

Reference: O2107146

Information Requests
information.requests@ofcom.org.uk

12 January 2026

Dear,

Freedom of Information request: Right to know request

Thank you for your request for information concerning details of a VPN monitoring platform.

We received this request on 11 November 2025 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

On 9 December 2025 we informed you that we needed to extend the time limit to respond to your request – we have now concluded our considerations.

Your request & our response

“I hereby request the following information under the Freedom of Information Act 2000 concerning your activities in relation to monitoring of virtual private network (VPN) usage.

1. Platform identification

Please provide the following details about the third-party monitoring platform used by Ofcom to monitor VPN usage, as referenced though your statement in the TechRadar article of 10 November 2025 (“Ofcom is monitoring VPNs following Online Safety Act. Here's how”). <https://www.techradar.com/vpn/vpn-privacy-security/exclusive-ofcom-is-monitoring-vpns-following-online-safety-act-heres-how>

a. The name of the third-party vendor / supply company (including any subsidiary or corporate group) that provides the platform.

The name of the third-party provider is Apptopia.

b. The contract start date and term (including renewal periods) with that vendor.

The start date of the contract with Apptopia was the fourth quarter of 2023 and was renewed for the following year.

c. The total cost paid by Ofcom (or budgeted) for that monitoring platform in the last complete financial year (or year-to-date if more recent).

The total value of the contract for the third-party vendor Apptopia for the fourth quarter of 2023-2024 can be found online along with information regarding the contract as awarded:

<https://www.contractsfinder.service.gov.uk/notice/affd2903-bba4-42fa-a96a-f65e7ff23329>.

We are unable to provide the total expenditure for the last complete financial year, as we consider that this information is exempt from disclosure under section 43(2) of the FOI Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of any person including the public authority holding it. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. In this case, we consider that the public interest favours withholding the information. The attached **Annex C** to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

d. The procurement route used (e.g., direct award, competitive tender, OJEU/UK PPR process) and the contract reference number.

The procurement route was direct award. Please refer to the link above under 1(c) for further details regarding this contract award.

e. Any data protection / privacy impact assessment (DPIA) undertaken for the platform (please supply the DPIA or redacted copy if commercially sensitive).

Whilst we do hold information on the data protection/privacy impact assessment undertaken by platform, this information is being withheld as we consider that its disclosure is exempt under section 43(2) of the FOI Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of a person or company. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. **Annex C** attached to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

f. A description of the data sources that the platform ingests for its VPN monitoring (for example: ISP logs, app-analytics, network traffic metadata, device fingerprinting).

The information we collect on VPN usage is part of our ongoing work to understand how people use the internet so we can ensure platforms are putting appropriate measures in place to protect UK users. This work does not include any personal data, only aggregate data on daily active users, downloads, and total sessions. We are unable to provide the description of the data sources used by Apptopia, as we consider that this information is exempt from disclosure under section 43(2) of the FOI Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of any person including the public authority holding it. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. In this case, we consider that the public interest favours withholding the information. The attached **Annex C** to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

g. A description of the processing steps or algorithms used by the platform (for example: whether machine learning/AI models are applied, how they are trained, and how results are validated).

Whilst we do hold information on the description of the processing steps or algorithms used by the platform, this information is being withheld as we consider that its disclosure is exempt under

section 43(2) of the FOI Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of a person or company. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex C attached to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

h. The categories of data output from the platform (for example: number of VPN users, geolocation breakdowns, device type breakdowns, aggregated statistics) and whether any identifiable or user-level data are ever handled.

The information we collect on VPN usage is part of our ongoing work to understand how people use the internet so we can ensure platforms are putting appropriate measures in place to protect UK users. This work does not include any personal data, only aggregate data on daily active users, downloads, and total sessions.

i. The retention period for any data ingested or output by the monitoring platform, and the disposal or archiving policy.

Whilst we do hold information regarding the data retention period for Apptopia, this information is being withheld as we consider that its disclosure is exempt under section 43(2) of the FOI Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of a person or company. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex C attached to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

Regarding Ofcom's data retention period, we do hold information in scope of your request, namely Ofcom's internal policy on record retention which is not specific to our work with Apptopia. However, the information is being withheld as we consider this information exempt from disclosure under section 36 of the FOI Act. Section 36(2)(b)(ii) and (c) of the FOI Act provide that information held by a public authority is exempt from disclosure if, in the reasonable opinion of a qualified person, disclosure of the information:

- would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation; and
- would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

Section 36 is a qualified exemption, which means that 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 **Annex B** to this letter. In **Annex A** of this letter, the qualified person, the Corporation Secretary for Ofcom, has confirmed that the exemption applies.

j. Any oversight or audit arrangements (internal or external) that Ofcom uses to verify the platform and vendor performance (e.g., audits of accuracy, privacy safeguards, compliance with contractual obligations).

Manual audits are carried out to review the accuracy of the data obtained.

k. Any policy documents, technical specifications, or vendor documentation (including service-level

agreements) that relate to the monitoring platform and its use by Ofcom (please supply copies or redacted extracts if commercially sensitive).

We do hold some information in scope of your request which consists of Ofcom's internal policies and guidance, which are not specific to our work with Apptopia. The information is being withheld as we consider this information exempt from disclosure under section 36 of the FOI Act. Section 36(2)(b)(ii) and (c) of the FOI Act provide that information held by a public authority is exempt from disclosure if, in the reasonable opinion of a qualified person, disclosure of the information:

- would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation; and
- would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

Section 36 is a qualified exemption, which means that 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 **Annex B** to this letter. In **Annex A** of this letter, the qualified person, the Corporation Secretary for Ofcom, has confirmed that the exemption applies.

2. Usage context and legal basis

a. The legal basis under which Ofcom uses the monitoring platform (e.g., under the Online Safety Act or other legislation/regulation).

The relationship with Apptopia is governed under our service contract with the provider. The information from Apptopia is obtained and processed to fulfil our statutory obligations under the Online Safety Act 2023.

b. The purpose(s) for which the monitoring is conducted (for example: to estimate VPN usage volumes, compliance with adult-content age verification requirements, network integrity, harmful content bypass detection).

As the UK's online safety regulator, part of our role under the Online Safety Act 2023 is to understand how people use the internet so we can ensure platforms are putting appropriate measures in place to protect UK users. The information we collect on VPN adoption is part of this work. Separately, we are using surveys to help us understand children's level of usage and familiarity with VPNs as part of our ongoing work on children's online experiences.

c. The scope of use (for example: whether the platform covers all UK-based VPN traffic, only specific categories of websites/services, only aggregated data, or whether it can identify individual users or devices).

The data used is aggregated data from a set of UK VPNs; as such, it does not include any data from which individual users or devices can be identified.

d. Any documented risks, limitations or known accuracy issues of the monitoring platform (for example: risk of mis-classification, re-identification risk, bias in sampling) that Ofcom has identified and how they are mitigated.

As set out above, we hold some information in scope of your request. However we are withholding this information as we consider it to be exempt from disclosure under s36 of the FOI Act. In this case, we consider that the public interest favours withholding the information for the reasons set out in **Annex B** to this letter. In **Annex A** of this letter, the qualified person, the Corporation Secretary for Ofcom, has confirmed that the exemption applies.

3. Transparency and accountability

a. Whether Ofcom has published any report, summary or audit of the monitoring platform's outcomes (for example: VPN-usage trend analyses, compliance reports) and, if so, supply the latest version.

We can confirm that the following publications include data obtained from Apptopia regarding VPN usage: [Online Safety in 2025: Summary of the technology sectors response to online safety rules](#) and [Online Nation report 2025](#).

b. Whether the platform has ever resulted in enforcement or regulatory action by Ofcom and, if so, provide a summary of those actions.

We can confirm the information obtained from Apptopia has not been used in the context of enforcement or regulatory action.

c. Whether there is a public-facing privacy statement or transparency notice relating to how the monitoring platform uses data, and if so, supply a copy or link.

We do not hold this information.

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](#).

Annex A

Freedom of Information: Right to know request

Section 36 exemption

The information we hold that falls within the scope of your request is being withheld as it falls under the exemption in section 36 of the Freedom of Information Act 2000 (the Act). I am a "qualified person" as referred to section 36(2) of the Act and duly authorised by a Minister of the Crown for the purposes of that section.

In my reasonable opinion, disclosure of the information requested would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation. In applying this exemption, I have had to balance the public interest in withholding the information against the public interest in disclosing the information.

I have set out in Annex B the exemption in full, as well as the factors I considered when deciding where the public interest lay in relation to the information concerned.

If you have any queries about his letter, please contact information.requests@ofcom.org.uk.

Date: 12 January 2026

Corporation Secretary

Annex B

Section 36: Prejudice to effective conduct of public affairs

Section 36 exempts information whose disclosure would, or would be likely to, have any of the following effects:

- inhibit the free and frank provision of advice,
- inhibit the free and frank exchange of views for the purposes of deliberation, or
- otherwise prejudice the effective conduct of public affairs.

Key points:

- Section 36 can only be used if, in the reasonable view of a "qualified person", disclosure of the requested information would have one of the specified effects.
- In this case, it is considered that disclosure would:
 - inhibit the free and frank exchange of views for the purposes of deliberation, and
- The application of section 36 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 its duties under the Online Safety Act 2023 is a matter of interest to the wider 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 in relation to which the exemption is claimed encompasses internal policy and guidance documents, and internal communications. • Internal policies and guidance documents are subject to periodic updates. To release a static version of such guidance documents into the public domain may misrepresent Ofcom’s policy position if and when this policy were to change. • If internal policy guidance documents were to be released, this would also be likely to inhibit the clear and open drafting of such documents which are intended only for internal use. • Ofcom has published a general privacy statement: General Privacy Statement – How we handle your personal data. Disclosure of internal guidance on data retention is unlikely to increase the transparency in Ofcom’s data retention and sharing. • The disclosure of internal emails regarding the data obtained as part of Ofcom’s work with Apptopia, and any risks of limitations of such data would be likely to affect Ofcom’s ability to

	<p>effectively deliberate on and discuss research obtained as part of our duties under the OSA.</p> <ul style="list-style-type: none"> • Colleagues need to be able to engage internally in frank discussions and exchange advice, opinions, and recommendations, in order for robust decisions to be made. • Ofcom publishes the findings of research – specifically in relation to VPNs, this information is included in the reports referenced at question 3(a) of this response, both of which provide transparency as to Ofcom’s research sources and outcomes of any such research. • Given the above, disclosing such documents would also likely prejudice the effective conduct of public affairs.
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Reasons why the public interest favours withholding information

- Ofcom is withholding the requested information. The public interest test has been applied based on disclosing information which would reveal internal guidance given to Ofcom employees regarding investigations and enforcement actions.
- We consider that the disclosure of this information is likely to prejudice the effective conduct of public affairs, as it would affect Ofcom’s ability to freely and effectively discuss and deliberate on such matters.
- Whilst there may be some weight attached to the public interest in disclosure to enable the public to understand how Ofcom is carrying out its regulatory functions, we consider that prejudice would be caused by such a disclosure.

Annex C

**Section 43(2) of the Act provides that:
Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).**

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"> • Ofcom recognises that its approach to its duties under the Online Safety Act 2023 is a matter of interest to the wider public. Releasing such information could be said to increase transparency in our work and allow for discussion in a public forum. • Enabling the public to gain a better understanding of the commercial relationships between Ofcom and its suppliers and the nature of the services provided, and thereby increasing public confidence in Ofcom’s work. • Generally, there is a public interest in transparency of expenditure, especially if public money is involved. 	<ul style="list-style-type: none"> • Ofcom contracts with a variety of companies in order to support its operations and has ongoing financial relationships with many of them. Companies need to be confident that information relating to their business, such as information about them as an organisation or relating to the detail of their products or services, will not be disclosed if it would, or would be likely to, prejudice their commercial interests. • Ofcom continues to negotiate and require contracts like those related to this request. To release the specific information requested would put Ofcom in a detrimental position for future contract negotiations and would undermine its bargaining position with potential suppliers. In addition, to release the detailed amount Ofcom pays for a service could prejudice the commercial interests of the supplier – in that it would provide details of the supplier’s commercial relationships to its competitors or potential clients. • Ofcom engages with a number of individuals, and has a financial relationship with them. Individuals contracting with Ofcom need to be confident that information relating to their services or rates will not be disclosed if it would, or would be likely to, prejudice their commercial interests. • The disclosure of a third-party vendor’s processing steps, data sources, algorithms could enable its competitors to gain an unfair advantage in the market. Additionally disclosure of third-party vendor’s data protection/privacy impact assessment would contain information of processing systems, proprietary technologies and management strategies and decisions,

	<p>which could place the third-party at a competitive disadvantage.</p>
<p>Reasons why public interest favours withholding information</p>	
<ul style="list-style-type: none"> • We consider that, on balance, the public interest in withholding disclosure of the requested information outweighs the public interest in disclosing the information. • Ofcom enjoys a positive relationship with those companies and individuals it contracts with. The release of information which would, or would be likely to, prejudice commercial interests into the public domain would impair both Ofcom’s relationship with providers of services, and adversely affect its commercial relationships with other contractors. If contractors could not be confident that such information provided by them to Ofcom would be withheld from disclosure, except in compelling circumstances, commercial activity may be impeded. Similarly, Ofcom’s bargaining position, and therefore ability to obtain value for money in services it contracts for, may be undermined in future negotiations if full details about the cost of these services were disclosed. These considerations go against the public interest in disclosing. • Weighing the issues presented, it is considered that on balance, the factors for withholding the requested information outweigh those for disclosing the information. 	