

A simple guide to online safety super-complaints

What are super-complaints?

The Online Safety Act allows expert organisations representing users or the public to make a special complaint to Ofcom, called a 'super-complaint'. Ofcom has a fixed time period to consider the super-complaint and publish a response.

Super-complaints should be about features of sites and apps that are regulated, or the behaviour of the organisations that run them, that risk causing serious harm to people or significantly affecting people's right to free expression.

Super-complaints should be about more than one site or app, unless the issue is very important or affects a very large number of people, in which case it can relate to a single site. They need to include evidence to back up the claims made.

Super-complaints will help organisations who are experts about online harm to ensure issues are brought to our attention. We work closely with lots of these organisations day-to-day, but making a super-complaint makes this more public.

Who can make a super-complaint?

There's no set list of organisations that can bring a super-complaint. To be able to make a super-complaint, an organisation must:

- Represent people in the UK. This can be people who use regulated sites and apps, the general public or a specific group of people.
- Operate independently from regulated sites and apps.
- Regularly take part in public discussions about online safety as an expert.
- Follow our guidance about making super-complaints.

It needs to explain to us how it meets these requirements, and we will decide if it does.

What will Ofcom do about them?

We could do a wide range of things to respond to super-complaints we decide we should handle. These include:

- Investigating whether the sites and apps in question have breached online safety rules.
- Working on new rules to address the harm that has been identified.
- Doing more research to better understand the issue.
- Working with another regulator or the government to look into issues that are relevant to other public bodies.
- Finding the super-complaint requires no immediate action.

We will say what we are doing in response to a super-complaint within 120 days of receiving it.

Will Ofcom always consider a super-complaint?

No, we will not always be able to consider a super-complaint.

If a super-complaint is not from an organisation allowed to make a super-complaint, or it is a complaint from a member of the public, Ofcom will have to reject it as a super-complaint.

A super-complaint itself also needs to meet certain rules, such as having evidence, and may be rejected if it does not meet the rules.

However, Ofcom may still look at the issue raised.

Information for organisations making a super-complaint

This is a quick summary of super-complaints. Read Ofcom's guidance to know how to prepare and submit a super-complaint.

Is my organisation eligible to make a super-complaint?

To be able to make a super-complaint, an organisation must:

- Represent people in the UK. This can be users of regulated services, the general public or a specific group.
- Operate independently from regulated sites and apps. They can receive funding and support from regulated services, but this should not affect their decision-making.
- Regularly take part in public discussions about online safety as an expert.
- Follow Ofcom's guidance about making super-complaints.

What information do we need to provide?

You need to provide information to prove that your organisation meets the criteria to be eligible to make a super-complaint.

You also need to explain:

- which service(s) you are complaining about
- what feature(s) or conduct you think presents a material risk of significant harm, significantly affecting the right to freedom of expression or otherwise having a significant adverse impact
- who is at risk of being harmed or otherwise adversely affected
- what evidence you have.

The evidence you provide needs to be relevant, current and objective. Ofcom needs to be able to evaluate the evidence and the claims you are making.

What happens after a super-complaint is made?

- Ofcom normally has 30 days to decide if the organisation is eligible to make a super-complaint. It will tell the organisation its decision.
- If the organisation is eligible, Ofcom will normally have a further 90 days to consider the issue and to tell the organisation how it will respond.