

Fairness and Privacy Complaint Form

Completing your form

Ofcom has a statutory duty to consider and, where appropriate, adjudicate on complaints of unjust or unfair treatment and unwarranted infringement of privacy ('fairness and privacy complaints').

Fairness and Privacy complaints **must** be submitted to Ofcom in writing. Ofcom will normally only consider such complaints if they are submitted through the completion of this Fairness and Privacy complaint form.

Before completing this form, you are advised to read Ofcom's Procedures for the consideration and adjudication of Fairness and Privacy complaints ("Ofcom's Procedures"). These can be found on Ofcom's website.

Please ensure that you complete the form as fully as possible. All complaints should include: contact details of the complainant and details of the programme (including the name or title of the programme, the date and time of the programme and the channel/station the programme was broadcast). Please refer to Ofcom's Procedures for a full list of information you should provide.

Note: Failure to provide these details may prevent Ofcom from identifying the programme within a reasonable time and otherwise delay or prevent Ofcom being able to consider the complaint.

Data protection

We require this information in order to carry out our duties as detailed above, under the Communications Act 2003. Please see Ofcom's General Privacy Statement¹ for further information about how Ofcom handles your personal information and your corresponding rights.

We will keep your information confidential and will not disclose it to third parties, except where we are required to do so by law or we need to so that we can consider your complaint.

Note: For Fairness and Privacy complaints,
Ofcom will forward a copy of the complaint form
and any accompanying information to the
relevant broadcaster.

General information

Please be aware that there may be occasions when a broadcaster may wish to try to resolve a complaint with the complainant instead of Ofcom conducting a full investigation. This approach is encouraged by Ofcom in settling a complaint to the satisfaction of both the broadcaster and the complainant. Therefore, any proposals to resolve your complaint from the broadcaster will be sent to you by Ofcom for your consideration.

Please note that if Ofcom upholds a Fairness and Privacy complaint its powers are limited. It cannot, for example, order any financial compensation or an apology from a broadcaster.

If a Fairness and Privacy complaint is investigated, Ofcom will publish its adjudication in its Broadcast and On Demand Bulletin. In exceptional cases, Ofcom may direct the broadcaster to broadcast a summary of our findings. In very exceptional and serious cases, Ofcom may consider imposing a statutory sanction, e.g. a fine on the broadcaster.

Page 2 of 10

¹ www.ofcom.org.uk/about-ofcom/foi-dp/general-privacystatement

Section 1 Complainant details

1a Title (optional) (e.g. Mr, Mrs, Miss, Ms, Dr, other)			
Title	First name(s)		
Last name			
ar a constituent of the constituent			
1b Complainant's address You must detail your permanent address or if this	Address		
complaint is made on behalf of an organisation, the organisation's registered address.			
	Town		
	Postcode		
	Tel		
	Fax		
	E-mail		
1c If you are making a complaint on behalf of			
another person (for example: because you are a solicitor) please also provide your contact details			
Title (optional) (e.g. Mr, Mrs, Miss, Ms, Dr, other)	7 First name(s)		
Title	This name(s)		
Last name]		
Complainant's address	Address		
Complaniant 3 address			
	Town		
	Postcode		
	Tel		
	Fax		
	E-mail		
Section 2 Programme details			
2a Programme title			
Date of broadcast Start of	programme End of programme		
Channel/station			

Section 3 Making a complaint

	Ction 3 Iviaking a complaint
3 a	"The person affected"
	A fairness and/or privacy complaint can only be made by "the person affected" by the programme or by someone properly authorised to act on behalf of "the person affected".
"The	person affected" is a statutory term and means:
	a) In relation to a complaint of unjust or unfair treatment in a programme:
	• a participant in the programme in question who was the subject of that treatment. ("Participant" means a person who appeared, or whose voice was heard, in the programme); or
	 a person who, whether such a participant or not, had a direct interest in the subject-matter of that treatment.
	b) In relation to a complaint of unwarranted infringement of privacy in a programme(s), or in connection with the
	obtaining of material included in a programme(s)):
	a person whose privacy was infringed.
3b	Making a complaint on your own behalf
	Are you "the person affected"? (Please tick appropriate box)
	YES (Go to section 4 'The complaint'.)
	NO (Go to section 3c 'Making a complaint on behalf of another person'.)
3с	Making a complaint on behalf of another person
	You can make a complaint on behalf of someone else ("the person affected"), provided that you are authorised to do so by them. In exceptional circumstances, a member of the family of "the person affected" or someone closely connected to that person may make a complaint without having obtained the authority of "the person affected". This would be permitted if the person affected is unable to give that authority, for example, because he/she is under the age of 16.
	Are you making a complaint on behalf of "the person affected"? (Please tick appropriate box)
	YES (Go to section 3d 'Appropriate authority'.)
	NO (You do not appear to be making a complaint on your own behalf or on behalf of another person. Ofcom may not be able to consider your complaint as one of fairness and/or privacy. Please refer to Ofcom's website for further information about making a complaint about a breach of content standards for television and radio.)
3d	Appropriate authority
	If you wish to make a complaint on behalf of another person who satisfies the definition of "the person affected" you will need to provide Ofcom with appropriate written authorisation from that person. Ofcom takes this to mean an original copy of a letter that is signed by "the person affected" and includes a clear statement that the person making the complaint is authorised to do so by "the person affected".
	Do you have appropriate written authorisation from "the person affected"? (Please tick appropriate box)
	YES (You will need to print out the completed form and attach the appropriate written authorisation and send it to Ofcom by post. Go to section 4 'The complaint'.)
	NO (Ofcom may not be able to consider your complaint as one of fairness and/or privacy. Please refer to Ofcom's website for further information about making a complaint about a breach of content standards for television and radio.)

Section 4 The complaint

All broadcasters regulated by Ofcom must comply with the Ofcom Broadcasting Code.		
Section 7 (Fairness) of the Ofcom Broadcasting Code outlines, with regard to unjust or unfair treatment, practices to be followed by broadcasters when dealing with individuals or organisations participating in or otherwise directly affected by programmes.		
Please Note: Ofcom is not able to consider complaints of unjust or unfair treatment in the making of the programme.		
Section 8 (Privacy) of the Ofcom Broadcasting Code outlines, with regard to unwarranted infringement of privacy, practices to be followed by broadcasters when dealing with individuals or organisations participating in or otherwise directly affected by programmes.		
Please Note: Ofcom can consider complaints about unwarranted infringement of privacy in programmes as well as in connection with the obtaining of material included in such programmes.		
4a Were you treated unfairly in the programme as broadcast? (Please tick appropriate box)		
YES (Please set out your complaint as fully as possible in the box below.)		
NO		
(Please continue on a separate sheet if necessary.)		

4b	4b Was your privacy unwarrantably infringed in connection with the obtaining of material included in the programme?	
	YES (Please set out your complaint as fully as possible in the box below.)	
	NO	
	(Please continue on a separate sheet if necessary.)	
4c	Was your privacy unwarrantably infringed in the programme as broadcast? (Please tick appropriate box)	
4c	Was your privacy unwarrantably infringed in the programme as broadcast? (Please tick appropriate box) YES (Please set out your complaint as fully as possible in the box below.)	
4c		
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	
4c	YES (Please set out your complaint as fully as possible in the box below.)	

Section 5 Complaint to broadcaster

ve you already made a complaint to the broadcaster? (Please tick appropriate box)	
	NO
	YES (Please set out the details of the outcome of your complaint and provide copies of any correspondence between you and the broadcaster.)
	you and the broadcaster.
	(Please continue on a separate sheet if necessary.)

Section 6 Delay in making the complaint

Ofcom may refuse to consider your complaint if it appears not of have been made within a reasonable time after the broadcast of the programme. You should submit your complaint to Ofcom within 20 working days after the broadcast of the relevant programme.				
Ordina	Ordinarily, Ofcom will not accept a complaint which is submitted after this deadline.			
why th	f you are submitting your complaint later than 20 working days after the broadcast of the programme, you should explain in detail why the complaint was not submitted earlier. Ofcom will then weigh up all the relevant factors (including your explanation for the delay in submitting the complaint) and decide whether or not it is appropriate for it to consider your complaint despite the delay.			
For further information on time limits on making a complaint, please see Ofcom's Procedures.				
Have you made the complaint within the relevant time limit? (Please tick appropriate box)				
[YES			
[NO (Please provide reasons for the delay in the box below.)			
-				
-				
_				
-				
-				
-				
	(Please continue on a separate sheet if necessary.)			

Section 7 Legal proceedings

	Ofcom is not able to consider a fairness and/or privacy complaint if the matter complained of is the subject of proceedings in a court of law in the UK.				
	Is the matter you are complaining about the subject of any proceedings in a court of law in the UK or are there any other current legal proceedings which might affect your complaint? (Please tick appropriate box)				
	YES (Please give full details of any proceedings in the box below.)				
	NO				
_					
_					
_					
	(Please continue on a separate sheet if necessary.)				
	(* 1332 27 d Soparate Street in inspectal fly)				

Declaration

I understand that Ofcom complies with data protection legislation and that the information on this form will be used by Ofcom for the purposes of carrying out its functions in relation to the consideration and, where appropriate, adjudication of fairness and privacy complaints.
 I understand that on receipt of this complaint, Ofcom will provide a copy of this complaint form and any accompanying information to the relevant broadcaster.
 I understand that the consideration of this complaint falls under Ofcom's jurisdiction and undertake to abide by all Ofcom's published rules and procedures.
 I understand that I need to remain actively involved with my complaint throughout the process once I have made it. If Ofcom asks me for a response about, or information connected to, a matter relating to my complaint I must reply by the deadline (or

contact Ofcom as soon as possible to let it know why I cannot keep to the deadline). If I do not respond to Ofcom, it may close

,	
Signature of complainant	
Date of complaint	Day Month Year
If submitting this form online, please tick the box if you understand and agree to the terms of the declaration above.	

Where to send this form

When you have completed this form please post it, or e-mail it, together with any supporting material, to:

my complaint because it might consider I no longer wish to pursue it

Ofcom

Fairness and Privacy Complaints
Content Standards, Licensing and Enforcement
Riverside House
2a Southwark Bridge Road
London
SE1 9HA

Email: Ofcomfairnessandprivacy@ofcom.org.uk