

Reference: 02038316

Information Requests
information.requests@ofcom.org.uk

15 August 2025

Freedom of Information request: Right to know request

Thank you for your request for information about procurement and commercial opportunities.

We received this request on 18 July 2025 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request & our response

Information Requested (Scope: Please provide information covering [current date] to [18 months forward]):

1. Departmental Procurement Plans

Major procurement exercises planned or underway for the next 12 months, Estimated contract values and procurement schedules, Key service areas and commodity categories

Please refer to the attached 'Annex 1- Ofcom Pipeline August 2025' for the requested information. This does not include information on some contracts relating to ICT, cyber security, Online Safety or Ofcom's Spectrum functions as we consider this information is exempt from disclosure under section 31(1)(a) of the FOI Act for the reasons related to the prevention of crime. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex A lays out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

We also consider that further exemptions apply to some of the contracts that we have withheld from disclosure, such as section 43 relating to the prejudice of commercial interests. In applying this exemption, we have also had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex B lays out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

2. Contract Portfolio Information

*Significant contracts (over £50,000 annual value) due for renewal in the next 18 months
Contract expiry dates and review periods Framework agreements and call-off arrangements*

We are currently responding to a similar request in which we will be publishing this information on our website, on the page [published responses to FOI requests](#). We therefore consider that this information is exempt from disclosure under section 22 of the FOI Act as it is intended for future publication. In applying the exemption in section 22 of the FOI Act, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex C lays out the exemption in full, as well as the factors Ofcom

considered when deciding where the public interest lay.

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](#).

Annex A

Section 31 (1) of the FOI Act provides that:

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –

(a) the prevention or detection of crime;

Factors for disclosure	Factors for withholding
• Transparency in Ofcom's spending. • Enabling the public to gain a better understanding of which services Ofcom procures and generally also enable them to understand how Ofcom performs its functions.	• Disclosure of information about contracts and services related to Ofcom's ICT systems and Spectrum functions may aid malicious parties in determining any vulnerabilities in Ofcom's systems to tailor attacks accordingly. Release of this information will prejudice the prevention of crime by facilitating the possibility of a criminal offence being carried out. Hacking into an ICT system is a criminal offence. • The consequences of a successful attack include loss of confidentiality as the hackers could potentially access information we hold from third parties such as stakeholders, government, individuals etc.
Reasons why public interest favours withholding information	
• We consider that, on balance, the public interest in withholding disclosure of the requested information outweighs the public interest in disclosing the information. • Disclosure of such information about contracts related to Ofcom's ICT systems and Spectrum functions may assist malicious parties in developing strategies to attack the systems. The consequences of a successful attack are significant and include the loss of confidential and commercially sensitive information. This would impair trust and confidence in Ofcom as an effective regulator and impair our ability to carry out our functions. • In applying this exemption, we have also taken account of the real and significant risk of prejudice occurring from the requested information being put together with other information already in the public domain	

Annex B

Section 43(2) of the FOI Act provides that:

Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Factors for disclosure	Factors for withholding
• Transparency in Ofcom's spending. • Enabling the public to gain a better understanding of which services Ofcom procures and generally also enable them to understand how Ofcom performs its functions.	• Disclosure related to the cost of certain upcoming contracts may weaken Ofcom's bargaining position in negotiations with potential suppliers. • Disclosing certain upcoming contracts may distort the market by giving certain potential suppliers an advantage over others.
Reasons why public interest favours withholding information	
• Ofcom continues to negotiate and require a variety of contracts and services like those related to this request. To release information relating to certain contracts which have not yet been procured could prejudice the commercial interests of Ofcom and some potential suppliers. • Ofcom is already transparent with regards to its contract spending and procurement process.	

Annex C

Section 22 of the FOI Act provides that:

Section 22 may apply if there is an intention to publish the requested information at some future date. This ensures that the FOI Act does not force public authorities into premature publication of information.

Key points:

- *Section 22 may apply even if the specific date for publication has not yet been determined but the proposed publication timetable must be reasonable in all the circumstances;*
- *Section 22 will only apply if a public authority has decided, before the request is received, to publish the information concerned;*
- *Section 22 is subject to a public interest balance.*

Factors for disclosure	Factors for withholding
• Transparency in Ofcom's spending. • Enabling the public to gain a better understanding of which services Ofcom procures and generally also enable them to understand how Ofcom performs its functions.	• Ofcom intends to publish the requested information on its website as part of a separate FOI request within the next few weeks. • Premature disclosure may mean that the information is not able to follow the usual review and sign off process and as such we may not be able to conduct a thorough review of the accuracy and completeness of the information.
Reasons why public interest favours withholding information	
• Premature disclosure of this information could provide an incomplete impression of the information that we hold, or lead to inconsistent information being placed in the public domain. The separate FOI request which we are dealing with was received before this one by Ofcom and we intend to publish the information for that request which will provide answers to the second question of this request. Therefore, it is in the public interest for Ofcom to withhold the information in relation to the second question on this occasion.	