

Reference: 02199104

Information Requests
information.requests@ofcom.org.uk

8 July 2026

Freedom of Information request: Right to know request

Thank you for your request for information concerning the methodology for determining accessibility of UK websites. We received this request on 13 May 2026. We wrote to you on 11 June 2026 to say we needed more time to consider the public interest in withholding or disclosing the information and we have now concluded this. We have considered your request under the Freedom of Information Act 2000 (the 'FOI Act').

Your request & our response

I request any recorded policies, guidance, procedures, standards, or methodologies concerning how Ofcom determines whether an online service is accessible to users in the United Kingdom for the purposes of Online Safety Act enforcement.

In particular, I request any recorded information concerning:

- 1. The general technical or evidential criteria used to assess UK accessibility of a service;*
- 2. Any procedures or guidance relating to testing or verifying accessibility from within the UK, including consideration of geoblocking, mirror domains, or alternative URLs*
- 3. any policies or guidance concerning the use of external reports, complaints, or technical evidence provided by third parties when assessing accessibility or potential non-compliance.*

I am requesting general policies and recorded methodologies rather than case-specific enforcement material.

We can confirm that we hold some information within scope of this question. However, we are unable to disclose this as we consider that this information is exempt from disclosure under section 36 of the FOI Act. In particular, section 36(2)(c) of the FOI Act provides 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 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.

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.

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 otherwise prejudice, or would be likely to otherwise prejudice, the effective conduct of public affairs.

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.

Date: 8 July 2026

Corporation Secretary

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**
 - **otherwise prejudice the effective conduct of public affairs**
- **The application of section 36 is subject to a public interest balancing test.**

Factors for disclosure	Factors for withholding
• 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.	• The documentation in relation to which the exemption is claimed reflects internal Ofcom guidance. • The documentation concerns Ofcom's regulatory functions under the Online Safety Act, including the access to, and monitoring of services regulated under the Act. • Disclosure of this information would be likely to prejudice Ofcom's ability to effectively regulate under the Online Safety Act, by disclosing information about Ofcom's internal guidance and policies in relation to its regulatory approach. • It is in the public interest for Ofcom to run itself effectively, and to achieve this, colleagues must be able to access guidance and policies which have been written in a free and frank manner. • Ofcom has published various information setting out our approach to online safety investigations and enforcement, which can be found on our website.

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 online safety regulatory actions. • 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.