

Reference: 00965526

Mr Davidson
request-686789-f776486d@whatdotheyknow.com

Jessal Visavadia
Information Rights Advisor
Information.requests@ofcom.org.uk

22 September 2020

Dear Mr Davidson

Freedom of Information: Right to know request

Thank you for your request for information in relation to Internet Service Providers (ISPs) during Covid-19.

We received this request on 24 August 2020 and have considered it under the Freedom of Information Act 2000 ("the Act").

You asked:

Please supply copies of all instructions regarding the modification/relaxation of customer service/support between ISP's (Internet Service Providers) and consumers of services provided by ISP's during the Covid-19 pandemic.

Please supply copies of all instructions regarding the modification/relaxation of contracts/service level agreement/other agreements between ISP's and consumers of services provided by ISP's during the Covid-19 pandemic.

Please provide the legal references to backup these instructions.

Our response

Please find attached two documents relating to your request. One of these documents is about the impact of disruption from Covid-19 on providers' application of the Broadband Speeds Code of Practice. The other document is about our guidance on financial support and disconnection during Covid-19.

Some other requested information is information about a business, which in this context is exempt from disclosure under Section 44 of the Act. Section 44 inhibits disclosure of information if another enactment prohibits it. Ofcom considers that the enactment and specific provision of that enactment which prohibits the disclosure of the requested information is Section 393 of the Communications Act 2003.

Section 393 prevents Ofcom from disclosing information about a particular business, unless Ofcom has the consent of that business or Ofcom considers that disclosure would further the exercise of its

functions. In the circumstances of this case, neither gateway to disclosure is engaged. Section 44 is an absolute exemption and does not require a public interest test.

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,

Jessal Visavadia

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

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 undertaking 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:

Corporation Secretary
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

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. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF