

Reference: 01814689

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

20 May 2024

## Freedom of Information request: Right to know request

Thank you for your request for information about the decision-making records and/or notes relating to four standards complaints.

Your request was received on 30 April 2024 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

### Your request

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*“..... a copy/copies of the decision making record and/or notes of the ‘careful assessment’ in relation to the careful assessment of the 4 complaints (as in ‘after careful assessment’) listed at ‘BBC Standards complaints assessed, not pursued’ page 4 of issue 496.”*

### Our response

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By way of background, Ofcom publishes decisions about complaints we have received in the [Broadcast and On Demand Bulletin](#) (“the Bulletin”), published every fortnight on our website. The Bulletin covers a range of cases, including those which Ofcom has escalated for full investigation, those which Ofcom has decided not to pursue because they did not raise issues warranting investigation, and those which fall outside Ofcom’s remit.

We can confirm that we do hold the information requested. However, we are unable to provide more details of complaints, as this information is exempt from disclosure under section 44 of the FOI Act, which exempts disclosure of information if another enactment prohibits it. In this case, section 393 of the Communications Act 2003 prohibits Ofcom from disclosing information which relates to a business obtained in the course of exercising its functions, such as our work in broadcast standards, unless Ofcom has the consent of that business or one of the statutory gateways to disclosure under section 393(2) is met, neither of which applies here. Section 44 is an absolute exemption and does not require a public interest test.

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](#).