

Reference: 01793385

Information Requests
information.requests@ofcom.org.uk

15 April 2024

Freedom of Information request: Right to know request

Thank you for your request for information about Telecoms Security Act documents.

We received this request on 14 March 2024 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request

I request access to documents containing the following information concerning implementation of the Telecommunications (Security) Act 2021, including The Electronic Communications (Security Measures) Regulations 2022:

- * Risk management: appropriate and proportionate technical and organisational measures taken to manage the risks posed to the security of networks and services.*
- * Threat-intelligence sharing reports on SS7 and/or Diameter security incidents received from or submitted to Global System for Mobile Communications GMSA or the International Telecommunication Union (ITU).*
- * Annual reports: on the state of the electronic communications market, on the decisions they issue, on their human and financial resources and how those resources are attributed, as well as on future plans.*
- * Non-compliance investigations: investigation on cases on non-compliance by competent authority and the effects thereof on the security of the networks and services.*

Our response

We consider that it would take a substantial amount of time to comply with this FOI request. Under Section 12 of the Freedom of Information Act (‘the FOI Act’), Ofcom is not obliged to comply with a request for information if we estimate that the cost of complying with the request would exceed the ‘appropriate limit’. The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (‘the Regulations’), and is, for Ofcom, £450. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour which equates to 18 hours of time. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, identifying, locating, retrieving and extracting the information from any document containing it.

The very broad nature of this whole request would require a very wide and extensive search of our records and systems. Ofcom estimates that it would take at least 18 hours to search for, identify and retrieve any information which may be relevant to this request. As such the cost of complying with

your request will exceed the appropriate limit and we consider that Section 12 of the FOI Act would be applicable here.

In addition to this, given the nature of the information you are after, we consider that disclosure of such information would in any case likely be exempt from disclosure under the FOI Act including under section 44. Section 44 of the FOI Act 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 from disclosing information which relates to a business, which we have obtained in exercising our powers, unless we have the consent of that business or one of the statutory gateways for disclosure under section 393(2) is met, neither of which applies here.

In case it is helpful, you may wish to have a look at our

- [Connected Nations and infrastructure report](#) which may contain information on the electronic communications market; and
- [Enforcement Bulletin](#) which details Ofcom's investigations.

I hope this information is helpful. 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

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](#).