

Reference: 637244

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

22 November 2018

Freedom of Information: Right to know request

Thank you for your request for information about statistics on official correspondence and requests for information.

This was received by Ofcom on 12 November and it has been considered under the Freedom of Information Act 2000 (“the Act”).

You asked:

Can you please confirm how many of the following you received for tax years 15/16, 16/17 & 17/18:

Complaints

Data protection requests

Freedom of information requests

Questions from parliament

Correspondences from ministers

Other correspondences (i.e. where a person or an organisation has contacted Ofcom in an official capacity that isn't either a complaint, a data protection request, a freedom of information request, parliamentary questions or a correspondence from a minister and needs to be responded to in an official manner)

Can you please confirm the number of data protection impact assessments the organisation has undertaken over each of the same periods?

Regarding Data Protection and Freedom of Information requests, these are included in our Annual Reports for the financial years 2015/16, 2016/17 and 2017/18 and available on our website:

<https://www.ofcom.org.uk/about-ofcom/annual-reports-and-plans>.

We are unable to comply with the remainder of your request as the information is not readily accessible and a considerable amount of time would be needed to locate, retrieve, identify and extract any relevant information. This is because “complaints” might cover a number of the areas of the companies we regulate in the broadcasting and communications sector, or complaints more generally. In addition, “questions from parliament”, “correspondence from ministers” and “other

correspondences” are broad in scope and would require us to search through every file or record held in paper and electronic copy without a specified timeframe.

Section 12 of the 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 further information in connection with your request.

However, if you wish to submit an alternative request with a narrower, more specific scope, we would be happy to consider it. In terms of your expectations, you should note that other exemptions may apply.

If you have any queries, 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:

Corporation Secretary
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