

Ofcom ref: 00535152

Information Requests
Email: information.requests@ofcom.org.uk

10 May 2018

Ref: 00535152 Freedom of Information: Right to Know Request

Thank you for your request for information on complaints received by Ofcom about programmes related to news. Your request was received on 18 November 2017 and we are dealing with it under the terms of the Freedom of Information Act 2000 (“The FoI Act”).

You requested the following information:

Please can you tell me how many complaints you received about the content of TV news broadcasts in 2017 because of the emotional impact of the news. By this I mean complaints would need to be in relation to the negative emotional effects of viewers seeing or hearing the content.

Also please tell me which TV channel the programmes were shown on.

I'd also like to know what the nature of the content was (e.g., terror, war, famine).

We log complaints on our complaints database by category of the complaint issue (with reference to relevant rules and codes). There is no specific category used exclusively to identify the individual subject of a complaint, such as news coverage causing “emotional impact”, or specific content which may have such an effect.

In 2017 Ofcom received over 17,000 complaints across approximately 2,300 television and radio services which we licence and regulate. Around 3,200 complaints related to news coverage.

In terms of identifying complaints relating to news coverage causing an “emotional impact” and the related content, we would only be able to establish this information by manually searching individual cases.

The information is therefore not readily accessible and a considerable amount of time would be needed to manually locate, retrieve, identify and extract any relevant information. Section 12 of the FoI Act provides that a public authority is not obliged to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the “appropriate limit”. The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested,

identifying, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour.

Ofcom estimates that it would take more than 18 hours to identify, locate and extract the information you require and as such the cost of complying with your request will exceed the appropriate limit.

Although we are unable to provide information in terms of your broad request, we have provided at Annex A a table listing all the complaints about news received in 2017 including the category of complaint as listed in relation to the Ofcom Broadcasting Code (“the Code”).

Complaints about news are carefully assessed under the Code, which sets strict standards for programme content which broadcasters must follow. If we consider that these rules may have been broken, we work swiftly to investigate. Should we conclude our rules have been broken, we have the power to impose sanctions on broadcasters. You can find decisions about complaints we have received in Ofcom’s Broadcast and On Demand Bulletin, published every fortnight on our website here: <http://stakeholders.ofcom.org.uk/enforcement/broadcast-bulletins>.

For complaints about the BBC, a new BBC Royal Charter and Agreement was published in December 2016, which gave Ofcom new regulatory powers over the BBC. Ofcom took up its new responsibilities on 3 April 2017 and therefore regulated BBC news coverage for the latter part of the period covered by your request.

Prior to this date (i.e. for the first part of the period covered by your request), complaints relating to programmes on BBC services funded by the licence fee about due accuracy, due impartiality, elections and referendums fell outside Ofcom’s remit. Regulatory responsibility for such complaints at that time sat with the BBC Trust. You can find their complaints findings on their website here: http://www.bbc.co.uk/bbctrust/our_work/complaints_and_appeals/editorial. Complaints about all other matters, such as harm and offence, could however also be considered by Ofcom at that time against the requirements of the Code.

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