

Reference: 02062791

Information Requests
information.requests@ofcom.org.uk

9 September 2025

Freedom of Information request: Right to know request

Thank you for your request for information concerning broadcasting complaints and enforcement for the period 2018–2024.

We received this request on 11 August 2025 and we have considered your request under the Freedom of Information Act 2000 (the 'FOI Act').

Your request & our response

Please provide the following for the period 1 January 2018 to 31 December 2024:

Part 1 – Complaint & Sanction Data

For all rulings under Sections 2 (Harm and Offence), 4 (Religion), 5 (Due Impartiality and Due Accuracy), and 7 (Fairness) of the Broadcasting Code, where the complaint related to one or more of the following themes:

- Coverage of Scottish independence, UK sovereignty, or constitutional change*
- Representation of religion or belief (including Christianity)*
- Representation of LGB rights, gender identity, or “transgender” issues*
- Complaints raising Equality Act 2010 sex-based rights, particularly following the UK Supreme Court ruling in For Women Scotland v Scottish Ministers (2024)*
- Coverage of immigration, border control, or eligibility for publicly funded services (including resource allocation)*
- Coverage or promotion of political or social ideologies (including but not limited to gender ideology)*
- Impartiality breaches involving publicly funded broadcasters (e.g. BBC, S4C, or any broadcaster receiving direct UK public funds)*
- Coverage of freedom of expression issues, including platform access, representation of political viewpoints, or ideological gatekeeping in broadcast content*

For each relevant ruling, please state:

- 1. Broadcaster name*
- 2. Programme title*
- 3. Transmission date*

4. *Section(s) of the Code breached*
5. *Outcome (upheld / partially upheld)*
6. *Sanction (if any)*

Please exclude complainant names or any other personal data.

We have interpreted Part 1 of this request to refer to cases Ofcom has escalated for investigation under our procedures.

This information is already published on our [Broadcast and On Demand Bulletins](#), and therefore we consider that it is exempt from disclosure under this FOI under Section 21 of the FOI Act. This exemption applies because the information is reasonably accessible to you by other means, and therefore not subject to the general right of access under Section 1 of the FOI Act.

You will find the information under “Look at our past Decisions” section of the above bulletin – this bulletin lists investigation decisions and is filterable by code issue. Decisions pre-2020 are available in a separate area of our website [here](#). Sanctions are available [here](#).

Further detail beyond what is published in our Bulletin is likely to be exempt from disclosure pursuant to section 44 of the FOI Act. Under section 393 of the Communications Act 2003 we are prohibited from disclosing information which relates to a business, or businesses, which we have obtained in the course of exercising our functions in relation to broadcast standards, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Communications Act 2003 is met, neither of which applies here. Section 44 is an absolute exemption and does not require a public interest test. Other exemptions under the FOI Act such as sections 43 and 36 may also be applicable.

Part 2 – Policy Guidance & Legal Interpretation Please provide copies of any internal guidance, policy documents, staff training materials, or recorded legal advice in use between 1 January 2018 and 31 December 2024 that address how Ofcom handles complaints involving:

- *Equality Act 2010 rights, particularly sex-based rights following the above Supreme Court ruling*
- *Impartiality in coverage of Scottish independence, UK sovereignty, and constitutional change*
- *Representation of religion or belief (including Christianity)*
- *Representation of LGB rights, gender identity, or gender ideology*
- *Coverage of immigration, border control, or eligibility for publicly funded services*
- *Allegations of ideological bias or promotion of specific political/social movements in broadcast content*
- *Coverage of freedom of expression issues, including platform access, representation of political viewpoints, or ideological gatekeeping in broadcast content*

We have published information on this: please refer to the [Broadcasting Code associated guidance](#), relevant precedent cases, and [notes to broadcasters](#). Please also see this [previous FOI response](#). Other FOI responses that you might find helpful can be found here: [Correspondence sent to GB News regarding the recent Supreme Court ruling](#) and [Ofcom guidance relating to the use of the term “LGBT”](#).

Further information that might be in scope of your request isn't readily available and we would need to look through several project files (including projects relating to broadcasting and online safety) in order to determine what other information e.g. legal advice and guidance is held covering the exact topics you listed, for the period stated. We consider that it would take us a substantial amount of time to look for further information in scope. Section 12 of the FOI Act provides that we are not obliged to comply with a request for information if we estimate that the cost of complying with the request(s) would exceed the "appropriate limit". The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the "Regulations"), and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour, which equates to 18 hours of time. We estimate that it would take over 18 hours to determine if we hold further information in scope. You are welcome to narrow the scope of the request e.g. to a shorter period and a specific topic. However, please note that other exemptions under the FOI Act may apply given the nature of information you are after e.g. section 42 of the FOI Act which relates to legal advice : [Legal professional privilege \(section 42\) | ICO](#).

Part 3 – Enforcement Rationale

Where Ofcom has not taken enforcement action, upheld a complaint, or applied the Equality Act 2010 as clarified by the Supreme Court in a relevant case within the above themes and date range, please provide any recorded reason(s), legal basis, or internal assessment explaining why such action was not taken.

We have interpreted part 3 of this request as referring to cases we have not pursued. All such cases are published in the [Broadcast and On Demand Bulletin and include the issue raised](#). Further details about these cases that are not already published may be exempt from disclosure under the FOI Act – as explained under our response for part 1 above.

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](#).