



TikTok response to Ofcom's Online Safety Act Consultation Draft Transparency Reporting Guidance

TikTok welcomes the opportunity to respond to Ofcom's consultation on its draft transparency reporting guidance ("**Draft Guidance**").

The safety and well-being of our community is a top priority for TikTok, with more than 40,000 people worldwide working every day to keep users safe. We are dedicated to being transparent with our users about these efforts and their effectiveness, as we believe transparency is not only critical to enabling users and wider society to assess how platforms like TikTok are approaching their regulatory obligations, including under the Online Safety Act 2023 ("**OSA**"), but also for reinforcing our commitment to ensuring the safety of our users. That is why TikTok has continually sought to be at the forefront of initiatives to promote transparency, publishing voluntary transparency reports since 2019 to help our community understand our rules and how they are enforced. We are proud of our long track record of evolving and improving our voluntary transparency and accountability practices, for example providing more granular data on content removal, including breaking down the number of views before content was removed and response time to user reports. TikTok also remains the only major platform to regularly publish the number of suspected underage accounts proactively removed, on a quarterly basis.

Similarly, our flagship Transparency and Accountability Centres in Dublin, Los Angeles, Washington DC and Singapore offer an opportunity for academics, businesses, policymakers, politicians, regulators, researchers and many other experts to better understand how we secure our community's safety, for example, by providing an opportunity to see first-hand how TikTok uses technology and trained content review teams to enforce our Community Guidelines.

Recommendations for Effective Transparency Reporting

Our views about transparency reporting under the OSA are informed by our experience so far in publishing [two transparency reports](#) under the Digital Services Act ("**DSA**"), as well as a number of other voluntary reports which are set out in more detail in [TikTok's Transparency Centre](#), including our Community Guidelines Enforcement Report, which includes over 500 data points specifically for the UK market. Importantly, our experience in putting together these detailed and expansive reports has shown us that valuable outputs can be produced. It has also shown that the value of these outputs is enhanced when the following considerations are taken into account:

1. **Cross-Industry Collaboration and Standardisation.** We are pleased that the Draft Guidance contemplates that providers will report 'core' information consistently over time, as this supports the aim of achieving comprehensive and comparable reporting. We recommend that industry works together with Ofcom, in a series of workshops, to identify (on a cross-industry basis) what 'core', standardised transparency information should be captured and reported on a consistent and predictable basis, and to discuss contextual

information required to ensure comparable reporting (as further discussed in section 5 below). The standardised information should be set out in the final version of the Draft Guidance, so that industry can build and deploy the technologies/processes needed to capture meaningful information in good time. While Ofcom would still retain flexibility to request ‘thematic’ metrics on an ad hoc basis, agreeing upfront a baseline for transparency reporting would help to set useful expectations for the benefit of both industry and the public.

2. **A Predictable Core Reporting Cycle.** Section 77 OSA and the Draft Guidance provides Ofcom with very broad flexibility as to when it issues transparency notices, what periods those reports will cover, and when providers are required to publish them. We recommend that Ofcom proposes a predictable reporting cycle for ‘core’, standardised reports. This cycle should align with the cadence of the business calendar (e.g., quarterly, half-yearly) and require a consistent reporting period and publication frequency across all providers, to ensure comparability of the information reported. If Ofcom seeks an annual reporting period, this should follow the calendar year, so that reports can be read in context with other global transparency reports. This will ultimately allow Ofcom to produce a transparency report that provides a more meaningful comparison between providers (and therefore help to achieve its objective of analysing patterns and trends across the industry).
3. **Early Consultation on Bespoke Requests.** In order to ensure reports requested have the greatest utility, we recommend that Ofcom seeks one-to-one or cross-industry (as appropriate) conversations about any bespoke thematic metrics Ofcom may seek, *prior* to the issuance of draft transparency notices. This will enable providers to assess the feasibility of the request, identifying whether the specific data is available, and stable enough to produce reliable metrics. Where providers are not able to produce the data requested in the first instance, early consultation would enable a discussion around alternative metrics or data sources that may align better with Ofcom’s desired objectives.
4. **Achievable Timescales that Support Quality Checking.** The timescale within which requests must be responded to should allow sufficient time for a cross-functional team spanning multiple business areas to: (i) search for and capture relevant data; (ii) clarify and validate that data carefully, to the standard of completeness and accuracy required by Ofcom and the OSA[1]; (iii) provide clear and meaningful context about the data disclosed in the report, including about calculation methodologies used for metrics; and (iv) submit the report for a final internal review and required approvals. Development of DSA transparency reports (which includes more predictable content) currently takes a number of months. As precise reporting requirements under the OSA will not be known until a transparency notice is issued, we do not believe that the timeline for response currently allowed for in the Draft Guideline (i.e. between two and six months) is sufficient. Providers should be given at least three months to produce any transparency report, with additional time being given if bespoke or new metrics have been requested. Requests for such metrics should also be proportionate and carefully consider the information that providers are likely to hold.

5. **Appropriate Formatting of Transparency Reports.** The Draft Guidance states that the notice will set out the format which the information should take, and that Ofcom's intention is that notices will be sufficiently standardised to allow for meaningful comparisons to be made between providers. Given that different providers will collect and report on data in different ways, we do not consider that Ofcom should prescribe any granular template reporting requirements that have not been validated by a cross-industry working group through the type of collaboration described at Point 1 above. If a template is prescribed, it should allow providers to explain context, the methodology used to calculate metrics and any additional information that may assist the report user's understanding. We understand the EU Commission is considering this point in the context of its draft transparency reporting template for the DSA after receiving similar feedback from a number of Very Large Online Platforms, including TikTok.
6. **Protection of Confidential or otherwise Commercially Sensitive Information.** In order to promote maximum transparency, to protect providers' legitimate interests and to ensure that online safety measures, for example, are not exposed in a way that would make them easier to circumvent, the Draft Guidance should address how Ofcom will seek to ensure that confidential or otherwise commercially sensitive information is not requested to be publicly disclosed pursuant to a transparency notice. Ofcom should seek confidential or otherwise commercially sensitive information on an informal basis or by issuing a request for information. This would mean that such information was protected under Section 164 OSA and Section 393 of the Communications Act 2003. Consultation on this issue should happen as set out in Points 1 and 3 above.
7. **Additional engagement with providers recommended for Ofcom's own transparency report.** The Draft Guidance contemplates that Ofcom may use information originally gathered from providers for a different purpose (alongside other sources of information, including from third parties and its own research activities), in order to inform Ofcom's own transparency reports. We believe that, where Ofcom does so, it should consult the disclosing providers (prior to publication of Ofcom's report) to ensure that the information, following aggregation and any further explanation by Ofcom, remains accurate and not misleading.
8. **Awareness of the potential pitfalls with trend analysis.** We are supportive of Ofcom's objective to be able to analyse patterns and trends across the industry, however, we would encourage Ofcom to be mindful of the inherent challenges in comparing online safety practices across such a diverse range of providers. Some platforms, like TikTok, may enforce stricter Community Guidelines, and invest heavily in content moderation. Without context, transparency report comparisons could have the unintended consequence of being misleading—such as interpreting high removal figures as signs of unique issues, rather than strict standards and enforcement. This is particularly important for parents assessing platform safety for their children. To avoid confusion, reports should provide context and compare platforms against their past performance as well as industry benchmarks.

We hope that the above comments are helpful.

Prior to Ofcom's finalisation of the Draft Guidance, TikTok would be happy to discuss the above comments in more detail with Ofcom. We believe such a discussion may be beneficial to facilitate the provision of additional context to platforms, and to ensure Ofcom has a comprehensive understanding of the issues raised and can ask questions on those areas that would benefit from further clarification.

[1] Even where providers are required to publish data that is routinely collected by a provider for internal use, this data will still need to be validated carefully prior to being made public, to assess its completeness, accuracy, timeliness, consistency, uniqueness and validity (and to enable it to be supported by adequate explanation/context, where relevant).