



By email

request-660471-3c6c3a2c@whatdotheyknow.com

Our ref: 26/06/ab/653

9 September 2020

Dear Connor Shepherd,

Re: 653 - IR Linked to case 361 & 181 - Refusal to provide explanation on tests performed on the 5G technology

I refer to your email of 26 June 2020 requesting for an internal review of the handling of case references 361 and 181, respectively, in relation to your request for information under Environmental Information Regulations 2004 (EIR). Please accept our apologies for the delay in this response.

Your Request case ref: 361

On the 18 May 2020 you sent an email to PHE stating your dissatisfaction on how your request for information were handled under case reference 181.

Due to your expressed dissatisfaction in how your request for information had been handled, PHE sought shared your request with the relevant team who provided a contribution.

Under the EIR a public authority is under an obligation to respond to an internal review as soon as possible and no later than 40 working days after the date it receives representations¹.

Response: Case ref: 361

On the 26 June 2020 PHE provided you with its response advising it had 'addressed your request on the 18 May 2020' and that it 'disagree with your assertion that "tests performed were guessed". PHE advised under case ref: 181 it had provided you with documentation produced by the Office of Communications (Ofcom) which was Ofcom's report on the 'Electromagnetic Field (EMF) measurements near 5G phone base stations'.

¹ https://ico.org.uk/media/for-organisations/documents/1613/internal_reviews_under_the_eir.pdf

Your Request case ref: 181

PHE received your email dated 24 April 2020, which requested for information relating to the New 5G technology.

Under the EIR, a public authority holding the requested information has a 'duty to communicate that information to the requester as soon as possible and no later than 20 working days after the date of receipt of the request.'².

Under the EIR PHE had until the 26 May 2020 to respond to your request or the 23 June 2020, if it extended the time for compliance by an additional 20 working days to allow more time to respond to a complex or voluminous request.

Response: Case ref: 181

On the 18 May 2020 PHE sent you its response to your request. PHE attach a copy of its response.

Internal review decision

PHE has now conducted the internal review and conclude that PHE sent you its response to the information you requested under case reference 181 within the statutory deadline. PHE also provided a response to your first request for an internal review within the statutory deadline.

PHE can confirm it has provided all the information available that falls within the scope of the request. A point of clarification, PHE did not carry out the tests on the new 5G technology. The tests were carried out by OfCom who produced the report.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely

FOI Manager

² <https://ico.org.uk/media/for-organisations/documents/1622/time-for-compliance-eir-guidance.pdf>