

Reference: 01924643

Information Requests
information.requests@ofcom.org.uk

16 December 2024

Freedom of Information request: Right to know request

Thank you for your request for information about Royal Mail's delivery service.

We received this request on 19 November 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

I paid for Royal Mail's Next Day Guaranteed Delivery Service otherwise known as Special Delivery. They delivered 3 days late (incl a weekend). As a consequence I suffered a financial loss amounting to approx £3,500. They said they would have entertained the claim if I had purchased Consequential Loss Cover at the Post Office.

I had never heard of this cover before and on approaching the Post Office in question they simply referred me to the RM website and gave me a booklet which did not contain anything to show the cost or cover I could have bought. Is a Customer expected to go onto the RM website before they go to the PO to post a letter? I wonder what someone who does not have a computer or cannot read English properly is supposed to do in these circumstances. Is there a definition of Vulnerable Customer that RM and the PO should take account of in their dealings with Customers?

RM are basically saying they have no contract with me and are not liable for anything they do wrong and the PO are saying they are merely agents for RM. Catch 22.

I am wondering how many cases like this may have been referred to Ofcom in the past and whether Ofcom has provided any Directions to RM or the PO to advertise the option of buying extra insurance cover at Point of Sale?

Any help or links to helpful detail on this topic would be appreciated. If I am not able to get this matter resolved with RM and the PO, is there a Complaint Procedure I need to follow to place the issue with Ofcom please?

Our response

While we do hold information connected to your request, we consider that disclosure of this information is exempt under section 44 the FOI Act.

Section 44(1) provides that information is exempt from disclosure if its disclosure is prohibited by or under any enactment. In this instance, disclosure of the information you have requested is prohibited under section 56 of the Postal Services Act 2011 (“the PSA”). Section 56 of the PSA prevents us from disclosing information that we have obtained under our powers in Part 3 of that Act and which relates to the affairs of a particular business (so long as the business is being carried on), unless we have the consent of that business or one of the other gateways for disclosure in section 56(2) of the PSA applies. We do not have the necessary consent and none of the other gateways for disclosure apply here. Section 44 of the FOI Act therefore applies and is an absolute exemption under the Act which does not require a public interest test.

Please note that if a customer is not happy with the service provided by Royal Mail, they may refer to POSTRS. <https://www.cedr.com/consumer/postrs/make-a-complaint/>

Additionally, this document sets out the terms & conditions for some of the items that Royal Mail handle: <https://www.royalmail.com/sites/royalmail.com/files/2023-10/UK-Post-Scheme-6-August-2023.pdf>

That includes compensation terms for Special Delivery.

We hope this information is helpful. 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,

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](#).