

Reference: 01448308

Zach Westbrook
Information Rights Advisor
information.requests@ofcom.org.uk

19 May 2022

Freedom of Information request: Right to know request

Thank you for your request for information concerning Openreach's Key Performance Indicators. Your request was received on 25 April 2022 and we have considered it under the Freedom of Information Act 2000 (the FOI Act).

Your request & our response

1. How many (i) Broadband (ii) Fibre connections are there in ME9 ORH

We published postcode-level data on the number of active broadband connections, including a breakdown based on the average measured upload/download speeds, as part of the [Connected Nations report published in December 2021](#). The specific file containing the data on broadband connections is called: '[Fixed performance postcode unit data](#)'. This data shows 14 active broadband connections in ME9 ORH.

Please note that the Connected Nations report is based on data we collected from many, but not all, fixed broadband internet service providers, for the period 1 - 31 May 2021. Therefore the information may not be current or comprehensive.

We hold information on fibre connections in ME9 ORH, however this information was collected from businesses and we consider that it is exempt from disclosure under the FOI Act. In particular, section 44(1)(a) of the FOI Act exempts disclosure of information if its disclosure is prohibited by or under any enactment. Section 393 of the Communications Act 2003 (the Act) prohibits the disclosure of information about a particular business which has been obtained in exercise of a power conferred by, among other legislation, the Act, so long as that business continues to be carried on, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Act is met, neither of which applies here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to a public interest test.

2. Minimum, maximum and average time taken for new (i) Broadband (ii) Fibre connections in South East

We do not hold this information. However, Openreach publishes quarterly figures on the average time it takes them to install a new line across the UK split by installations which require an engineer

visit to the home and the majority which do not (see KPI 7 and 8) at [Openreach Q4 21-22 Regulatory KPIs.pdf](#).

3. Open Reach service level agreement (SLA) for new connections

This is published on Openreach's website and can be found here: [Contracts \(openreach.co.uk\)](#)

4. Number of new connections outstanding / outside of SLA

I can confirm that we hold information within the scope of your request however we consider that this information is exempt from disclosure under the FOI Act. In particular, section 44(1)(a) of the FOI Act exempts disclosure of information if its disclosure is prohibited by or under any enactment. Section 393 of the Communications Act 2003 (the Act) prohibits us from disclosing information about a particular business which has been obtained in exercise of a power conferred by, among other legislation, the Act, so long as that business continues to be carried on, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Act is met, neither of which applies here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to a public interest test.

However, Openreach publishes the number of late installations (+30, +90 and +120 days late) on a quarterly basis – see KPIs 20 a/b/c at [Openreach Q4 21-22 Regulatory KPIs.pdf](#). It also publishes the percentage of new lines installed on time by region including London and the South East – see KPI 2a at the same link.

If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely

Zach Westbrook

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF