

Note to Broadcasters

Coronavirus

We previously provided guidance to all broadcasters on [23 March](#), [27 April](#) and [26 May 2020](#). This guidance outlined our regulatory approach in response to the Coronavirus pandemic. This letter provides an update to broadcasters on our position.

We recognise that each broadcaster may have individual queries depending on the nature of their service and specific circumstances. We provide contact details at the end of the letter and encourage you to get in touch if you have any questions on this update.

1. Programming and production commitments

In response to the pandemic, the UK broadcasting industry has demonstrated an extraordinary ability to adapt, collaborate and innovate to meet audience needs. As a result, many broadcasters have fulfilled the terms of their licence and foresee minimal ongoing issues. We commend this effort, as it means that not only have many broadcasters been able to continue to deliver high-quality services, but it has also supported wider industry recovery, such as in the independent production sector.

We understand that some broadcasters may continue to face challenges for some time. This will depend on the nature of their service and how the pandemic has impacted their operations, particularly given variances in regional and national restrictions. However, it is arguably more important than ever that audiences can receive a range of TV and radio services, that reflect and represent our diverse communities, and provide accurate and duly impartial news in each local area or region.

To that end, we continue to expect all broadcasters to make every reasonable effort to meet the programming and production requirements set out in their licence. However, where broadcasters are genuinely unable to meet a programming and/or production requirement due to the Coronavirus pandemic, we ask the licensee notifies us as soon as possible, providing information on the extent to which an obligation may be missed, the circumstances for this and mitigations in place. That information being adequately provided, we would consider the force majeure condition in the licence to be engaged, and as a result, the licensee would not be liable to enforcement action. This is in line with [our published procedures](#). This position will remain in place until 30 June 2021.

At this stage we would hope that all broadcasters are putting mitigations in place and would be able to meet all the programming and production requirements within their licence from July 2021 onwards, but we appreciate the situation is highly changeable. We will keep the situation under review, and we would value broadcasters giving us regular updates on how the challenges presented by the pandemic are evolving and impacting their services and/or sector.

2. Information requests

In the most recent update we sent to all broadcasters in May, we explained that we would start to conclude information requests that had been issued before the pandemic and would also be making new requests in relation to priority areas of our work programme.

We are now expecting all licensees to have put in place relevant mitigations or adjusted their internal processes so they can respond as normal to information requests issued by Ofcom and be able to provide the relevant data and information by the deadline specified. This will be especially important as we approach the annual broadcaster returns requests for next year.

If a licensee anticipates that it may still face challenges responding to information requests as a result of the pandemic, we ask that it notifies us as soon as possible, and at least by 31 December 2020, providing information on the issues it anticipates facing and any mitigations it has put in place.

Getting in touch with Ofcom

If you have any queries about this update, please do not hesitate to get in touch with us by email:

- For questions related to the submission of TV returns data and requests, please email MID@ofcom.org.uk.
- For questions related to the submission of radio data and returns requests, please email radiomid@ofcom.org.uk.
- For questions related to the licence held by the broadcaster, or anything else, please email broadcast.licensing@ofcom.org.uk.

Yours sincerely,

A handwritten signature in black ink that reads "Kevin Bakhurst". The signature is written in a cursive style and is positioned above a faint, light-colored rectangular stamp or watermark.

Kevin Bakhurst
Group Director
Broadcasting and Online Content