

Reference: 02210592

Information Requests
information.requests@ofcom.org.uk

1 July 2026

Freedom of Information request: Right to know request

Thank you for your request for information about information on your previous FOI requests.

We received this request on 11 June 2026 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request

I am requesting copies of information held by Ofcom relating to the handling, investigation, searches, and processing of the following cases:

** FOI request reference 02165863*

** Internal Review reference 02182018*

** FOI request reference 02190106*

Specifically, I request copies of any recorded information created, received, or held by Ofcom in connection with the consideration of these cases.

If any information is withheld, please identify the exemption(s) relied upon and explain why they apply.

If any part of this request is considered too broad or likely to exceed the appropriate limit, I would be grateful for advice and assistance under section 16 of the Freedom of Information Act 2000 so that the request may be refined.

Our response

We are pleased to provide copies of some of the information held in regard to the three cases.

We consider that other information is exempt from disclosure under the FOI Act. In particular, section 40(2) of the FOI Act provides that personal information about persons other than the requester is exempt where, among 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. This includes the principle that personal data must be processed fairly and lawfully. Section 40(2) is an absolute exemption under the Act and does not require a public interest test.

Additionally, we consider some information in the Internal Review, ref 02182018, is exempt from disclosure under section 42 of the FOI Act. This deals with the exemption of information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. The attached Annex to this letter sets out the

exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

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](#).

Section 42 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings is exempt information.

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"> Ofcom recognises that the consideration of Freedom of Information requests 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 reflects information obtained in an investigation of the process of a previous Freedom of Information request, prepared for Ofcom staff. These documents contain information which is subject to legal professional privilege, as the information was made for the purpose of providing or obtaining legal advice about this review.
<p>Reasons why public interest favours withholding information</p>	
<ul style="list-style-type: none"> It is in the public interest that decisions taken by Ofcom in relation to policy development, enforcement, investigation and litigation are taken in a fully informed legal context, where relevant. Ofcom therefore needs high quality effectively obtained legal advice for the effective conduct of its business. That advice needs to be given in context, and with a full appreciation of the facts. It needs to be sought and given in a timely fashion to ensure that policy develops in a fully informed way. Legal advice cannot be effectively obtained unless Ofcom is able to put all the facts before its in-house legal advisers or external counsel without fear that they may afterwards be disclosed and used to its prejudice. Without such effectively obtained advice, the quality of Ofcom’s decision making would be much reduced because it would not be fully informed and this would be contrary to the public interest. 	