

Reference: 1-319464115

Date: 29 March 2016

Julia Snape  
Information Requests

[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

## Freedom of Information: Right to know request

Thank you for your request for information dated 2 March for data provided to us from Virgin Media about UK postcode availability for years 2015/16. This has been considered under the Freedom of Information Act 2000 ('the Act').

The information you have requested is being withheld as it falls within section 393(1) of the Communications Act 2003. Section 393(1) prohibits the disclosure of information which pertains to a business and which Ofcom has obtained in the course of undertaking its work, unless that business consents. Ofcom does not have Virgin Media's consent in this case.

Where section 393(1) applies, the exemption under section 44 of the Act will also apply. Section 44 provides for information to be withheld in circumstances where disclosure is prohibited by another statute (in this case, the Communications Act 2003). Section 44 is an absolute exemption under the Act and does not require a public interest test.

Although Ofcom is unable to provide you with the data you have requested, you may find it helpful to visit the Virgin Media website where they offer an 'address checker' service – please see the following link: <http://store.virginmedia.com/check-your-postcode>

Yours sincerely

Julia Snape

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:

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

Riverside House  
2a Southwark Bridge Road  
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Telephone + 44 (0)20 7981 3000  
Facsimile + 44 (0)20 7981 3333

[www.ofcom.org.uk](http://www.ofcom.org.uk)

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