

Reference: 01746454

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

1 February 2024

## Freedom of Information request: Right to know request

Thank you for your request for information concerning correspondence regarding Royal Mail's USO. This request was received on 5 January 2024 and we have considered it under the Freedom of Information Act 2000 (the "FOI Act").

### Your request

*For the years 2020 and 2021, I would like copies of the following:*

- 1. Any correspondence between Royal Mail, or representatives of Royal Mail (including employees and investors) and Ofcom which references or discusses Royal Mail's Universal Service Obligation*
- 2. Any correspondence within Ofcom which discusses or references Royal Mail's Universal Service Obligation*
- 3. Any correspondence between Ofcom and Government departments which discusses or references the Universal Service Obligation*

### Our response

We can confirm that we do hold information that would fall within the scope of your request, however a considerable amount of time would be required to locate, retrieve, identify and extract all the information specified in your request.

Ofcom's regulatory work in post is underpinned by our duty to secure the provision of a universal postal service which is delivered through the Universal Service Obligation (USO) on Royal Mail. The USO includes not only the minimum requirements set out in the [Postal Services Act 2011](#), but also the specifications set out in the [Universal Service Order 2012](#) and the regulatory requirements on Royal Mail in the [designated Universal Service Provider](#) conditions. These conditions include a number of detailed requirements on Royal Mail relating to the services it provides, including its quality of service targets.

Additionally, Ofcom meets with Royal Mail and the Government on a regular basis to discuss postal matters, including the USO. Ofcom also publishes an [annual monitoring report on the postal market](#) which includes data on Royal Mail's compliance with the USO. Furthermore, we have undertaken a

number of enforcement investigations where Royal Mail have failed to meet their Quality of Service performance targets, with our [most recent investigation decision](#) published on 9 January 2024.

This means that in order to answer this request we would need to examine virtually all our internal correspondence relating to our post work and almost all communications that Ofcom has had with Royal Mail and the Government. As you may be aware, we have recently published a Call for Input, (on 24 January 2024) seeking views on '[The future of the universal postal service](#)' – this document provides an indication of the broad scope of Ofcom's work on the postal USO.

Section 12 of the FOI Act provides that we are not obliged to comply with a request for information if we estimate that the cost of complying with the request would exceed the "appropriate limit". The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the "Regulations"), and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour, which equates to 18 hours of time. We estimate that it would take us more than 18 hours to locate, retrieve, identify and extract all the information specified.

Should you decide to make a further request for information, please note that other exemptions may apply (for further information on the exemptions under the FOI Act, see the Information Commissioner's Office's website e.g. [When can we refuse a request for information? | ICO](#)). You may also find it useful to see which exemptions were used for a past FOI request concerning [correspondence with the Government regarding the postal service USO](#) as it is likely that these exemptions may also apply to your request.

Due to the USO being the primary focus of Ofcom's postal work and because it is unclear from your request which specific aspects of the USO you are interested in, it is difficult to offer suggestions of ways to narrow your request as it is unlikely that correspondence on this topic could be narrowed to a sufficient level to comply with Section 12 of the FOI Act unless you were to select a very narrow aspect of the USO requirements.

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

Yours sincerely

## Information Requests

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](mailto: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