

Reference: 01781191

Information Requests
information.requests@ofcom.org.uk

13 March 2024

Freedom of Information request: Right to know request

Thank you for your request for information about Ofcom's funding.

We received this request on 16 February 2024 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

"I would like to know which companies fund OFCOM.

Please list each company/business/entity/person separately and how much they contribute to Ofcom."

Our response

Information relating to Ofcom's funding is available on our website - please see page 129 of our [2022/2023 Annual Report](#) which details our income and the sectors it relates to.

Future Annual Reports will be published [here](#). You will find further information on how we set our fees and charges [here](#).

We do hold further information on how much "each company/business/entity/person" contributes to Ofcom's funding, however we consider that this information is commercially sensitive and is exempt from disclosure under section 43(2) of the Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of any person including the public authority holding it. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex A attached to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

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](#).

Annex A

<p>Section 43(2) of the Act provides that:</p> <p><i>Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).</i></p>	
<p>Factors for disclosure</p>	<p>Factors for withholding</p>
<ul style="list-style-type: none"> • Enabling the public to gain a better understanding of the commercial relationships between Ofcom and the companies that contribute to its funding and thereby increasing public confidence in Ofcom. • Generally, there is a public interest in transparency of funding, especially if public funds are involved. 	<ul style="list-style-type: none"> • Ofcom receives funding from a number of companies in order to carry out its duties. Companies need to be confident that information relating to their business, such as information about them as an organisation or relating to their products or services, will not be disclosed if it would, or would be likely to, prejudice their commercial interests. • To release the fees that particular companies pay to Ofcom would put Ofcom in a detrimental position for future negotiations of company fees. It will also have a detrimental effect on the company to fair competition.
<p>Reasons why public interest favours withholding information</p>	
<ul style="list-style-type: none"> • We consider that, on balance, the public interest in withholding disclosure of this information outweighs the public interest in disclosure. • Ofcom enjoys a positive relationship with those companies it works with. The release of information which would, or would be likely to, prejudice commercial interests into the public domain would impair Ofcom’s relationship with the businesses that contribute to Ofcom’s funding. If businesses could not be confident that such information provided by them to Ofcom would be withheld from disclosure, except in compelling circumstances, commercial activity may be impeded. Similarly, Ofcom’s bargaining position, and therefore ability to obtain fees from businesses in future, may be undermined in future negotiations if full details about these costs were disclosed. These considerations go against the public interest in disclosing. 	

- Weighing the issues presented, it is considered that on balance, the factors for withholding the requested information outweigh those for disclosing the information