

Reference: 02241190

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

7 August 2026

Dear,

## Freedom of Information request: Right to know request

Thank you for your request for information about ICNIRP compliance.

We received this request on 14 July 2026 and we have considered your request under the Environmental Information Regulations 2004 ("the EIR Act").

### Your request

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*"I am writing to request information under the Freedom of Information Act 2000. Welwyn Hatfield Borough Council has advised me that it does not hold ICNIRP compliance declarations or safety certificates for telecommunications masts and has referred me to Ofcom.*

*I request the following recorded information:*

*1. Which organisation has the statutory legal responsibility for ensuring that all mobile phone and 5G base stations operating in England comply with the ICNIRP public exposure guidelines?*

No single organisation has a statutory legal responsibility for this. Rather, a number of different organisations have related responsibilities – some of these are listed in our [EMF Statement](#), paragraphs 4.30-4.48.

In addition:

- The [UK Health and Security Agency](#) (UKHSA) has a statutory duty to provide advice to Government on the health effects of electromagnetic fields;
- Ofcom does not have a statutory legal responsibility for ensuring compliance with the ICNIRP public exposure guidelines. However, in 2021, following public consultation, Ofcom [decided to include a new condition in spectrum licences](#), requiring licensees to ensure that their use of equipment (operating above a certain power) complies with the internationally agreed EMF levels in the ICNIRP Guidelines for the protection of the general public. This means that spectrum licensees, including mobile operators, are legally required to comply with the ICNIRP general public limits.

*2. Please identify the legislation that places this responsibility on that organisation.*

Please see our response to question 1.

*3. Does Ofcom have any statutory enforcement powers where an operator fails to comply with ICNIRP requirements? If so, please provide details of those powers.*

Ofcom can take enforcement action against spectrum licensees that do not comply with the ICNIRP general public limits. Please see section 15 of our [EMF Guidance](#) for further details.

*4. If Ofcom is not the enforcing authority, please identify the organisation that is and provide the relevant legislation.*

Please see our response to question 1.

*5. Are mobile network operators legally required to prepare and retain ICNIRP compliance declarations or certificates for every operational telecommunications base station?*

This question relates to mobile operators' commitments under the planning process and Ofcom has no involvement with this process.

Further information on this point can be found on our [General EMF queries page](#), under the following question: 'How is EMF taken into account in the planning process for mobile phone masts?'

*6. Is there any legal requirement for those declarations to be submitted to a public authority? If so, which authority?*

We do not hold information on whether this is a legal requirement. However, as noted above, ICNIRP declarations or certificates are submitted to local planning authorities as part of the planning process.

*7. If there is no requirement for a public authority to retain these records, how can members of the public independently verify that a telecommunications installation complies with the legal public exposure limits?*

As noted above, Ofcom has no involvement in the planning process or with ICNIRP declarations / certificates.

We would note however that Ofcom carries out unannounced tests of EMF levels around mobile phone masts. All [measurements](#) to date over many years have shown that EMF levels are well within the internationally agreed levels in the ICNIRP Guidelines.

Ofcom also provides a chargeable service where individuals can request Ofcom to carry out EMF measurements near mobile base stations. Further information is available [here](#).

*8. Has Ofcom ever prosecuted, sanctioned, investigated or taken enforcement action against a telecommunications operator for failing to comply with ICNIRP requirements? If so, please provide copies of any recorded information that can be disclosed, including dates, locations and the nature of the enforcement action.*

Ofcom has not prosecuted, sanctioned, investigated or taken enforcement action against a telecommunications operator for failing to comply with ICNIRP requirements. As noted above, Ofcom carries out unannounced tests of EMF levels around mobile phone masts, and can take [enforcement action](#) against spectrum licensees if they produce EMF at levels above those set out in the ICNIRP Guidelines. However, all measurements to date have been well within the limits and therefore we have not needed to take any enforcement action.

*9. Please provide any guidance, policies, memoranda of understanding or operational procedures explaining how Ofcom monitors and enforces compliance with ICNIRP public exposure requirements.*

*If another public authority holds any of the requested information, please transfer this request where appropriate under Section 44 of the Freedom of Information Act or advise me who holds the information."*

Ofcom publishes guidance and policies in relation to EMF on its website:  
<https://www.ofcom.org.uk/spectrum/electromagnetic-fields>

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](#).