

Ofcom ref: 00520947

Information Requests

Email: information.requests@ofcom.org.uk

1 March 2018

Ref: 00520947 Freedom of Information: Right to Know Request

Thank you for your request for information on the number of complaints to Ofcom. Your request was received on 19 February 2018 and we are responding under the terms of the Freedom of Information Act 2000.

Before responding to your question, we would like to provide some background information on Ofcom's complaints procedures and reporting.

Complaints about content standards are handled under *Ofcom's Procedures for investigating breaches of content standards for television and radio*¹.

Individual complaints received by Ofcom are assigned to cases. A case is opened when Ofcom is assessing a specific programme or issue and may consist of one or more complaints.

Ofcom assesses every complaint it receives. Based on an initial assessment of the complaint and a consideration of the related content, Ofcom will consider whether there may have been a breach of the Broadcasting Code (or other Ofcom codes or licence conditions). In cases where Ofcom considers there may have been a breach, it will launch an investigation. The possible outcomes of an investigation are that we judge an issue is in breach, resolved or not in breach of our rules.

Ofcom's Broadcast and On Demand Bulletin, published every fortnight on our website, includes decisions about the complaints we have considered. The Bulletin covers a range of cases, including those which Ofcom has escalated for full investigation, and those which, after careful assessment, Ofcom has decided not to pursue because they did not raise issues warranting investigation. The Bulletins can be accessed via the following link to our website: <https://www.ofcom.org.uk/about-ofcom/latest/bulletins/broadcast-bulletins>.

In your request you explained that you are a member of a support group and believe that the number of member complaints about an admission of a false sexual allegation in *The Jeremy Kyle Show* "far exceeds" the number of 39 published by Ofcom.

¹ Available at:

<https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/procedures>

You cited two Ofcom reference numbers, 00517351 (logged via our website on 7/2/18 at 10:27) and 00517847 (logged via our website on 8/2/18 at 11:00), and requested “a breakdown of figures concerning 496 complaints made within this 24-hour period were attributed to date range 05-09/02/2018”.

All standards complaints received by Ofcom are assigned an individual reference number, however, Ofcom’s database captures complaints and queries related to all of Ofcom’s functions, not just broadcast standards complaints. Therefore, the cases logged in the period you cited were not all about broadcast standards. In addition, for technical or administrative reasons, the numbers given to cases does not always follow the full numerical sequence.

I can confirm that there were 486 cases logged in the period between the two reference numbers you cited, with 78 cases related to broadcast standards issues. The following table lists the totals for different areas regulated by Ofcom.

Case Record Type	Number of cases
Broadcasting Standards	78
Telecoms	376
Spectrum	24
Licensing	4
General / Information Request	4

Bulletin Issue 348 included a list of complaints considered between 29 January and 11 February 2018 that, after careful assessment, Ofcom decided not to pursue because they did not raise issues warranting investigation. This included 38 complaints about the 7 February episode of *The Jeremy Kyle Show* which were assessed within that reporting range.

One additional complaint about that episode was received on 11 February and closed on 16 February, as reported in Bulletin Issue 349, which captured complaints Ofcom decided not to pursue between 12 and 25 February 2018.

You referred to having “an exhaustive log of member’s reference numbers that were generated on this day in relation to the complaint that they made”. Based on the information available to us, we have no evidence to suggest the Ofcom web complaint forms are not functioning correctly in terms of capturing incoming complaints. However, we will be happy to investigate any suggestion of missing complaints if you are able to provide us with the log of Ofcom reference numbers.

We hope this information is of assistance. If you have any queries, then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Information Requests

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exception cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF