

# Ofcom Broadcast and On Demand Bulletin

## Note to Broadcasters

### Coronavirus

We previously published a [Note to Broadcasters](#) which set out our approach to enforcement over this difficult time, particularly in relation to compliance with the [Broadcasting Code](#) and with programming commitments. We have since provided some further guidance on compliance with the Broadcasting Code when broadcasting content relating to coronavirus. This note outlines additional advice on our approach to fee payments and specific requests for information during this time.

As stated in our previous Note, Ofcom recognises that broadcasters are facing significant challenges in these unprecedented times. We will provide further updates as needed and encourage licensees to keep in touch with us about the specific issues they are facing.

### Invoices for annual licence fees

We appreciate that the unprecedented circumstances brought on by the coronavirus will be impacting all of our licensees to an extent. During this time, we are committed to supporting broadcasters to enable them to continue to provide their services to viewers and listeners across the UK. We recognise the challenges many of you are facing and we are taking appropriate steps to help licensees who have been adversely impacted.

It is a requirement of every broadcaster's licence that they pay their annual licence fees, and we ask all licensees who are still able to pay to do so at their earliest opportunity. However, for those who cannot pay, we are willing to delay payment. We will write to all licensees on this when their invoice is due.

We would also remind broadcasters of the importance of ensuring we have the most up-to-date contact details for you over this period, particularly the email address we hold on file for your licence bill contact. Please get in touch with us at [BroadcastingLicenceFees@ofcom.org.uk](mailto:BroadcastingLicenceFees@ofcom.org.uk) if you would like to make any changes to your details.

### Diversity information requests

Ofcom has a duty under section 27 of the Communications Act 2003 (the 'Act') to take all such steps as we consider appropriate for promoting equality of opportunity in relation to employment by those providing television and radio services, and the training and retraining of persons for such employment, between men and women, persons of different racial groups and disabled persons. This is reflected in a licence condition that requires larger broadcasters to make arrangements for promoting equality of opportunity and for training/retraining.

During February and March 2020, Ofcom sent the majority of broadcasters a request for information on their number of employees and days authorised to broadcast. The deadline for responses has now passed – we are grateful to those who provided the required information. Please note however that we will not be following up outstanding responses at this time, as we are currently realigning our diversity programme to take account of the business impact on broadcasters from disruption related to the coronavirus.

This also means we will not, at this time, be issuing “stage 2” requests to larger broadcasters (those employing more than 20 people and licensed to broadcast for more than 31 days per year) requiring them to provide information on some diversity characteristics and asking for voluntary information on others. If you have any questions please email [diversityinbroadcasting@ofcom.org.uk](mailto:diversityinbroadcasting@ofcom.org.uk).

### TV Transmission & Revenue requests

In January 2020, Ofcom sent an email to all TV broadcasters asking them to complete a TV Transmission & Revenue Return relating to the period January-December 2019. We asked that they submit this information by Friday 20 March 2020 through the [Ofcom Online Services Portal](#). There is also guidance on how to complete and submit the return on our [website](#).

It is a condition of every TV licence that broadcasters provide this information to Ofcom on request. We use the data compiled from these returns to:

- calculate TV licence fees;
- feed into Ofcom’s report summarising the broadcasting sector over the past year; and,
- monitor the TV broadcast market and inform Ofcom's policy in this area.

In the current circumstances we are not proposing to take any further action in relation to those who have not been able to provide this information by the deadline. We will provide further information on the deadline for submitting this data in due course.

### Radio Relevant Turnover requests

In January 2020, Ofcom sent an email to all radio broadcasters, apart from those with community radio licences, asking them to complete a Radio Relevant Turnover Return relating to the period January-December 2019. We asked that they submit this information by Friday 20 March 2020 through the [Ofcom Online Services Portal](#). There is also guidance on how to complete and submit the return on our [website](#).

It is a condition of every radio licence that broadcasters provide this information to Ofcom on request. We use the data compiled from these returns to:

- calculate licence fees for some types of analogue radio licences;
- feed into Ofcom’s report summarising the broadcasting sector over the past year; and,
- monitor the radio market and inform Ofcom's policy in this area.

In the current circumstances we are not proposing to take any further action in relation to those who have not provided this information by the deadline. We will provide further information on the deadline for submitting this data in due course.

### Community radio finance report requests

Ofcom sent each of our community radio broadcasters licensed on or before 31 December 2018 an email on 6 March 2020 requesting that they complete a finance report for the past calendar year i.e. January to December 2019. We asked that they submit this information by Friday 3 April 2020 through an [online form provided by Microsoft Forms](#).

It is a condition of every community radio licence that broadcasters provide a finance report to Ofcom on request. We use the information gathered through these reports each year to:

- check whether community radio broadcasters have stayed within the financial limits set out in their licences in relation to on-air spot advertising and sponsorship income;
- use information compiled from the returns in Ofcom's report summarising the broadcasting sector over the past year; and,
- inform Ofcom's policy on community radio.

In the current circumstances we are not proposing to take any further action in relation to those who do not provide this information by the initial deadline set. We will provide further information on the deadline for submitting this data in due course.

### Local TV annual return requests

Each year, Ofcom sends an annual request to each local TV broadcaster asking them to submit their annual programming commitment returns. It is a condition of every Local TV licence that broadcasters provide an annual return to Ofcom on request and this data is used for two purposes:

- to publish information about the sector in our annual Media Nations report; and
- to check compliance against the programming commitments for the previous year.

In light of these exceptional circumstances, we are suspending our formal requests for data from Local TV broadcasters this year. We will review this situation regularly and if we intend to write requesting this data later in the year, we will endeavour to give broadcasters as much notice as possible. Ofcom also recognises that it may take broadcasters time to get their services back to full operation after the current situation comes to an end. Please be assured that we will take the impact of the coronavirus fully into account when considering broadcasters' compliance with programming commitments when we request data for 2020.

We would ask, however, that broadcasters let us know if they experience difficulty complying with their programming commitments. Also, that they keep us informed as to how they have made reasonable adjustments where necessary with a view to continue to provide the best possible service to their audiences.

### Getting in touch with Ofcom

Any broadcasters who experiences issues complying with their licence obligations should notify Ofcom of the issues they are facing and keep us updated as far as this is possible.

If you have any other queries please do not hesitate to get in touch with us by email:

Invoices for annual licence fees: [BroadcastingLicenceFees@ofcom.org.uk](mailto:BroadcastingLicenceFees@ofcom.org.uk)

TV transmission & revenue return: [MID@ofcom.org.uk](mailto:MID@ofcom.org.uk)

Radio relevant turnover return: [radiomid@ofcom.org.uk](mailto:radiomid@ofcom.org.uk)

Community radio finance reports: [broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk)

Local TV annual returns: [broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk)