Freedom of Information: Right to know request

Thank you for your request for information in relation to the number of programmes receiving complaints about performers.

We received this request on 1 December and have considered it under the Freedom of Information Act 2000 ("the Act").

Your request

You asked for the following:

I am writing to you under the Freedom of Information Act 2000 to request the following information from Ofcom: Since 1960, how many programmes that have featured performers that have classified themselves as Drag Queens and Drag Performers have received complaints from audiences involving jokes and comedy-related material.

Our response

While we do not hold complaints received by broadcasters themselves, we do receive complaints from individuals in relation to content broadcast by a particular programme or channel. These records go as far as 2014. However, we do not have a specific category in our complaints management system that would identify complaints related to “drag queens” and “drag performers”. Therefore, we will not be able to provide any information in relation to your request as it is worded in such a way that we would have to manually search all broadcast standards complaint we have received from 2014 to the date of your request to see if they contain the information you seek. Preparing a response to your request would take over 18 hours to locate, retrieve, identify and extract the information.

Section 12 of the Act exempts us from responding to such a request where it exceeds the “appropriate limit”\(^1\) as indicated in the hourly estimate above. However, if you wish to submit a new, refined request to narrow it down in a way which would help us to search more quickly, we would

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\(^1\) 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 by 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.
be happy to consider this. For example, if you can specify a particular programme(s) (e.g. Britain’s Got Talent) or a much narrower timeframe (complaints received in a particular year e.g. 2019), we may be able to carry out a more effective search that is within the appropriate limit.

I hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely,

Jerin John
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 exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Corporation Secretary
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