

Reference: 01981873

Information Requests
information.requests@ofcom.org.uk

8 May 2025

Freedom of Information request: Right to know request

Thank you for your request for information about Royal Mail supervision.

We received this request on 7 April 2025 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request and our response

1. *Please can you provide copies of the response received by OFCOM in respect of its last two requests made pursuant to Essential Condition E 1.5.2 since 2011. If no such information exists, please confirm if Ofcom has ever made a request to Royal Mail for such information.*

We can confirm that we have not exercised our powers under Essential Condition 1 1.5.2. We therefore do not hold this information.

2. *Please provide copies of the five most recent reports submitted to OFCOM pursuant to Essential Condition E 1.5.3. If not such information exists, please confirm if Ofcom has assessed (between 2011 and the date of your response), whether Essential Condition E 1.5.3 applies to Royal Mail. Please provide the outcome of each such assessment or confirm no such assessment has ever taken place. Please provide the reason why Royal Mail has not complied with Essential Condition E 1.5.3.*

We do not hold information regarding such an assessment, however we can confirm that Essential Condition 1 1.5.3 is applicable to Royal Mail. In addition, we can confirm that Royal Mail provides annual reports to Ofcom pursuant to its obligation under Essential Condition 1 1.5.3.

Whilst we do hold the reports submitted to Ofcom under Essential Condition 1 1.5.3, we consider that this information is exempt from disclosure under section 44 of the FOI Act. Section 44(1) provides that information is exempt from disclosure if its disclosure is prohibited by or under any enactment. In this instance, disclosure of such information is prohibited under section 56 of the Postal Services Act 2011 ("the PSA"). Section 56 of the PSA prevents us from disclosing information that we have obtained, as a result of Part 3 ("regulation of postal services") of the PSA, which relates to the affairs of a particular business (so long as the business is being carried on), unless we have the consent of that business or one of the other gateways for disclosure in section 56(2) of the PSA applies. None of the gateways apply here. Section 44 is an absolute exemption under the FOI Act and does not require a public interest test.

We 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](#).