

Reference: 01794928

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

17 April 2024

## Freedom of Information request: Right to know request

Thank you for your request for information about online safety technologies.

We received this request on 18 March 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

### Your request

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*I would like to request a list of attendees and the minutes for the stakeholder discussion convened by Ofcom on the topic of the accreditation of online safety technologies that took place on 2nd-3rd October 2023.*

*Additionally, I would like to request a copy of the landscape and product review of online safety technologies compiled internally by Ofcom.*

*Please provide the information in the form of a PDF over email.*

### Our response

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We hold a list of attendees present at the meetings which took place on the 2 and 3 October 2023, which we have provided below. However, we are unable to provide names of individuals as we consider that such information, which is personal data, is exempt from disclosure under section 40(2) of the FOI Act, which provides that personal data which relates to persons other than the requester is exempt where, amongst other things, its disclosure would contravene any of the data protection principles in the UK General Data Protection Regulation and the Data Protection Act 2018. Those principles include that personal data must be processed fairly and lawfully. Section 40 is an absolute exemption under the FOI Act and is not subject to a public interest test.

#### List of attendees by company/organisation:

- Bird & Bird
- Competition and Markets Authority (CMA)
- Department for Science, Innovation and Technology (DSIT)
- Google
- Government Communications Headquarters (GCHQ)
- Home Office
- Imperial College London
- Information Commissioner's Office
- Internet Society
- Internet Watch Foundation

- Meta
- Moonshot
- National Crime Agency (NCA)
- National Cyber Security Centre (NCSC)
- National Society for the Prevention of Cruelty to Children (NSPCC)
- Online Safety Tech Industry Association (OSTIA)
- Open Rights Group
- Privacy International
- TechUK
- Thorn
- United Kingdom Accreditation Service (UKAS)
- University of Bristol
- University of Cambridge

We do not hold detailed minutes of the meetings which took place on the 2 and 3 October 2023. However, we do hold a report prepared by Ipsos which provides a high-level summary of stakeholders' consolidated views. Ofcom considers that this report falls under the exemption contained in section 22 of the FOI Act. Under section 22, information is exempt from disclosure if it is intended for future publication and it would be against the public interest to release the information at this time.

Section 22 is a qualified exemption and we have had to balance the public interest in withholding the information against the public interest in disclosing it. The attached Annex A to this letter sets out the exemptions in full, as well as the factors Ofcom considered when deciding where the public interest lay.

Regarding your request for 'a copy of the landscape and product review of online safety technologies' compiled internally by Ofcom, we do not hold a formal report or review. The 'review' rather referred to a range of activities including internal exchanges, external engagements, and desk-based research carried out between 2022-2023 to build our understanding of online safety technologies and inform our initial approach to assessing the accuracy, effectiveness and potential bias of such technologies. Please note that we did not review (in the sense of 'assess') the performance of any technologies as part of this exercise.

We intend to publicly consult on our approach to minimum standard(s) of accuracy for technologies relevant to section 121 of the Online Safety Act 2023 later this year. This will inform Ofcom's advice to the Secretary of State on such standard(s) and the subsequent establishment of a process to accredit technologies as meeting minimum standard(s) once they have been approved and published by the Secretary of State.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto: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](mailto: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](#).

## Annex A

### Section 22: Information intended for future publication

Section 22 may apply if there is an intention to publish the requested information at some future date. This ensures that the FOI Act does not force public authorities into premature publication of information.

Key points:

- Section 22 may apply even if the specific date for publication has not yet been determined but the proposed publication timetable must be reasonable in all the circumstances;
- Section 22 will only apply if a public authority has decided, before the request is received, to publish the information concerned;
- Section 22 is subject to a public interest test.

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"><li>• Open policy making, transparency and public confidence in regulatory activities.</li></ul>	<ul style="list-style-type: none"><li>• Ofcom intends to publish the requested information.</li><li>• The programme of work is still under way.</li></ul>
Reasons why public interest favours withholding information	
<ul style="list-style-type: none"><li>• Ofcom is currently conducting a programme of work relating to our approach to advising the Secretary of State on minimum standard(s) of accuracy and developing a corresponding accreditation process. We commissioned the aforementioned, high-level summary of the deliberative multi-stakeholder engagement event held in October 2023 with the intention to publish this as part of our publicly available research relating to that work. We are planning to consult on relevant policy outputs (and to publish the summary) later this year. It is in the public interest that Ofcom publishes the summary to previously determined timescales to mitigate the risk with earlier disclosure that information is misinterpreted and/or pre-empts the outcomes of our internal policy development and consultation processes. It is important that the summary is published together with the consultation to enable Ofcom to fully, and properly, provide the necessary context to that information.</li><li>• The timetable for publication includes time for consideration of the information prior to its release to the public in line with Ofcom's internal governance procedures.</li></ul>	