

Determinations by Ofcom in relation to BBC complaints handling

Ofcom hereby makes the following determinations under clauses 56(7) and (8) of the BBC Agreement: -

(1) BBC complaints reporting to Ofcom

In accordance with clause 56(7) of the Agreement, Ofcom determines that the BBC must provide reports to Ofcom in relation to relevant complaints¹ it has received which relate to competition requirements² and other relevant requirements³ in the form set out in Annex 1.

Data for each relevant complaint under each category of information set out in Annex 1 should be provided to Ofcom on a six-monthly basis by the tenth working day of April and November. The first report should be submitted in November 2018 and should include the relevant information for the first half of the 2018/19 financial year. All reports should be provided to BBCComplaintsReporting@ofcom.org.uk.

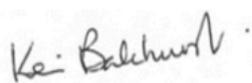
This requirement is in addition to the BBC's commitment, in its own Complaints Framework and Procedures, of notifying Ofcom of any complaint it receives which relates to Ofcom's remit appeal jurisdiction, which Ofcom expects it to continue to adhere to as part of this determination.

(2) Publication of information about the operation and effectiveness of the BBC complaints procedures

In accordance with clause 56(8) of the Agreement, Ofcom determines that the BBC must publish information about the operation and effectiveness of its procedures in relation to relevant complaints which relate to either competition requirements or other relevant requirements in the form set out in Annex 2 on a yearly basis, in its Annual Report.

(3) Effective date

The determinations at paragraphs (1) and (2) above have effect from 30 October 2018



Kevin Bakhurst,
Group Director, Content and Media Policy
25 October 2018

¹ As defined in clause 56(9) of the BBC Agreement.

² A "competition requirement" is any requirement placed on the BBC by Ofcom to regulate the impact of the BBC's activities on competition. These requirements are set out in Ofcom's [Procedures for enforcement of BBC competition requirements](#)

³ A "relevant requirement" is a specified requirement placed on the BBC by Ofcom or the Charter and Agreement, which is not covered by a more specific Ofcom enforcement procedure. These requirements are set out in Ofcom's [Procedures for enforcement of requirements in the BBC Agreement and compliance with Ofcom enforcement action](#)

Annex 1 – BBC Complaints reporting to Ofcom (six-monthly)

Data for each relevant complaint⁴ received under each category of information set out in this Annex should be provided to Ofcom on a six-monthly basis by the tenth working day of April and November. The first report should be submitted in November 2018 and should include the relevant information for the first half of the 2018/19 financial year. A template with relevant guidance has been provided for illustrative purposes.

Table for the BBC’s reporting of complaints regarding competition requirements⁵

Issue	Service(s)	Date of complaint	Complainant	Competition requirement	Outcome and remedy	Date of outcome
<i>Brief description of the nature of the issue</i>			<i>Indicate where complainant is an individual, a business, consumer group, Government or Parliamentarian, for example</i>	<i>Which competition requirement the BBC considers a complaint to be in relation to, as set out in clause 1.4 of Ofcom’s Procedures for enforcement of BBC competition requirements</i>	<i>Brief description including whether the complaint was upheld or rejected, whether a remedy was granted, or action was taken by the BBC</i>	

Table for the BBC’s reporting of complaints regarding other non-editorial relevant requirements⁶

Issue	Service(s)	Date of complaint	Complainant	Relevant requirement	Outcome and remedy	Date of outcome
<i>Brief description of the nature of the issue</i>			<i>Indicate where complainant is an individual, a business, consumer group, Government or Parliamentarian, for example</i>	<i>Which relevant requirement the BBC considers a complaint to be in relation to, as set out in clause 1.10 of Ofcom’s Procedures for enforcement of requirements in the BBC Agreement and compliance with Ofcom enforcement action</i>	<i>Brief description including whether the complaint was upheld or rejected, whether a remedy was granted, or action was taken by the BBC</i>	

⁴ As defined in clause 56(9) of the BBC Agreement.

⁵ A “competition requirement” is any requirement placed on the BBC by Ofcom to regulate the impact of the BBC’s activities on competition. These requirements are set out in Ofcom’s [Procedures for enforcement of BBC competition requirements](#).

⁶ A “relevant requirement” is a specified requirement placed on the BBC by Ofcom or the Charter and Agreement, which is not covered by a more specific Ofcom enforcement procedure. These requirements are set out in Ofcom’s [Procedures for enforcement of requirements in the BBC Agreement and compliance with Ofcom enforcement action](#).

Annex 2 – BBC publication of the information about the operation and effectiveness of its complaints procedures

Data for each relevant complaint⁷ under each category of information set out in this Annex should be published each year, within the BBC’s Annual Report. A template with relevant guidance has been provided for illustrative purposes.

Table for the BBC’s publishing of information about complaints regarding competition requirements⁸

Issue	Service(s)	Date of complaint	Outcome and remedy	Date of outcome
			<i>Whether the complaint was upheld or rejected; whether a remedy was granted or action was taken by the BBC</i>	

Table for the BBC’s publishing of information about complaints regarding other non-editorial relevant requirements⁹

Issue	Service(s)	Date of complaint	Outcome and remedy	Date of outcome
			<i>Whether the complaint was upheld or rejected; whether a remedy was granted or action was taken by the BBC</i>	

⁷ As defined in clause 56(9) of the BBC Agreement.

⁸ A “competition requirement” is any requirement placed on the BBC by Ofcom to regulate the impact of the BBC’s activities on competition. These requirements are set out in Ofcom’s [Procedures for enforcement of BBC competition requirements](#).

⁹ A “relevant requirement” is a specified requirement placed on the BBC by Ofcom or the Charter and Agreement, which is not covered by a more specific Ofcom enforcement procedure. These requirements are set out in Ofcom’s [Procedures for enforcement of requirements in the BBC Agreement and compliance with Ofcom enforcement action](#).