

Reference: 01823860

Information Requests
information.requests@ofcom.org.uk

11 June 2024

Freedom of Information request: Right to know request

Thank you for your request for information concerning the confidential decision regarding BT fines.

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

Your request

".....I like to see the confidential decision under the freedom of information....."

Our response

We understand your request to relate to [the decision](#) which Ofcom took on 22 May 2024 against BT under section 96C of the Communications Act 2003 ('CA03').

We can confirm that we do hold the information requested.

We are preparing a non-confidential version of this decision for publication. The information in the 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 decision is exempt from disclosure under section 44 of the FOI Act. This exemption applies to information, the disclosure of which is prohibited under other legislation. In this case, the information in question is covered by section 393 CA03, which prohibits Ofcom from disclosing information it has obtained and which relates to a business, unless the business in question has consented to the disclosure or one of the statutory gateways to disclosure under section 393(2) applies. We do not have consent from BT for a disclosure and none of the statutory gateways for disclosure applies. Section 44 is an absolute exemption and does not require a public interest test. Other exemptions may apply to the redacted information.

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](#).