

Freedom of Information: Right to know request

Thank you for your requests for information dated 18 July which we have considered under the Freedom of Information Act 2000 ('the Act').

Please find below our response to each of the questions you asked.

I am trying to locate investigations you have carried out against TalkTalk and in particular in terms of complaints about poor customer service and ignoring customer complaints. Would you be able to forward any of these within the last ten years?

All open and closed investigations including information about fines are listed in the Competition and Consumer Enforcement Bulletins (CCEB) which are published on our website - please see the following:
<https://www.ofcom.org.uk/about-ofcom/latest/bulletins/competition-bulletins>.

Also any investigations relating to the following:

* overbilling/unjustified charges, such as engineers fees, that were not agreed to.

There was an investigation into billing issues in 2011 - you can find information about this investigation via the following link:

http://webarchive.nationalarchives.gov.uk/20160704060940/http://stakeholders.ofcom.org.uk/enforcement/competition-bulletins/closed-cases/all-closed-cases/cw_01051/<http://webarchive.nationalarchives.gov.uk/20160704060940/http://stakeholders.ofcom.org.uk/enforcement/competition-bulletins/closed-cases/all-closed-cases/cw_01051/>

* any failures to comply with a subject access request.

We do not hold information about this as we do not regulate this area. You could contact the ICO to see if they might be able to help.

* and finally any claims of dishonesty that might have been investigated.

We do not hold this information.

and associated fines that Ofcom may have imposed on TalkTalk.

Any fines will be listed in the CCEB bulletins mentioned above.

I understand that TalkTalk has consistently been one of the most complained about telecoms providers. Do you have a record of the number of complaints brought against it each year and how this compares with other providers?

We are unable to disclose information specifically about Talk Talk in this area as it is exempt from disclosure under Section 44 of the Act - information about a business. This exempts information if another enactment has said that we shouldn't release it - in this case the Communications Act 2003. Section 44 is an absolute exemption and does not require a public interest test. However, you may find it helpful to look at our Complaints Publication which is readily available: <https://www.ofcom.org.uk/research-and-data/multi-sector-research/telecoms-complaints-data> and gives general complaints information.

I hope this information is helpful.

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