

Reference: 01854906

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

7 August 2024

## Freedom of Information request: Right to know request

Thank you for your request for information concerning Ofcom's report on the recent BT 999 service outage.

We received this request on 22 July 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

### Your request

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*"I would like to make a FOI request, to ask for a copy of the OFCOM report into the recent BT 999 service failure, in which OFCOM fined BT £17.5mil"*

### Our response

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We can confirm that we do hold the information requested.

We are preparing a non-confidential version of our Confirmation Decision under section 96C of the Communications Act 2003 ("the Communications Act") for publication. The Confirmation Decision sets out, in detail, our final decision in the investigation into BT, following a 999 emergency call service outage on 25 June 2023. We expect to publish it on our website in the coming weeks. The information in the Confirmation Decision which will be published is exempt from disclosure under section 22 of the FOI Act on the grounds that it is held with a view to its publication and since publication will take place shortly, it is reasonable in all the circumstances to withhold it from disclosure.

Information which we redact from the published, non-confidential version of the Confirmation Decision will be exempt from disclosure under section 44(1) of the FOI Act. Section 44(1) of the FOI Act provides that information is exempt from disclosure if its disclosure is prohibited by or under any enactment. The enactment that prohibits the disclosure of this information is section 393(1) of the Communications Act. Under this section, we are prohibited from disclosing information with respect to a particular business, in this case BT, which has been obtained in the exercise of our regulatory functions, unless that business consents or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which apply here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to the public interest test.

In the meantime, on 22 July 2024 we published [an article](#) on our website and [an update to our Enforcement Bulletin](#) which you may find useful.

Please note that once ready, the non-confidential version of our Confirmation Decision will be published on our website.

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

### **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](#).