

Reference: 02136249

Information Requests
information.requests@ofcom.org.uk

18 February 2026

Freedom of Information request: Right to know request

Thank you for your request for information about the administrative arrangement with the European Commission regarding the OSA.

We received this request on 26 January 2026 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request

I would like to make a request under the Freedom of Information Act for the administrative arrangement between Ofcom and the European Commission in support of enforcement of the UK's Online Safety Act and the EU's Digital Services Act. The administrative arrangement was signed in May 2024.

Our response

We can confirm we hold the information you have requested. However, we consider that it is exempt from disclosure under the following sections of the FOI Act:

- a) Sections 27(1)(b) and (c) and 27(2) of the FOI Act. Sections 27(1)(b) and (c) provide that information is exempt from disclosure if its disclosure would, or would be likely to, prejudice relations between the United Kingdom and any international organisation or international court, or the interests of the United Kingdom abroad. Section 27(2) provides that information is exempt from disclosure if it is confidential information obtained from a State other than the United Kingdom or from an international organisation or international court. Section 27 is a qualified exemption, which means Ofcom is required to consider whether or not the public interest in disclosing the information you have requested outweighs the public interest in withholding the information. In this case, we consider that the public interest favours withholding the information for the reasons set out in the Annex stated at the bottom of this letter.
- b) Further, there is information within the administrative arrangement which we consider to be personal data. This information 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.

- c) We have also considered the public interest test for section 27 in the aggregate and consider that the public interest test remains in favour of withholding the requested information.

While we are unable to disclose the agreement as per your request, please be aware the European Commission and Ofcom have previously published information regarding the agreement:

- European Commission press release: [Commission services sign administrative arrangement with Ofcom](#)
- Ofcom post on LinkedIn: [EU and DG CNECT sign online safety deal](#)

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) 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](#).

Sections 27(1)(b) and (c) and 27(2): Prejudice to relations between the United Kingdom and any international organisation or international court, or to the interests of the United Kingdom abroad; and confidential information obtained from any international organisation or international court other than the United Kingdom.

Sections 27(1)(b) and (c) exempts information which the disclosure of would, or would be likely to, have any of the following effects:

- Prejudice relations between the United Kingdom and any international organisation or international court; or
- Prejudice the interests of the United Kingdom abroad.

Section 27(2) exempts information which is confidential information obtained from a State other than the United Kingdom or from an international organisation or international court.

Key points:

- In this case, it is considered that disclosure would prejudice relations between the UK and the European Commission, and the United Kingdom’s interests abroad.
- The application of section 27 is subject to a public interest balancing test.

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"> • Ofcom recognises that its approach to regulation and collaboration with international bodies regarding online safety is a matter of interest to the public. Releasing such information could be said to increase transparency in our work and allow for discussion in a public forum. 	<ul style="list-style-type: none"> • The documentation and information in relation to which the information is claimed relates to the agreement between Ofcom and DG CNECT, the European Commission’s function responsible for online safety regulation, regarding online safety. • The implementation of the agreement will rely on a strong relationship between Ofcom and the European Commission, and the disclosure of the agreement would be likely to deteriorate the relationship between the two organisations. This would likely impact our ability to reach the objective intended by the agreement. • The disclosure of these documents would likely affect Ofcom’s ability to effectively engage with the European Commission and other international bodies in future. Disclosure of the agreement is likely to undermine foreign officials’ confidence that they can engage in agreements with Ofcom if details of such agreements were to be released publicly. • In order to fulfil its regulatory functions effectively, Ofcom needs to be able to engage with other international bodies by way of frank discussions and exchange of opinions. The disclosure of information about agreements between Ofcom and international organisations would, or would be likely to, inhibit free and frank discussions in

	<p>the future for the reasons set out above.</p> <ul style="list-style-type: none"> • We consider that information in the agreement between Ofcom and the European Commission contains information which, if disclosed, would prejudice relations between the UK and international bodies, and would also likely prejudice the interests of the UK abroad.
<p>Reasons why public interest favours withholding information</p>	
<ul style="list-style-type: none"> • Ofcom is withholding the requested information. The public interest test has been applied on the basis of disclosing information which would reveal details of the agreement between Ofcom and the European Commission regarding online safety. • We consider that the public interest in withholding the information outweighs the public interest in disclosure. This is because the disclosure of this information would, or would be likely to, prejudice relations between the UK and the European Commission, and the United Kingdom’s interests abroad. • Whilst we acknowledge there may be some weight attached to the public interest in disclosing the requested information to enable the public to understand how Ofcom is working with international bodies to ensure online safety, we consider that significant prejudice to international relations would be caused by such a disclosure. 	