

Reference: 01822002

Information Requests
information.requests@ofcom.org.uk

13 June 2024

Freedom of Information request: Right to know request

Thank you for your follow-up request for information about staff working on Online Safety.

Your previous request was in April 2024 and you followed this up with a request on 15 May 2024. We have considered your follow-up request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request and our response

“...I disagree with your interpretation of my request for data on the matter of META requests. It is not data requested as part of your regulatory process, it is data held by you from a company trying to manipulate the regulation. If they contacted you outside of any information your requested, it is not data you have requested as part of your duties and is exempt from the section you quoted.”

Please note that the disclosure prohibition in section 393 of the Communications Act 2003 applies to any information about a business we receive while we carry out our work under this act (whether this information is voluntarily given to us, or we have compelled companies or individuals to give it to us). As explained in our previous FOI response, if you disagree with our position, you can ask for an internal review.

“I would also like to know the position help and responsibilities of those employees that have come directly from meta, a company your going to be regulating.

I also would like to modify my request regarding employees from META to only include people from 2020...

Also a total head count for people directly working on the regulations so we can see what percentage of people writing the regulations are employees who have come directly from the company’s the regulations are intended for”

With regards to your request as detailed in the three paragraphs above, we consider that it would take us a substantial amount of time to comply with the request and therefore consider that we are exempt under the FOI Act from complying with your request.

In particular, for the years prior to 2022, as we previously explained, historical employment data prior to 2022 is not stored in a readily available format and this would therefore require going

through every CV manually. We had 334 new starters from 1 Jan 2020 to 31 Dec 2021, at which point our new system made this information more readily available.

Section 12 of the FOI Act provides that we are 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. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, locating, retrieving and extracting the information from any document containing it. 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. We estimate that it would take us more than 18 hours to identify the information from the 334 CV’s.

Please note that Meta is a major employer in the online technology space and it would be common for us to hire people from the industry as they bring with them their skills and specialist knowledge. We have hired individuals from Meta and these individuals hold different roles from Policy Associates to Policy Managers and, as already announced on our website, we also have an Online Safety Director that previously worked for Meta (see [Meta’s Jessica Zucker joins Ofcom to power the drive for online safety.](#)) When individuals join Ofcom, they are subject to our conflict of interest policy, which you can find here: [Colleague Conflict of Interests Policy](#).

By way of background, as of March 2024 there were 202 colleagues in the Online Safety Group. Beyond the Online Safety Group, employees within Ofcom's Legal and Enforcement, Research and Analytics, Strategy and Research, and Corporate groups also work full time on Ofcom's online safety work.

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](#).