

# Consultation response form

## Your response

Question	Your response
<p><b>Question 1:</b> Do you have any comments on our proposed policy and approach to our information gathering powers under the legislation within the scope of the policy?</p>	<p>Confidential? – N</p> <p>The FCS agrees that information gathering is a key tool for Ofcom to ensure that regulatory decision making is effective. It is important that Ofcom has a policy that is transparent and helps to facilitate the efficient and effective provision of information.</p> <p>Understandably, much of the focus of the policy and approach is geared towards regular information providers where it is particularly important that requests are coordinated, consistent and proportionate. There may, however, be occasions, most likely in relation to investigations, where requests are made of smaller Communication Providers or resellers who are not used to formal information requests. In these cases, it will be important that the recipient fully understands the process, Ofcom’s remit and the potential implications for non-compliance. Whilst this information will be set out in the actual request, the FCS suggests that the “Typical Process” includes a step where, for first time recipients of information requests, Ofcom directly engages with the provider to ensure that the request is sent to the right person and that they understand their responsibilities.</p> <p>Ofcom does provide useful information on its website <a href="#">Information requests from Ofcom: why you have one and what you need to do-Ofcom</a> and there may be opportunities to provide some more tips and help for smaller providers on those pages. The FCS would be very happy to discuss this with Ofcom if helpful. The FCS also suggests that these pages are clearly signposted in any Information Request sent to a smaller provider or attached as an Annex to the Request.</p>
<p><b>Question 2:</b> Do you have any comments on our assessment of the likely impact of our proposed update to our policy?</p>	<p>Confidential? – N</p> <p>No comment</p>

