

Video Sharing Platforms: Ofcom's Plan and Approach



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This paper sets out Ofcom's approach and plan of work around video sharing platforms – websites and apps, established in the UK, that allow users to share video, such as TikTok, OnlyFans and Twitch.

'VSPs' are an important part of people's lives. But we know from our research that seven in ten users have experienced something potentially harmful while using them. To help address this, Ofcom has been given new duties to oversee certain aspects of how VSPs operate.

Unlike in our TV and radio work, that does not mean assessing individual pieces of content. Instead, the requirements focus on having systems and processes that protect users from harmful material.

Specifically, VSPs need to use the measures set out in law, where appropriate, to protect children from potentially harmful content – and all users from certain types of illegal content and incitement to violence or hatred. Ofcom's job is to ensure VSPs take appropriate measures to protect their users – and, if not, to take action.

Ofcom has been developing and implementing the regulatory framework to support the new VSP rules, concluding today with the publication of our accompanying [VSP guidance](#). Separately, this document sets out what we'll do over the course of this regime to raise standards in user protection and address areas of poor compliance. In the next twelve months we plan to focus in particular on: reducing the risk of child sexual abuse material on adult sites; laying the foundations for age verification on those sites; tackling online hate and terror; ensuring an age-appropriate experience on platforms popular with under-18; and ensuring VSPs' processes for reporting harmful content are effective. In Autumn 2022 we'll publish our first



annual VSP report, assessing progress against these aims and enabling users to see how their services are working to tackle harm.

This experience will help us prepare for additional responsibilities to regulate online content in future. That will come in the form of the Online Safety Act, which would tackle a much wider range of harms – and provide a greater set of duties and powers for Ofcom – than the current VSP regime. Nonetheless, the regimes are similar. Both are based on the systems and processes that companies use to protect their users. And Ofcom's role requires us to take account of users' rights, including freedom of expression, which is the lifeblood of the internet.

So our VSP work provides an early opportunity to improve user safety and assess the impact of our online work. I hope this paper helps explain our approach to that important task.

The VSP regime – in brief

Ofcom is the regulator for video-sharing platforms (VSPs) established in the UK. The regime is set out in Part 4B of the Communications Act 2003 and stems from the European Audiovisual Media Services Directive of 2018. The requirements came into effect on 1 November 2020 – and since then we have been developing and implementing the regulatory framework. This has involved consulting with a broad range of stakeholders to inform the development of regulatory guidance.

VSP providers in UK jurisdiction are legally obliged to notify their service to Ofcom. Service providers must make their own assessment of whether their service meets the legal criteria. We have published guidance to assist providers, [Video-sharing platforms: who needs to notify?](#) Currently, 18 services have notified Ofcom as meeting the relevant criteria. Many VSPs will not be in scope because they do not meet the jurisdictional criteria but might be regulated by EU Member States.

Under the new regime, VSPs must protect all users from material likely to incite violence or hatred against particular groups and content which would be considered a criminal offence under laws relating to terrorism; child sexual abuse material; and racism and xenophobia. They must also protect under-18s from material which might impair their physical, mental or moral development. Standards around advertising must also be upheld.

In order to protect the general public and under-18s from harmful videos, VSPs must take appropriate measures, which may include:

- Having, and effectively implementing, terms and conditions for harmful material
- Having, and effectively implementing, flagging, reporting or rating mechanisms

- Applying appropriate age assurance and/or parental control measures to protect under-18s
- Establishing easy-to-use complaints processes
- Providing media literacy tools and information

You can read more about the regulatory requirements, the harmful material VSPs must protect users from, and the measures VSPs must consider taking, in [Ofcom's Harms and Measures Guidance].

Unlike in our broadcasting work, Ofcom's role is not focussed on determining whether particular items of content should or should not be made available or whether they comply with specific content standards. Rather, our role is to ensure platforms have safety systems and processes in place that provide effective protection to their users from the harms mentioned above. We will draw on a wide range of evidence in assessing the measures platforms take and in considering the need for any safety improvements, including the types of content available to users on platforms.

Ofcom has new information gathering powers under the VSP regime to collect and report on information from in-scope VSPs about the measures they are taking to keep users safe. The first of these Annual VSP Reports will be published in the Autumn of 2022.

The Government has stated its intention for the VSP Regime in the UK to be superseded by the online safety regime under the Online Safety Bill currently going through pre-legislative scrutiny. The earlier introduction of the VSP regime will provide an important foundation to inform and develop the future online safety regime.

What VSP regulation can achieve

Video-sharing platforms (VSPs) are a type of online video service that allow users to upload and share videos. They are widely used by a broad range of UK internet users, with 97% of the UK online population accessing at least one of them in the last year.¹

VSPs are popular across all age groups, socio-economic backgrounds and ethnicities. While there was an increase in watching online videos by all age groups during the Spring 2020 lockdown, this was particularly pronounced among young people. Nearly three-quarters (74%) of 15-24 year olds in the UK reported watching short videos online every day during that period.

VSPs offer huge benefits for users and the economy, providing platforms for communication, creativity and self-expression. Video content can be uploaded by individuals who have produced it, some of whom might classify themselves as content creators or influencers. VSPs also serve as a popular means of entertainment and education and provide opportunities to develop and market businesses.

However the very rapid growth of new services, reaching an unprecedented scale and breadth of users, has created some serious challenges. The unparalleled freedoms and communicative capability offered by video-sharing platforms have also enabled harmful content and conduct to proliferate.

Companies have too often prioritised growth without giving sufficient consideration to user safety. We have seen harms increase rapidly, driven by the same data and network effects that turbocharged the adoption of online services across the world.

Ofcom's research found that 70% of those who use VSPs had seen or experienced something potentially harmful in the past three months. A third of users (32%) witnessed or experienced hateful content,² and one in five (21%) had been exposed to videos or content on a VSP that encouraged racism. Exposure to this type of content was higher among users from a minority ethnic background (40%) compared to white ethnicity users (19%).

Younger internet users say they have had more potentially harmful experiences online than adults in the past year, with 12-15 year olds particularly concerned about bullying, abusive behaviour, hate speech and content promoting self-harm.³

Ofcom's research found that 70% of those who use VSPs had seen or experienced something potentially harmful in the past three months.

¹ Ofcom conducted consumer research in Autumn 2020, which looked at user experiences across the VSP sector. The findings which are presented in this paper therefore relate to a wide range of VSPs, including the most popular global services, not just those which fall in-scope of Ofcom's regime. Ofcom, [Video-sharing platform usage & experience of harms survey](#) 2021.

² In this research hateful content is defined as videos or content encouraging; hate towards others, violence towards others, and racism. Fieldwork for this research was conducted between September and October 2020. The 'last three months' refers to the three months prior interview.

³ Ofcom/ICO, [Internet users' experience of potential online harms](#), June 2020.

There have been significant advancements from industry and the tech safety sector in recent years to keep users safer from harmful experiences online. These initiatives are welcome, but there is still a long way to go – both in developing more robust measures and increasing users’ engagement with them. From our research we know that many users of VSPs (60%) remain unaware of existing tools available to them to stay safe on these platforms, and only a quarter have ever flagged or reported harmful content. Reasons for not taking any form of action included a perception that it will not make a difference (31%), and not knowing what to do or where to report it (25%).

The revisions to the AVMS Directive, and the Government’s transposition of it into UK law, come at an opportune time to begin improving safety standards, transparency and accountability for internet users, ahead of the implementation of wider online safety regulation in the UK.

In developing Ofcom’s approach to VSP regulation we have focused on the need to drive meaningful change for users; this should include noticeable improvements, over time, in platforms’ safety systems and processes; easier access to and more confidence in platforms’ reporting and complaint processes; and greater visibility of the actions platforms take to deter harmful conduct and keep users safe.



Our approach to VSP regulation

This is Ofcom's first step into online safety regulation. Ofcom's new powers regulating UK-established VSPs mean that, for the first time, UK-established platforms that allow users to upload and share videos online are subject to independent statutory regulation.

Over the 12 months since the legislation was laid in Parliament we have been engaging with the sector and developing and implementing the regulatory framework to support the new regime. Specifically, we have:

- Engaged with VSP providers to understand existing approaches to user protection, beginning with a [call for evidence](#) in Summer 2020.
- Developed guidance on [who needs to notify Ofcom](#) under the regime, guidance on the

[harms and measures in the statutory framework](#), and [draft guidance on advertising requirements](#).

- Carried out extensive research into the harms that VSP users experience. This included their awareness of, and engagement with, platforms' protection measures.⁴
- Worked with experts at the Alan Turing Institute and the Institute of Connected Communities at the University of East London to produce reports respectively on online hate and protection of minors.⁵

A wide range of platforms are in scope

The VSP market is varied, with a wide range of services, targeting different users with very different content and functionalities. Ofcom is not responsible for regulating all VSPs though, as our duties apply only to services which meet criteria for establishment in the UK.⁶

At the time of writing, 18 service providers have notified Ofcom as meeting the relevant criteria. These services offer a range of different experiences and vary significantly in terms of size, reach and resources. They include:

- Social media platforms especially popular with younger users, such as TikTok and Snapchat.

- Platforms focussing on specific interests like sports or gaming, such as Recast Sports or streaming platform Twitch.
- Services which allow adult material of a pornographic nature, including direct-to-fans subscription services which, such as OnlyFans and PocketStars.

A [full list of services](#) that have notified to Ofcom is on our website. We will update this list as additional services notify.

While some of these VSPs account for a significant share of online video experiences in the UK, some of the biggest global platforms, including YouTube and Facebook, are not currently regulated services in the UK.⁷

⁴ Ofcom, [Video-sharing platform usage & experience of harms survey](#) 2021.

⁵ Ofcom, A Report by The Alan Turing Institute on [Understanding online hate](#), 2021; Ofcom, A Report by the University of East London – [Research on Protection of Minors: A literature Review and Interconnected Frameworks](#), 2021

⁶ You can read more about the [scope and jurisdiction criteria](#) of the regime.

⁷ Under the AVMS Directive Country of Origin framework, all VSPs with a presence in Europe will fall to be regulated by an EU national regulatory authority. Facebook and YouTube are likely to be regulated by the Irish regulator, until such time as the Online Safety Bill is passed in the UK which will extend Ofcom's regulation beyond services established in the UK.

Flexibility and proportionality will underpin our approach

The diversity of the VSPs in scope means that the risks they might pose, and the protections they need to offer to keep users safe, both vary. The legislation seeks to reflect this diversity and dynamism. It sets out a range of protective measures but does not prescribe which ones a platform should take, nor require a uniform approach across platforms. The focus of the regulation is on making sure that the measures platforms do decide to take, are appropriate for protecting their users from harmful material.

The onus is on VSP providers to determine how best to manage the risks their services pose and to take action that is proportionate to the risk of harm and tailored to the circumstances they face. Ofcom will take an evidence-based approach, targeting the greatest risks of harm and assessing the effectiveness of platforms' chosen protective measures.

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Ofcom expects VSP providers to be proactive, anticipating risks and taking proportionate preventative steps. This does not mean general monitoring for harmful content.⁸ It means providers should regularly and systematically work to combat existing and emerging risks, by having effective protection measures in place. Providers should have regard to Ofcom's guidance on appropriate measures. In this guidance, we are not prescriptive about the specific approach or technical tools platforms should adopt but outline good practice to consider when implementing the legislative measures. We also encourage providers to use relevant evidence to make decisions about their measures and to collect data on their effectiveness.⁹

Ofcom's role will focus on oversight, accountability, and transparency

While VSP providers must decide which legislative measures are appropriate to keep their users safe, it is Ofcom's role to hold them to account for their decisions.

Ofcom recommends that providers put in place risk management processes as we believe they will help platforms take a comprehensive approach to protecting users. Ofcom will seek to understand the totality of provider's safety and risk management systems. This will include the measures taken by the platform, some of which might be in addition to those set out in legislation, and the reasons for these decisions.

Under Government's proposals in the draft Online Safety Bill, companies will be required to carry out risk assessments and put in place measures to address the risks identified.

Ofcom will publish annual reports on user protections by in-scope VSPs, beginning in Autumn 2022. To inform these reports we will gather information and expect companies to fully disclose to us the measures they are taking to protect users from harmful material. We anticipate this being one of the first cross cutting reports of its kind, providing transparency for users and the public on the steps platforms are taking towards user safety.

⁸ Ofcom cannot impose proactive monitoring obligations on companies under the VSP regime

⁹ This aspect of the regime dovetails with our Making Sense of Media ([MSOM](#)) focus on evaluation of "what works" to further media literacy.

Regulation must not chill freedom of expression

Ofcom is used to delivering complex regimes in which we balance multiple objectives such as protecting citizens and consumers, supporting dynamic, innovative, and competitive markets, and upholding users' fundamental rights including freedom of expression and privacy. Sometimes these objectives can be in tension with each other and we need to draw on evidence and expertise to find the right balance.

Freedom of expression is a fundamental human right and we must ensure that the new regime does not disproportionately chill free expression online.¹⁰ Companies themselves have no obligations in the VSP regime to uphold freedom of expression, but Ofcom is legally bound to take into account these fundamental rights. Our guidance for VSP providers has been drafted in accordance with these rights.

Our job is to promote effective systems and processes across VSPs to ensure the safety of online users in relation to specific areas of harm

VSPs are required to protect their users from specific areas of harm, including certain types of criminal content and material likely to incite violence or hatred. They must also protect under-18s from material which might impair their physical, mental or moral development. We recognise that the range of content that can fall into these definitions is potentially quite broad. Ofcom's approach will prioritise the areas of greatest potential harm to users. VSPs and other interested stakeholders can expect Ofcom to take the strongest stance and set the highest expectations on the most serious and egregious areas of harm - such as child sexual abuse material, or terrorist content.

This regime is about platform's safety systems and processes, not about regulating individual pieces of content. Individuals should complain about harmful videos to the VSP provider in the first instance. We want users to be engaged with the reporting, flagging and complaints processes of VSPs. Users should feel empowered to use these mechanisms and feel confident they will

result in action taken by the providers', where relevant and appropriate. Where users are not satisfied with the safety processes or complaints functions of a VSP, they can let us know via our [online complaints portal](#).

Ofcom doesn't have a role in responding to or adjudicating on individual user complaints. We will monitor trends in complaints made directly to us via our website as an important indicator to help us identify where there might be issues with platforms' processes or new harms arising. We will also use this information to support our ongoing research into the harms experienced online and the safety measures of platforms.

We will use a number of sources to identify compliance concerns and areas for improvement. As well as tracking complaints made to Ofcom, we will harness information and insights from regular engagement with tech safety groups, civil society organisations, and charities with an interest in online safety. We will also actively track user experiences online and monitor trends through our extensive programme of research.

Ofcom's approach will prioritise the areas of greatest potential harm to users.

¹⁰ The right to freedom of expression exists at common law and in the Human Rights Act 1998, which

incorporates of the European Convention on Human Rights, including Article 10, into domestic law.

We will take robust enforcement where we see significant harm that is not being addressed

Providers can expect a rigorous but fair approach to our new duties. We expect platforms to engage constructively and openly with Ofcom and be willing to make improvements. We have already engaged with almost all of the platforms who have notified us. We have discussed platforms' processes and responses to specific issues. This engagement has already resulted in positive changes to safety measures, with one platform improving the content and communication of its terms and conditions around material likely to incite violence or hatred.

We will generally seek to resolve issues informally with platforms as this can provide the quickest and most efficient route to ensuring users are protected. However, there might be circumstances where we would consider taking immediate formal enforcement action in the event of a suspected breach. Relevant

considerations for such action relate to the seriousness of the material, the harm caused to users and the actions of the provider (e.g. a lack of engagement with Ofcom).

If Ofcom decides that formal enforcement action is necessary, we will investigate the issue to determine if there has been a breach and what further action might be appropriate. If Ofcom does find that a breach has occurred, we have the power to issue an enforcement notification requiring the VSP provider to take specified actions, and/or impose a financial penalty. Ultimately, we also have the power to suspend or restrict a service in cases involving the most serious non-compliance. We will use our enforcement tools proportionately and where we consider the evidence shows they are justified, having regard to the right to freedom of expression while increasing user safety.

We will work closely with UK and international partners

We will continue to collaborate with a wide range of stakeholders and third sector organisations to further our understanding of harms and best practice and deliver good regulatory outcomes. The complexity of online regulation means that our partnerships with other bodies will be even more important than usual. For instance, research bodies, universities and third sector organisations like the Internet Watch Foundation (IWF), the NSPCC and Tech Against Terrorism who can bring specific expertise and help us to identify and understand emerging issues.

We will also work closely with other digital regulators in the UK. Ofcom, the Competition and Markets Authority (CMA), the Financial Conduct Authority (FCA) and the Information Commissioner's Office (ICO) have together formed a [Digital Regulation Cooperation Forum](#) (DRCF) to support coordination across the regulation of online services.

As part of the jointly published DRCF workplan for 2021/22, the ICO and Ofcom have committed to build on our existing cooperation to ensure clarity of roles and responsibilities, coherence in and operational effectiveness of our approaches to our respective areas of regulation.

VSP regulation is complementary to, but distinct from, the ICO's Children's Code (formally known as the Age Appropriate Design Code). The ICO's Code ensures online services likely-to-be-accessed by children respect children's rights when using their data, and build safeguards and privacy into the design of their services. Ofcom is working together with the ICO to help industry and consumers to understand our respective roles and what this means for them, particularly in relation to age assurance measures.

Advertising is a part of the VSP regime which particularly benefits from a collaborative regulatory approach. We are proposing to designate the Advertising Standards Authority (ASA) as our co-regulator for VSP-controlled advertising, empowering it with day to day responsibility for administering regulation of VSP-controlled advertising, with Ofcom acting as the

statutory backstop. This builds on existing arrangements Ofcom has with the ASA for the regulation of broadcast and on-demand advertising and recognises the self-regulatory role the ASA already performs for online advertising. We consider there is a benefit to consumers and industry in having a single point of contact for advertising issues across all media.

We will aim to align approaches with international regulators where we consider that this will deliver the greatest protection for UK users and promote compliance across industry

The UK's VSP regime originates from an EU Directive. We consider that strong relations with international partners are critical. We will continue our close working with international regulators to share learning and understand their approaches to VSP, and wider online, regulation. We will aim to align approaches where we consider that this will deliver the greatest protection for UK users and promote compliance across industry. As one of the 'early movers' in VSP regulation, we are already working constructively with counterparts in EU member states, and globally, and remain ready to share our experiences and thinking where helpful.

Collaborative working with international regulators will be particularly important in an enforcement context to ensure cross-border compliance with the harmonised rules of the Directive. For example, we might consider it appropriate to work with regulators in EEA states on jurisdictional matters or on co-ordinating enforcement action. Effective cross border engagement will also help ensure that UK users are also protected when using VSPs which are not in Ofcom's jurisdiction.

Our aims for the VSP regime

Ofcom has now come to the end of the preparatory phase and the VSP regulatory regime is in operation. This is a new regime in the UK so we will learn as we go, but we are clear about what we want to achieve.

We have four broad aims for the VSP regime:

- **Raise standards** in user protections
- Rapidly identify and **address areas of non-compliance**
- **Increase transparency** across the industry
- **Get industry and ourselves ready** for the future, more comprehensive Online Safety regime.

These aims will shape our work and underpin how we drive good user outcomes. They are the framework through which we will set and achieve our priorities for each year that the regime is in force (the priorities for the next twelve months are set out in the next section).

Raise standards in user protections

We know that many platforms are already making improvements as a result of online regulation. We will continue to engage with in-scope providers to understand individual services' overall approach to risk and safety management, how this plays into the decisions to take and implement protection measures set out

in the legislation, and how they assess the results of their efforts. We will develop engagement plans with relevant providers in line with our priority areas of focus. Where shortcomings are identified, we expect to see improvements to user protection measures as an outcome of this supervisory engagement.

Rapidly identify and address areas of non-compliance

Primarily, we want to work with platforms to improve areas of protection for users and we expect providers to engage constructively. But it might be that we identify areas of non-compliance through our supervisory engagement or broader monitoring activities in the coming year.

If we consider that a platform's measures do not appropriately protect users from significant harm, we will move quickly and take robust enforcement action where necessary.

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Increase transparency across the industry

One of the positive impacts of this new regime is the transparency it will bring to users of VSPs, the wider public (including parents and carers), and Parliament about the steps that platforms are taking to protect their users. We have an important role to play in promoting greater transparency from VSPs and ensuring information published by the regulator is meaningful for consumers. Our new information gathering powers are designed to enable us to do this for the first time.

Ofcom will publish its first Annual VSP Report in the autumn of 2022. This will report on progress made on our aims and priority areas and provide a cross-sectoral look at the safety measures employed by UK VSPs and how they are implemented to best protect users. We talk more about our Annual Report in the last section of this document.

Prepare for Online Safety

The Government has confirmed its intention for the VSP regime to be superseded by the Online Safety regime. The draft Online Safety Bill, which will establish this new regime, is currently undergoing pre-legislative scrutiny in the Houses of Parliament. Ofcom will ensure that there is support for services transitioning to the broader online safety regime once it is in place.

Ofcom's work regulating VSPs provides a solid foundation to inform and develop the future online safety regime, to prepare operationally, and to build the existing skills and expertise we will need to deliver on our responsibilities under the future online safety regime.

We have already hired a range of talented individuals across different specialisms to build our capabilities and help us perform this new role.

In preparing for VSP regulation we are already gaining valuable insight into good practice in user safety, a greater understanding of the issues and challenges across the sector and developing the evidence base around harmful experiences online. We will also gain a greater understanding of the impact of online regulation.

Our priorities for the year ahead

Since the legislation took effect last November, we have already engaged extensively with industry and other key stakeholders in the online sector to understand existing approaches to user safety.

As we move beyond the preparatory phase, we will adopt a structured programme of supervisory engagement, tailored to individual platforms. We have identified five priority areas of focus for the first year of VSP regulation.

Across these priority areas, the overall goal is to ensure that VSPs are taking appropriate measures to protect their users from harmful material. In line with our stated aims for the regime, we will do this by working with industry to raise overall safety standards, particularly for children.

Where we find that users are not being adequately protected from significant harm under the requirements of the VSP regime, we will use robust enforcement if necessary.

Along the way we will shed light on how industry and Ofcom are doing, reporting annually to better inform online users, parents/carers and the wider public. The work we do under these areas will help shape the public policy debate around the Online Safety Bill.

Our priorities:

1. **Reducing the risk of child sexual abuse material (CSAM):** we will focus on reducing the risk of CSAM through improving the registration and moderation processes on adult VSPs
2. **Tackling hate and terror:** we will ensure that platforms' terms and conditions effectively protect users from terrorist content, racism and xenophobia, and material likely to incite violence or hatred
3. **Protections for under-18s:** we will work with VSPs popular with children to ensure that they are providing an age-appropriate experience
4. **Age verification on adult VSPs:** we will continue laying important foundations for age verification on adult services
5. **Reporting and flagging:** we will ensure that VSPs' flagging and reporting processes are effective and that VSPs increase user engagement with them.

These will be the areas we dedicate much of our attention to. But we recognise that other issues might come to our attention during the next twelve months which, due to the severity of harm or risk to users, might need prioritising.

In such circumstances we will make decisions about our priorities in line with the considerations set out elsewhere in this document.

Reducing the risk of CSAM

We will seek to reduce the risk of child sexual abuse material by strengthening the registration and subsequent moderation processes on adult VSPs

Self-generated content is an increasingly significant driver of child abuse images. The Internet Watch Foundation (IWF) reported a 77% increase in the amount of “self-generated” abuse material in 2020. Of the 153,350 webpages actioned by the Internet Watch Foundation (IWF) during 2020, almost half (68,000 or 44%) were assessed as containing self-generated imagery.¹¹

Adult VSPs carry a heightened risk regarding the uploading of child sexual abuse material. A new era of direct-to-fans subscription apps and websites which specialise in user-generated adult content make this risk more pronounced, either through under-age users successfully opening accounts despite a platform’s policy, or through accounts held by users who are over 18 but are posting illegal content of others under 18.

In our VSP guidance we have set a clear expectation that having, and effectively implementing, terms and conditions to prohibit CSAM is critical for protecting users and complying with the regime. We want to ensure the creator registration process and subsequent checks on the relevant platforms are robust enough to significantly reduce the risk of CSAM being uploaded and shared.

By the time Ofcom publishes the Annual VSP Report next year, we expect all adult VSPs to have robust registration and onboarding processes for creators that make it very difficult for users to post CSAM. We also expect significant progress made to ensure robust and expedited processes are in place to swiftly act on this content if it does get uploaded. We will want platforms to demonstrate the steps they take to assess the effectiveness of these processes.

¹¹ Internet Watch Foundation (2021) [‘Grave threat’ to children from predatory internet groomers as online child sexual abuse material soars to record levels’](#).

Tackling hate and terror

We will ensure platforms' terms and conditions effectively protect users from terrorist content, racism and xenophobia, and material likely to incite violence or hatred

Our research found that 32% of VSP users had witnessed or experienced hateful content in the last three months. Most cases of hateful content were directed towards a racial group (59%), followed by religious groups (28%), transgender people (25%), and those of a particular sexual orientation (23%).¹²

In our VSP guidance, we have set a clear expectation that having and effectively implementing terms and conditions that prohibit the uploading of relevant harmful material is central to compliance. This includes content which would be a criminal offence under laws relating to terrorism and racism and xenophobia, as well as material likely to incite violence or hatred.

We will ensure in-scope providers' terms and conditions (including rules of the platform or community guidelines) are aligned with the legal requirements. We will also want to understand how these are communicated to users. We will continue to engage with expert NGOs and other relevant stakeholders.

We intend to work with relevant VSPs to address areas requiring improvement. However, where necessary we will take robust enforcement action against providers who have failed to implement a measure which we consider appropriate in relation to their service. We are more likely to consider enforcement action if providers fail to co-operate with Ofcom.

When VSP providers adopt measures listed in legislation, they must be implemented in such a way as to achieve the desired protections. The content and communication of terms and conditions are Ofcom's priority for this coming year, but as part of the longer-term work on tackling hate and terror online we will want to understand how the terms and conditions on platforms are enforced.

We will report on the steps we have taken to secure compliance in this area in our Annual VSP Report next year. Where we identify good practice across industry, we will promote this.

¹² Ofcom, [Video-sharing platform usage & experience of harms survey 2021](#).

Protections for under-18s

We will work with VSPs that are popular with children to ensure they have appropriate protections for under-18s in place.

Our research found that in 2020, 99% of online 12-15 year olds watched content on video-sharing platforms, with TikTok and Snapchat among the most used apps for teens after YouTube and Instagram.¹³

Children are highly engaged with video content online, and VSPs provide a beneficial platform for entertainment, education, and self-expression.

However, our VSP research also found that 79% of 13 – 17 year olds who use VSPs said that they had experienced a potential online harm on a video-sharing platform in the last three months. This age group was also significantly more likely than adult VSP users to say they had been exposed to several potential online harms including: negative body image and eating disorders; content glamorising unhealthy or abusive lifestyles; and promotion of self-harm.¹⁴

Some of the VSPs in scope are very popular among children and users under the age of 18. Access to inappropriate content for different age groups is a widespread concern and there is a lot more to do to ensure that under-18s are suitably protected online.

Platforms need to tailor their safety efforts to ensure an age-appropriate experience for all their users. This includes ensuring users of all ages can understand and engage with safety measures and that media literacy is promoted.

Age-assurance is an industry wide challenge and we are committed to working closely

with relevant services to ensure they have effective solutions in place. Over the next 12 months we will also continue to collaborate with other key actors in this space, further our technical understanding of the tools available and emerging, and continue discussions with government policy makers to ensure the future online safety regime builds on the progress made under the VSP regime.

By the time Ofcom publishes the Annual VSP Report next autumn we will be able to report in detail on the measures VSPs have in place to protect minors and ensure content is age appropriate. By providing this transparency, parents and carers, parliamentarians and the public will be able to compare what platforms are doing to protect young people.

The ICO is a key regulatory partner for Ofcom as it implements its Children's Code. Ofcom and the ICO's regimes both take a risk-based approach to age assurance, acknowledging the development of emerging technological solutions and signposting standards and certification schemes as a means of helping companies of different capability and resource to move towards greater compliance. Ofcom and the ICO are committed to working together to promote best practice in age assurance that is compliant with both the privacy requirements in data protection law and the requirement to protect children from harmful material in the VSP regime.

¹³ Ofcom, [Online Nation report](#), 2021

¹⁴ Ofcom, [Video-sharing platform usage & experience of harms survey](#) 2021.

Age verification on adult VSPs

We will continue laying important foundations for age verification on adult services

Ofcom research found that the overwhelming majority of VSP users feel that rules to protect children from seeing sexual content are needed (84%).¹⁵ The BBFC also found that 83% of parents agreed with the statement “there should be robust age-verification controls in place to stop children (under-18s) seeing commercial pornography online”.¹⁶

The VSP regulations require that the material with the most potential to harm under-18s must be subject to the strictest access control measures. We consider that this means that pornographic material should be behind robust age verification systems that either operate as an age-gate to block users from the entire platform or to filter material in a way that can protect under-18s.

This year we will drive forward the adoption of age verification for adult services. Ahead of the online safety regime we recognise that

there are challenges to work through, not least because the narrow range of UK-established VSPs in Ofcom’s scope means that many adult VSPs will not have to comply with Ofcom’s rules. We will work with notified adult VSPs on the practical timelines for implementing robust measures, ensuring a risk-based and proportionate approach is adopted for each site.

We will also work closely with other regulators to co-ordinate efforts in this area towards a level-playing field for adult VSP providers while maximising protections for under-18s. We aim to establish a collaborative working group of domestic and international regulators working towards similar goals and furthering our collective technical understanding of the range of options available. We will report on all progress in the Annual VSP Report next year.

¹⁵ Ofcom, [Video-sharing platform usage & experience of harms survey 2021](#).

¹⁶ BBFC, [Research into children and pornography](#), 2019

Reporting and flagging

We will ensure that VSPs' flagging and reporting processes are effective and that VSPs increase user engagement with them.

The majority of VSP users are unaware of the safety measures available on the VSPs they use. While flagging and reporting tools are the most widely recognised safety tool (60%), they are only used by one in four users.

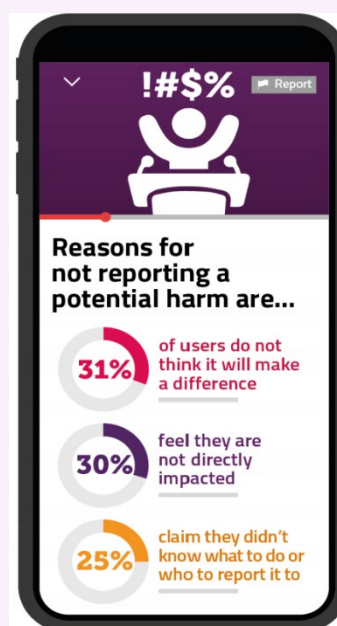
When harmful content is made available on VSPs, the platform needs to be made aware of it in order for it to be removed or other appropriate action taken. It is therefore crucial that users feel empowered to notify platforms of their concerns via reporting and flagging mechanisms.¹⁷

However, we know from our research that over a third of VSP users (35%) did not take any action after being exposed to a potential harm. Reasons for not taking any form of action included a perception that it will not make a difference (31%); or that they were not directly impacted (30%). A quarter said they didn't know what to do or who to report it to. Among those who had taken action, there was a lack of awareness regarding the outcome with just over half (55%) aware of the action taken.

Our VSP guidance explains that Ofcom considers having and effectively implementing a form of reporting and flagging mechanism to be central to protecting users and holding platforms to account. We therefore want to gain a detailed understanding of existing reporting and flagging processes on in-scope VSPs, looking in particular at how easy they are to find and use, the action that is taken, and

what the user experience is when they are used.

We will continue to research user awareness and engagement with these important safety tools, including through behavioural insights trials and our media literacy research, and working with others active in this space. We will seek to identify recommendations for improvements where appropriate. Ofcom will conduct its own consumer awareness campaign later this year, and work with platforms to promote user awareness of these tools.



By the time Ofcom publishes its Annual VSP Report we expect to be able to report on increased user awareness and engagement with reporting and flagging tools and share good practice on what works to engage users.

¹⁷ Some platforms choose to adopt technologies that identify such content, but this is not a requirement in the VSP regime

Looking ahead

The VSP regime presents Ofcom with some unique challenges as well as some important opportunities. We have already achieved a lot and we know that the next twelve months will be an important period in the protection of users online as we put our plans into action.

Work has already begun on our five priority areas of focus. As a next step Ofcom will be writing to VSPs to set out our expectations relating to the areas of focus for the year ahead. We will be engaging with all in-scope providers to ensure platforms understand their statutory obligations.

Ofcom has plans for continued engagement with industry and other stakeholders to identify future areas of focus. We will be carrying out research into harms and measures, as well as conducting an awareness campaign with VSP users about the protections offered by platforms.

Ofcom's VSP report is likely to be the first of its kind that will bring much needed transparency across the sector to shine a light on good practice and enable users to compare different VSPs

Ofcom's first Annual VSP Report

We plan to publish our first Annual VSP Report in the autumn of 2022. This will use a number of sources of information to provide users with transparency about safety measures on platforms in scope.

We will use our information gathering powers to collect information across the suite of measures in legislation, including, for example, information relating to reporting, flagging and complaints handling systems. We will engage with providers in advance to discuss the information we plan to request. We will also publish evidence in our reports from our VSP consumer research panel which will continue to monitor user experiences of harmful content and engagement with protection measures.

Some platforms already collect and publish information about the prevalence of harmful material and the actions taken in response. However, due to the diverse nature of VSPs there are differences in how harms and safety measures are described, discussed, and reported on.

Ofcom's VSP report is likely to be the first of its kind that will bring much needed transparency across the sector to shine a light on good practice and enable users to compare different VSPs.

New harms emerge online constantly and users' expectations of protection against those harms will change over time. Adapting to these changes requires us, and service providers, to take an iterative and flexible approach. In the future we may seek to define measurable targets in raising user protections, but this year we are focused on working collaboratively with industry, regulators, and other key stakeholders to make progress in important areas and report publicly on what we find out.

Over the coming years we will be striving towards full transparency of safety practices across industry. Our goal is for effective, quantifiable user outcomes, but we recognise there is a journey to get there. We will move closer to this with each report, promoting the use of consistent, measurable information which will in turn raise industry standards.