information is exempt from disclosure under section 44 of the FOI Act. Section 44 exempts the disclosure of information which is prohibited by another enactment. We are prohibited under section 393 of the Communications Act 2003 from disclosing information which relates to a business, in this case Plan.com, which we have obtained in exercise of our powers, unless we have the consent of that business or one of the statutory gateways for disclosure under section 393(2) of the Act is met, neither of which applies here. Section 44 is an absolute exemption and does not require a public interest test.

You may be interested to know that Ofcom’s enforcement bulletin is where we publish our investigations into potential breaches of regulatory, consumer and competition rules; how we’ve resolved regulatory disputes between companies; and other work we’ve done to address our concerns about compliance. You can read about our open and closed cases here: [Enforcement Bulletin](#).

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,

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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) 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](#).