

Reference: 02060205

Information Requests
information.requests@ofcom.org.uk

5 September 2025

Dear,

Freedom of Information request: Right to know request

Thank you for your request for information concerning Equality Impact assessment and disabled users and age assurance.

We received your request on 7 August 2025 and you clarified your request on 12 August 2025. We have considered the request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

"Can I have a copy of the Pre-Action Protocol letter (under the Civil Procedure Rules) with regards to the OSA in unredacted form that is referred to in this email chain".

On 12 August 2025 you clarified your request as:

"Documents I am requesting from Ofcom

- 1. Complete Equality Impact Assessment** relating to age assurance measures (beyond the summary excerpt provided)
- 2. Internal legal advice** received regarding discrimination risks of age assurance requirements
- 3. All internal communications** discussing the impact on disabled users during policy development
- 4. Risk assessments** evaluating potential Equality Act 2010 breaches from age verification requirements
- 5. Decision-making records** showing awareness of discriminatory impacts and reasons for proceeding
- 6. Internal correspondence** between OFCOM departments about accessibility concerns raised during consultation
- 7. Legal compliance reviews** assessing reasonable adjustment obligations under disability legislation
- 8. Board papers/executive briefings** discussing equalities impacts of age assurance policy
- 9. External legal opinions** obtained regarding Human Rights Act/ECHR compliance
- 10. Stakeholder feedback analysis** from disability groups during policy development"

Our response

We can confirm that [Age assurance and children's access](#) statement contains the complete Equality Impact Assessment, relevant to Age assurance and Children's Access.

With regards to the rest of the documents you have requested, we consider that these are exempt under section 12 of the FOI Act. 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.

Approximately 40 Ofcom colleagues contributed to the Age Assurance and Children's Access statement. In order to search for the information you have requested, this would require each person to perform extensive searches of their email inboxes, hard-drives and any hard copy notes covering a period of several years.

In light of the wide scope of the information you have requested, we estimate that it would take at least 18 hours to identify, locate and extract the information, and as such the cost of complying with your request will exceed the appropriate limit. You may wish to consider submitting a narrower, more focused request, for example, you may wish to request a narrower range of documents, or a specific time range. We would then be happy to consider this under the FOI Act. Should you decide to make a further request for information, please note the aforementioned appropriate limit, or other exemptions, may apply.

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](#).