# Categorisation: research and advice

Call for evidence

**Call for evidence**

Published 11 July 2023
Closing date for responses: 12 September 2023

# Contents

# 1. Overview

1.1    Ofcom is the United Kingdom's (UK) communications regulator, overseeing sectors including telecommunications, post, broadcast TV and radio. We regulate online video services established in the UK, including on-demand programme services (ODPS) and video-sharing platforms (VSPs). We are currently preparing to regulate online safety. **This is a call for evidence on the research Ofcom must carry out to help prepare our advice for categorising regulated services under the Online Safety regime.**

1.2    The Online Safety Bill will require certain online platforms such as social media, messaging platforms, and search engines to identify risks to users and have systems and processes for protecting individuals from certain types of harm online. Ofcom will give guidance and set out codes of practice on how in-scope companies can comply with their duties.[1]

1.3    All services within scope of the Online Safety regime must protect all UK users from illegal content and, where applicable, protect children from certain online harms. Some regulated services will be categorised and designated as category 1, 2A or 2B services if they meet certain thresholds set out in secondary legislation by Government. These categorised services will be required to comply with additional requirements (including producing transparency reports).

1.4    Once the Online Safety Bill is enacted, Ofcom will be required to carry out research to help advise Government on the threshold conditions for each category of service. Government will use this advice to determine the thresholds to be set in secondary legislation. Ofcom will then consider these thresholds and produce a list of categorised services. The published register of categorised services will determine which companies need to comply with the additional duties.

1.5    This call for evidence helps form the basis for Ofcom's advice to Government. We are keen to gather evidence and information from stakeholders to help inform our research set out below. We will then use the responses to inform our research and ultimately our advice to Government on categorisation. Ofcom's updated roadmap to regulation provides further background to Ofcom's preparations for the Online Safety regime.

1.6    We welcome responses from interested stakeholders. Questions for stakeholders are in section 4. **This call for evidence will close on 12 September 2023.**

> **What we are seeking input on**
>
> This call for evidence is to give industry and other stakeholders an opportunity to provide information and evidence which Ofcom can take into consideration when carrying out our research.
>
> Category 1 and 2B threshold conditions will be set by reference to user numbers and functionalities. Similarly, category 2A threshold conditions include user numbers. We are seeking evidence and input from industry and other stakeholders on the following:
>
> • **Measurement of user numbers**

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[1] The Online Safety Bill is currently in report stage in the House of Lords. Read the latest consolidated version of the Bill.

- **Category 1**: Research and evidence relating to how easily, quickly and widely content is disseminated on user-to-user (U2U) services, in regard to the number of users of such services, their functionalities, and other characteristics.

- **Category 2A**: Research and evidence relating to the prevalence of search content that is illegal or harmful to children, in regard to the number of users of search services, and other characteristics.

- **Category 2B**: Research and evidence relating to the dissemination of illegal content and content that is harmful to children on U2U services, in regard to the number of users of such services, their functionalities, and other characteristics.

# 2. Overview of the legislative framework[2]

2.1     In this section, we provide a summary of the legislative framework for categorisation. Chapter 2 of Part 7 and Schedule 11 to the Online Safety Bill sets out the process for how services will be categorised under the new regime.[3] In section 3 of this document, we set out Ofcom's role in categorisation.

## The role of categorisation

2.2     All services within scope of the Online Safety regime will be subject to duties in relation to illegal content and, where applicable, duties in relation to protecting children from harmful content.

2.3     Some regulated services will be designated category 1, 2A or 2B services if they meet certain thresholds set out in secondary legislation. These services will be required to comply with additional online safety duties.

## Key definitions relating to categorisation

2.4     Broadly, a **user-to-user (U2U) service** is an online service where users may encounter content (such as messages, images, videos and comments) that has been generated, uploaded or shared by other users. This includes services which allow private messaging between users. Some specific service types are excluded from the regime.

2.5     A **search service** is an online service with a **search engine** which enable users to search more than one website and/or database.

2.6     A U2U service or search service is regulated for the purposes of the regime if it **has links with the United Kingdom**, and it is not otherwise **exempt**.[4] For these purposes, a service is treated as having links with the United Kingdom if it has a significant number of United Kingdom users or such users form one of the target markets for the service (or the only target market). A service is also so treated if the service is capable of being used in the United Kingdom by individuals, and there is a risk of harm to individuals arising from content present on the service in question.

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[2] The following is based on the version of the Online Safety Bill as amended in Committee of the House of Lords (22 June 2023).
[3] Clause 88 places a duty on Ofcom to publish a list of emerging category 1 services.
[4] See Schedule 1, which describe services that are exempt, including email, MMS, SMS and limited functionality services, services offering only one-to-one live aural communications, internal business services, and certain other services in the public sector, and the education and childcare sectors. See also Schedule 2 which describes services combining user-generated content or search content not regulated by the Bill with pornographic content that is regulated. There may also be a temporary exemption for those services notified as a Video Sharing Platform (VSP) under our VSP regime. However, this may not mean a full exemption where a service provider has notified a partially dissociable service. More information can be found on our website.

2.7     **User numbers** refer to United Kingdom users of the U2U part of a service or search engine.[5] For these purposes a 'United Kingdom user' may be either an individual in the UK or an entity formed in the UK. In either case, it doesn't matter whether the person is registered to use the service.[6]

2.8     A **U2U part of a service** is, in relation to a U2U service, the part of the service on which content that is user-generated content in relation to the service is present.[7]

2.9     **User-generated content**, in relation to a U2U service, means content that is generated directly on the service by a user of the service, or uploaded to, or shared on the service by a user of the service, which may be encountered by one or more other such users.[8]

2.10    A **functionality** in relation to a user-to-user service includes any feature that enables interactions of any description between users of the service by means of the service.[9] In relation to a search service, a 'functionality' includes (in particular) features that enables users to search websites or databases and features that makes suggestions relating to users' search requests (predictive search functionality).

2.11    For the purposes of categorisation, the **characteristics** of a U2U part of a service or a search engine include its user base, business model, governance and other systems and processes.[10]

## Categories of service

2.12    The Secretary of State will set thresholds for category 1, 2A and 2B in secondary legislation, following research carried out, and advice provided, by Ofcom.

2.13    **Category 1 services** are regulated U2U services that meet the category 1 threshold conditions. These must include at least one threshold condition relating to the number of users of the U2U part of the service, and at least one relating to the functionalities of the U2U part of the service. There may also be additional threshold conditions relating to other characteristics, if relevant. When setting threshold conditions, the Secretary of State must consider the likely impact of the number of users and functionalities of the U2U part of the service on how easily, quickly and widely content is disseminated on the services.

2.14    **Category 2A services** are search services that meet the category 2 threshold conditions. These must include at least one threshold condition relating to the number of users of the search service. There may also be additional threshold conditions relating to other characteristics, if relevant. When setting these conditions, the Secretary of State must consider the likely impact that the number of users of the search engine may have on the level of risk of harm to individuals from search content that is illegal content or search content that is harmful to children.

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[5] Paragraph 5 of Schedule 11 to the Bill.
[6] There are certain exemptions that apply where the person in question is acting in the course of business.
[7] Clause 211
[8] Such content is to be construed as regulated user-generated content if it meets the definition in clause 49(2), which excludes certain types of user-generated content, for example, emails, SMS, MMS and news publisher content (among others).
[9] Clause 204
[10] Paragraph 6 of Schedule 11 to the Bill.

2.15    **Category 2B services** are defined as regulated U2U services that meet the category 2B threshold conditions. These conditions must include at least one threshold relating to the number of users of the U2U part of the service and at least one threshold condition relation to the functionalities of that part of the service. There may also be additional threshold conditions relating to other characteristics, if relevant. When setting these conditions, the Secretary of State must consider the likely impact that the number of users and functionalities of the U2U part of the service may have on the level of risk of harm to individuals from illegal content and content that is harmful to children disseminated by the service.

2.16    **Emerging category 1 services** will be U2U services that meet 75% of the category 1 user number threshold and at least one functionality threshold for category 1.[11]

# Duties for each category of service[12]

2.17    Services that are categorised as either category 1, 2A or 2B will be required to comply with the following additional duties under the online safety regime. All duties will apply to all services in any given category.

## Duties for categories 1, 2A and 2B

2.18    **Transparency reporting**: services must publish annual transparency reports based on transparency notices issued to each service by Ofcom once a year.[13]

## Duties for categories 1 and 2A

2.19    **Fraudulent advertising**: services must prevent users from encountering fraudulent advertisements on the service, minimise the length of time fraudulent ads are on the service, and remove fraudulent ads swiftly when alerted to them.[14]

## Duties for category 1 only

2.20    There are a range of duties that will only apply to category 1 services. The key duties are as follows:

a)  **Terms of Service**: services must have proportionate systems and processes to ensure that the service acts in accordance with its terms in taking down or restricting access to regulated U2U content or in applying sanctions.[15] Such terms must be clear and accessible, and applied consistently.

b)  **User identify verification**: services must offer all adult users the option to verify their identity.[16]

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[11] The draft Explanatory Notes to the Bill explain that the purpose of this is to ensure that Ofcom proactively identifies rapidly scaling services and is ready to assess and add these companies to the category 1 register without delay.

[12] The following is based on the version of the Online Safety Bill as amended in Committee of the House of Lords (22 June 2023).

[13] Clause 68

[14] Clauses 33-35

[15] Clause 64-65

[16] Clause 57

c) **User empowerment**: services will have a duty to give adult users more control over certain types of content (such as suicide and self-injury content) as well as content from non-verified users on a service. These features must be easy to access.[17]

d) **Content of democratic importance**: when moderating content of democratic importance, services must ensure they consider the importance of freedom of expression particularly when considering take-down or user access restrictions and user sanctions for sharing such content.[18]

e) **News publisher content**: services must take steps before taking action in relation to a recognised news publisher, or in relation to news publisher content.[19]

f) **Journalistic content**: when moderating journalistic content, services must ensure they consider the importance of freedom of expression particularly when considering take-down or user access restrictions and user sanctions for sharing such content.[20]

g) **Complaints handling**: services must put in place a complaints procedure to deal with complaints by users and affected persons who consider the provider is not complying with certain (category 1) duties.[21]

# Relationship to other parts of the Online Safety regime

2.21   As described above, categorisation is the formal process by which some regulated services will be designated category 1, 2A or 2B and will have additional duties applied to them.

2.22   We will publish separate documents about the duties that apply to categorised services. We plan to issue a further call for evidence on the substance of the duties for categorised services in autumn 2023 (except for transparency – see below) and will consult on these duties once the register of categorised services is published.

2.23   In spring 2024, Ofcom will also consult on its transparency guidance separately, which will set out how we will go about deciding what information each service must publish in its annual transparency report. Once the register of categorised services is published, Ofcom will issue transparency notices to services in categories 1, 2A, and 2B.

2.24   Categorisation is a statutory process and is separate to other activities that Ofcom is required or chooses to undertake in relation to online safety. This includes the future fees regime and our supervision function (see our Roadmap to regulation for further information).

2.25   Fees will be applicable to all regulated services which meet or exceed a qualifying worldwide revenue ('QWR') threshold, and which are not exempt.[22] Categorised services will have fees levied against them only if they meet the QWR threshold and do not fall under any exemption set in the future funding regime.

2.26   Our supervision activities will aim to build close and effective relationships with certain high-reach or high-risk regulated services. Through supervision, we aim to understand the

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[17] Clause 12
[18] Clause 13
[19] Clause 14
[20] Clause 15
[21] Clause 65(6)-(8). This is namely regarding the duties relating to user empowerment, content of democratic importance, journalistic content and freedom of expression. A similar complaints handling requirement also applies for the category 1 terms of service duties outlined in paragraph (a).
[22] Clauses 74-75

protections in place for users, assess how effective they are at keeping users safe and, where necessary, encourage improvements. We will begin supervision activities in the months following Royal Assent of the Bill.

2.27    The register for categorised services will likely be established once Ofcom has already started supervising some services. Categorisation is a separate process that is likely to play a part in our future decisions about which services we supervise, but a categorised service may not necessarily be supervised, nor will a supervised service necessarily be categorised.

# 3. Ofcom's role in categorisation

3.1      Once the Online Safety Bill is enacted, Ofcom will be required to carry out research to advise the Secretary of State on the threshold conditions for each category of service. The Secretary of State will use this advice to determine these thresholds in secondary legislation.

3.2      Following this, Ofcom will assess providers against the relevant threshold conditions for each category of service and publish a register of categorised services and a list of emerging category 1 services. Ofcom must then maintain the register and update the emerging category 1 services list as appropriate.

## Ofcom research

3.3      Ofcom is required to carry out research on the threshold conditions for category 1, category 2A and category 2B within six months of Royal Assent:[23] [24]

| Category 1 |
| --- |
| Ofcom must carry out research into: <br><br> • how easily, quickly and widely regulated user-generated content is disseminated by regulated user-to-user services; <br> • the number of users and the functionalities of the U2U part of such services; and <br> • other characteristics or factors relating to the U2U part of such services that Ofcom consider to be relevant to category 1 threshold conditions. |
| **Category 2A** |
| Ofcom must carry out research into the following aspects of the search engine of regulated search services and combined services: <br><br> • the prevalence of search content that is illegal content and search content that is harmful to children; <br> • the number of users of the search engine; and <br> • other characteristics or factors that Ofcom consider to be relevant to category 2A threshold conditions |
| **Category 2B** |
| Ofcom must carry out research into: <br><br> • the dissemination of illegal content and content that is harmful to children by regulated U2U services; <br> • the number of users and the functionalities of the U2U part of such services; and |

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[23] See Schedule 11 to the Bill for further detail.
[24] Relevant terms are defined in paragraphs 2.4-2.11.

- other characteristics that Ofcom consider to be relevant to the category 2B threshold conditions.

3.4     This call for evidence is to give industry and other stakeholders an opportunity to provide information and evidence which Ofcom can take into consideration when carrying out its research.

## Ofcom advice to the Secretary of State

3.5     Once Ofcom has carried out its research, based on the findings, we will produce advice for the Secretary of State on the threshold conditions for each category.

**Category 1 threshold conditions**

Ofcom must recommend at least one threshold for both of the following conditions:

a)     Number of users of the user-to-user part of the service;

b)     Functionalities of that part of the service.

Ofcom may recommend further thresholds in relation to any other characteristic or factor relating to the user-to-user part of the service that we consider relevant.

**Category 2A threshold conditions**

Ofcom must recommend at least one threshold for the number of users of the search engine.

Ofcom may recommend further thresholds in relation to any other characteristic or factor relating to the search engine that we consider relevant.

**Category 2B threshold conditions**

Ofcom must recommend at least one threshold for both of the following conditions:

a)     Number of users of the user-to-user part of the service;

b)     Functionalities of that part of the services.

Ofcom may recommend further thresholds in relation to any other characteristic or factor relating to the user-to-user part of the service that we consider relevant.

3.6     Ofcom will publish its advice as soon as reasonably practicable after we have provided it to the Secretary of State.

3.7     The Secretary of State must then consider our advice when deciding the specific categorisation thresholds. If these thresholds significantly differ from the advice from Ofcom, the Secretary of State must provide a statement justifying this decision.

## Establishing the register and emerging services list

3.8     As soon as reasonably practicable after the threshold conditions are set in secondary legislation, Ofcom must establish a register covering each category of service. We are also

required to publish and maintain a list of 'emerging services' that meet 75% of the category 1 user number threshold and at least one functionality threshold for category 1.

3.9 We intend to request information from certain services to assess them against the thresholds set by the Secretary of State, entering each service that meets the condition to each relevant part of the register accordingly.

## Maintaining the register and emerging services list

3.10 Once the register is published, Ofcom must maintain it on an ongoing basis, and services will have the right to request removal from the register, if they consider that circumstances have changed since they were first assessed. If any of the threshold conditions are amended in secondary legislation, we will be required to re-assess the relevant entries on the register.

## Removal from the register and appeals

3.11 If a service provider considers that its categorised service no longer meets the relevant thresholds, it may request Ofcom to remove it from the register, on the basis of evidence.[25]

3.12 Service providers may also appeal Ofcom's categorisation decisions to the Upper Tribunal. This includes any decisions on which companies are categorised as 1, 2A and 2B as well as decisions to not remove services from the register on request from service providers.[26]

## Changing category thresholds

3.13 Once the first threshold conditions have been set, Ofcom may carry out further research – whether on its own initiative or in response to a request from the Secretary of State – for the purpose of advising the Secretary of State on whether the existing thresholds conditions remain appropriate.

3.14 The Secretary of State must consider any further advice from Ofcom and must publish a statement explaining any decision to depart from Ofcom's recommendation.

[25] Clause 87
[26] Clause 148

# 4. Questions for stakeholders

4.1    We are seeking evidence and input from stakeholders on factors that relate to the research Ofcom will be required to carry out on categorisation. In particular, we are keen to understand how industry approaches and measures user numbers and functionalities on their services, to inform thresholds that are objective and measurable.

4.2    Questions 1-5 are targeted at providers of U2U and search services. Questions 6-13 are relevant for all stakeholders. We request that providers of online services respond in relation to their own service(s), where appropriate. The key definitions relevant to these questions are set out in paragraphs 2.4-2.11.

**4.3**    We welcome responses on the questions below and, in addition, would also welcome any additional evidence or information that stakeholders consider may be relevant to Ofcom carrying out research for these purposes.

## Users of the U2U part of the service

4.4    Once thresholds are set, in order to determine which regulated services pass the user number threshold, Ofcom will be required to assess the number of users of the following types of regulated service on:

a)    the U2U part of a regulated service; or
b)    the search engine of a search service; or
c)    the search engine of a combined service.

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**Question 1:** How do you measure the number of users on your service?

- Who counts as a user for those purposes? For example, are users defined as individuals who visit the service, individuals who interact with the service, individuals who have an account with the service, or individuals who request the service to host information. If you measure users on your service in more than one way, please include all relevant approaches.
- With what frequency do you measure the number of users on your service? For example, monthly.
- Do you de-duplicate[27] the number of users in your measurements? If so, how?
- Do you measure different geographic units in relation to numbers of users? For example, country, region, market, global, city.
- Do you break down the number of users on your service by their age? For example, child users.

**Question 2:** If your service comprises a part on which user-generated content is present and a part on which such content is not present, are you able to distinguish between users of these different parts of the service? If so, how do you make that distinction (including over a given period of time)?

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[27] For example, remove double counting of the same individual accessing the service from more than one device or IP address.

**Question 3:** Do you measure different segments of users on your service?

- Do you segment user measurement by different parts of your service? For example, by website vs app, by product, business unit.
- Do you segment user measurement into different types of users? For example: creators, accounts holders, active users.
- How much flexibility does your user measurement system have to define new or custom segments?

**Question 4:** Do you publish any information about the number of users on your service?

**Question 5:** Do you contribute any user number data to external sources/databases, or help industry measurements systems by tagging or sharing user measurement data? If not, what prevents you from doing so?

## Research – U2U services

4.5     For category 1, Ofcom is required to carry out research into:

   i)      how easily, quickly and widely content is disseminated by means of regulated U2U services;
   ii)     the number of user numbers and functionalities of the U2U part of such services; and
   iii)    such other characteristics of that part of such services or factors relation to that part of such services as Ofcom considers relevant to specifying the category 1 threshold conditions.

4.6     For category 2B, Ofcom is required to carry out research into:

   i)      the dissemination of illegal content or content that is harmful to children by means of regulated U2U services;
   ii)     the number of users and functionalities of the U2U part of the services; and
   iii)    other characteristics or factors as Ofcom consider to be relevant to specifying the category 2B threshold conditions

4.7     A 'functionality', in relation to a U2U service, includes any feature that enables interactions of any description between users of the service by means of the service. This includes, but is not limited to, functionalities that enable searching for user-generated content, sharing content with other users, sending direct messages to other users, subscribing to content or other users, and changing settings which affect the presentation of user-generated content.[28]

4.8     Other characteristics for category 1 and 2B include user base, business model, governance and other systems and processes.

We welcome responses from all stakeholders with relevant information and evidence. We request that providers of online services respond in relation to their own service(s), where appropriate.

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[28] The definition of 'functionality' is in clause 204 of the Online Safety Bill.

**Question 6:** Do you have evidence of functionalities that may affect how easily, quickly and widely content is disseminated on U2U services?

- Are there particular functionalities that enable content to be disseminated easily on U2U services?
- Are there particular functionalities that enable content to be disseminated quickly on U2U services?
- Are there particular functionalities that enable content to be disseminated widely on U2U services?
- Are there particular functionalities that prevent content from being easily, quickly and widely disseminated on U2U services?

**Question 7:** Do you have evidence relating to the relationship between user numbers, functionalities and how easily, quickly and widely content is disseminated on U2U services?

**Question 8:** Do you have evidence of other objective and measurable factors or characteristics that may be relevant to category 1 threshold conditions?

**Question 9:** Do you have evidence of factors that may affect how content that is illegal or harmful to children is disseminated on U2U services?

- Are there particular functionalities that play a key role in enabling content that is illegal or harmful to children to be disseminated on U2U services?
- Do you have evidence relating to the relationship between user numbers, functionalities and how content that is illegal or harmful to children is disseminated on U2U services?

**Question 10:** Do you have evidence of other objective and measurable characteristics that may be relevant to category 2B threshold conditions?

# Research – search services

4.9    For category 2A, Ofcom is required to carry out research into the following aspects of the search engine of regulated search services and combined services:

   i)    the prevalence of search content that is illegal content and search content that is harmful to children;
   ii)   the number of users of the search engine; and
   iii)  other characteristics or factors as Ofcom consider to be relevant to specifying the category 2A threshold conditions

We welcome responses from all stakeholders with relevant information and evidence. We request that providers of online services respond in relation to their own service(s), where appropriate.

**Question 11:** Do you have evidence of matters that affect the prevalence of content that (once the Bill takes effect) will count as search content that is illegal or harmful to children on particular search services or types of search service? *For example, prevalence could refer to the proportion of content surfaced against each search term*

*that is illegal or harmful to children, but we welcome suggestions on additional definitions.*

- Do you have evidence relating to the measurement of the prevalence of content that is illegal or harmful to children on search services?

**Question 12:** Do you have evidence relating to the number of users on search services and the level of risk of harm to individuals from search content that is illegal or harmful to children?

- Do you have evidence regarding the relationship between user numbers on search services and the prevalence of search content that is illegal or harmful to children?

**Question 13:** Do you have evidence of other objective and measurable characteristics that may be relevant to category 2A threshold conditions?

# A1 Responding to this call for evidence

## How to respond

A1.1    Ofcom would like to receive views and comments on the issues raised in this document, by 5pm on 12 September 2023.

A1.2    You can [download a response form from our website](). You can return this by email or post to the address provided in the response form.

A1.3    If your response is a large file, or has supporting charts, tables or other data, please email it to [os-cfe@ofcom.org.uk](), as an attachment in Microsoft Word format, together with the cover sheet.

A1.4    Responses may alternatively be posted to the address below, marked with the title of the call for evidence:

Online Safety Call for Evidence
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA

A1.5    We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:

- send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, WMV or QuickTime files; or
- upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.

A1.6    We will publish a transcript of any audio or video responses we receive (unless your response is confidential).

A1.7    We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt of a response submitted to us by email.

A1.8    You do not have to answer all the questions in the call for evidence if you do not have a view; a short response on just one point is fine. We also welcome joint responses.

A1.9    It would be helpful if your response could include direct answers to the questions asked in the call for evidence document. The questions are listed in Section 4. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.

A1.10   If you want to discuss the issues and questions raised in this consultation, please contact the Online Safety team by email at [os-cfe@ofcom.org.uk]().

## Confidentiality

A1.11  Calls for evidence are more effective if we publish the responses before the call for evidence period closes. This can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish responses on the Ofcom website at regular intervals during and after the consultation period.

A1.12  If you think your response should be kept confidential, please specify which part(s) this applies to and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.

A1.13  If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.

A1.14  To fulfil our pre-disclosure duty, we may share a copy of your response with the relevant government department before we publish it on our website.

A1.15  Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further in our Terms of Use.

## Next steps

A1.16  If you wish, you can register to receive mail updates alerting you to new Ofcom publications.

## Ofcom's consultation processes

A1.17  Ofcom aims to make responding to a call for evidence as easy as possible. For more information, please see our consultation principles in Annex A2.

A1.18  If you have any comments or suggestions on how we manage our calls for evidence or consultations, please email us at consult@ofcom.org.uk. We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.

A1.19  If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact the corporation secretary:

A1.20  Corporation Secretary
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA
Email: corporationsecretary@ofcom.org.uk

# A2 Ofcom's consultation principles

Ofcom has seven principles that it follows for every public written consultation:

## Before the consultation

A2.1    Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

## During the consultation

A2.2    We will be clear about whom we are consulting, why, on what questions and for how long.

A2.3    We will make the consultation document as short and simple as possible, with an overview of no more than two pages. We will try to make it as easy as possible for people to give us a written response.

A2.4    We will consult for up to ten weeks, depending on the potential impact of our proposals.

A2.5    A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.

A2.6    If we are not able to follow any of these seven principles, we will explain why.

## After the consultation

A2.7    We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish the responses on our website at regular intervals during and after the consultation period. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

# A3 Call for evidence coversheet

## Basic details

Call for evidence title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

## Confidentiality

Please tick below what part of your response you consider is confidential, giving your reasons why

- Nothing ☐
- Name/contact details/job title ☐
- Whole response ☐
- Organisation ☐
- Part of the response ☐

If you selected 'Part of the response', please specify which parts:

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If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

Yes ☐          No ☐

## Declaration

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom aims to publish responses at regular intervals during and after the consultation period. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name                                        Signed (if hard copy)