

Reference: 1583552

Information Requests
Information.requests@ofcom.org.uk

13 April 2023

Freedom of Information: Right to know request

Thank you for your request for information about disinformation and investigations against individual presenters.

We received this request on 15 March 2023 and have considered it under the Freedom of Information Act 2000 (“the FOI Act”).

Your request

You asked:

Could you please let me know the following: The definition you use for the term 'disinformation'?

Who or where the definition of 'disinformation' came from?

How many investigations were carried out against individual presenters, and which TV channels these presenters worked for at the time?

When you first started investigating allegations of disinformation, and who decided that this should be part of Ofcom's remit?

Our response

We are interpreting your request to relate to investigations about disinformation in broadcast material.

Ofcom does not investigate ‘disinformation’ in broadcasts as a specific category, and we therefore do not use a definition for this term when conducting our broadcast regulatory activities. Instead, we regulate broadcasters’ compliance with the Rules in the [Broadcasting Code](#); of these Rules, the most relevant to disinformation are our Rules on material misleadingness in general programming ([Rule 2.2](#)) and due accuracy in news programming ([Rule 5.1](#)). We judge issues of material misleadingness or inaccuracy on a case-by-case basis. Our Guidance Notes to Sections [Two](#) and [Five](#) of the Code expand on our approach to these areas, and Ofcom’s Guidance on [broadcast standards during the coronavirus pandemic](#) also covers specific areas where consideration should be given to

avoiding harm from inaccuracy or material misleadingness when reporting on issues relating to Covid-19.

Our [Broadcast and On Demand Bulletin](#) contains information on investigations we have considered under the Code, including the Rules referred to above. Our investigations are conducted against the licensee responsible for the service, rather than against individual presenters. If you would like further information about investigations relating to Rules 2.2 or 5.1 which you cannot find in the Bulletin, we would be happy to consider a specific request under the FOI Act.

In relation to the last question in your request, we became broadcasting regulator in 2003, when Government appointed Ofcom to set the Broadcasting Code and regulate broadcasters, under Part 3 of the Communications Act 2003.

I hope this information is helpful. 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