

Reference: 01822751

Information Requests
information.requests@ofcom.org.uk

3 June 2024

Freedom of Information request: Right to know request

Thank you for your request for information about television regulation decisions.

We received this request on 20 May 2024 and we have considered your request under the Freedom of Information Act 2000.

Your request

When you say on your website "We regulate TV etc" who is the We, who makes the decisions to regulate?

Our response

We have taken your request as referring to broadcast programmes.

Ofcom is required under the Communications Act 2003 (as amended) ("the Act") and the Broadcasting Act 1996 (as amended) ("the 1996 Act") to draw up a code for television and radio, covering standards in programmes amongst other things. This Code is known as the Ofcom Broadcasting Code ("the Code") and is essentially the rule book that broadcasters have to follow. No rule should be read in isolation but within the context of the whole Code.

It is based on current law that relates to broadcasting, for example, [section 319\(2\) of the Communications Act 2003](#) which requires Ofcom to set standards for the content of programmes best calculated to secure standards objectives.

Complaints about content standards are handled under [Ofcom's Procedures for investigating breaches of content standards for television and radio](#). Ofcom assesses every complaint it receives. Based on an initial assessment of the complaint and a consideration of the related content, Ofcom will consider whether there may have been a breach of the Broadcasting Code (or other Ofcom codes or licence conditions). In cases where Ofcom considers there may have been a breach, it will launch an investigation. The possible outcomes of an investigation are that we judge an issue is in breach, resolved or not in breach of our rules.

Ofcom's Broadcast and On Demand Bulletin (the 'Bulletin'), published every fortnight on our website, includes decisions about the complaints we have considered. [The Bulletin](#) covers a range of cases, including those which Ofcom has escalated for full investigation, and those which, after careful assessment, Ofcom has decided not to pursue because they did not raise issues warranting investigation. The Bulletin can be accessed on our website.

Decisions on broadcasting standards cases are collective decisions of the Ofcom Executive, taken after having regard to the views of changing panels of non-executives drawn from Ofcom's Content Board members. They are not taken by an individual/s.

We 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

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](#).