

Reference:2025536

Information Requests
information.requests@ofcom.org.uk

22 July 2025

Freedom of Information request: Right to know request

Thank you for your request for information about Telecom2.

We received this request on 24 June 2025 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

Further to my previous Data Subject Access Request submitted to Ofcom, I would be grateful if you would treat this as a supplementary request under Article 15 of the UK GDPR. In addition, I now wish to submit a parallel request under the Freedom of Information Act 2000 (FOIA).

Specifically, I request the disclosure of any material not classified as personal data, but which pertains to discussions, assessments, or internal documentation involving me or my business activities.

Where any material is withheld on grounds such as legal privilege or other exemptions, I kindly ask that you consider providing a summary or suitably redacted version, in accordance with ICO guidance and relevant case law.

Our response

Please be advised that the PSA has now ceased to exist and as such some records within prescribed retention periods will be passed onto Ofcom. We are currently in the transition period with documents being passed over from the PSA. We note that your FOI Act request asks for information relating to your business but excluding personal data, and that we would need to carry out a search within this scope. In addition, you refined your request (and subject access request) to a 10 year period. In order to complete your request, we would need to conduct searches on various systems as well as documents in archive to locate, retrieve and identify all the information in scope of all the search terms you have included in your request.

We consider that Section 12 of the FOI Act applies to your request as a considerable amount of time would be needed to locate, retrieve, identify and extract any relevant information. Section 12 of the FOI Act provides that a public authority is not obliged to comply with a request for information if the authority estimates 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, and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, identifying, 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.

Ofcom estimates that it would take at least 18 hours to identify, locate and extract the information you require and as such the cost of complying with your request will exceed the appropriate limit. We will therefore not be able to provide any information in connection to your request.

If you wish to submit an alternative request with a narrower, more specific scope in relation to this subject, we would be happy to consider it. In any event, with any information requested, exemptions may apply. For example, we are prohibited from disclosing information related to a business under section 393 of the Communications Act 2003 and thereby Section 44 of the FOI Act, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Act is met. In addition, S40 of the FOI Act relating to third party personal information and S36 of the FOI Act related to free and frank exchange of views may also apply to any narrowed request.

Please note that it is our general policy to publish all FOI Act responses including any documents that may be released.

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](#).