

Reference: 534939

Jerin John
Information Rights Adviser
Information.requests@ofcom.org.uk

8 May 2018

Freedom of Information: Right to know request

Thank you for your request for information where you asked about enforcement and compliance regarding four SME Communications providers below:

- Small and Medium Enterprise Communications Provider Limited
- Tel Tel Telecom Limited
- Go4 Communications Limited
- Synotio Business Communications Limited

This was received by Ofcom on 11 April and it has been considered under the Freedom of Information Act 2000 (the Act). Please note that Freedom of Information requests and responses are published on our website minus the requester's personal data.

You asked for information in relation to:

- *Any informal enforcement action taken by Ofcom in relation to the companies listed above which may not be published on your website*

Ofcom has not taken any informal enforcement action in relation to the companies listed above. Therefore, we do not hold any information on this.

- *Any correspondence issued directly from Ofcom to the companies listed above regarding any compliance/regulatory issues*

Ofcom has not directly issued any correspondence to the companies listed above regarding any compliance or regulatory issues. Therefore, we do not hold any information on this.

Had there been any such correspondence, this would have been held by the companies concerned. Accordingly, it should be noted that asking the companies concerned in the first instance would have been a more appropriate route than submitting a request under the Act.

- *Any complaints raised to Ofcom in relation to the companies listed above. This includes the number of complaints received and category of complaints (billing, service etc.)*

We can neither confirm nor deny whether we hold the information you requested, as this would itself reveal information which falls under the exemption in section 44 of the Act. This exemption allows information to be withheld when its disclosure is prohibited under other legislation. Section 393(1) of the Communications Act 2003 prevents Ofcom disclosing

information about a particular business (e.g. complaints). Section 44 is an absolute exemption under the Act and does not require a public interest test.

If you have any queries, then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Jerin John

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF