

Reference: 01732545

Information Requests
information.requests@ofcom.org.uk

9 January 2024

Freedom of Information request: Right to know request

Thank you for your request for information as detailed below, received on 7 December 2023, which we have considered under the Freedom of Information Act 2000 ('the FOI Act').

Your request and our response

I wish to make a new freedom of information request in relation to my earlier request (FOI Ref: 01626838; Internal Review ref: 01656682).

Applying the proper interpretation of my earlier request (i.e. "whether the output of [GB News/that channel] would constitute news programming" understood broadly and not just a narrow consideration of section 5) can you provide me with a list setting out for each withheld document:

(a) the date of the document;
30 October 2020.

(b) nature of the relevant documents (e.g. email/minutes etc); and
A briefing note to the Chief Executive Melanie Dawes providing details of the then upcoming GB News channel and a covering email to her from the Standards and Audience Protection team.

(c) the relevant exemption applied to that document?
We applied the exemptions under section 36 of the FOI Act relating to prejudice to effective conduct of public affairs, in particular the inhibition of free and frank provision of advice and exchange of views; and section 42 of the FOI Act relating to legal professional privilege to this information.

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

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