

Reference: 640361

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Freedom of Information: Right to know request

Thank you for your request for information regarding Bailrigg FM.

This was received by Ofcom on 22 November 2018 and it has been considered under the Freedom of Information Act 2000 (the Act).

You asked:

A history of all OFCOM complaints made against 87.7 Bailrigg FM and the outcomes.

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

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/aboutofcom/latest/bulletins/broadcast-bulletins>.

Regarding your request, our records show one complaint concerning Bailrigg FM, the details of which can be found below.

Programme	Service	Transmission Date	Categories	Number of complaints
The Tuesday Bailrigg Show	87.7 Bailrigg FM	23/10/2018	Offensive language	1

After careful assessment of the complaint and the broadcast material, Ofcom did not identify any issues that warranted further investigation. This was reported on page 40 of Issue 366 of Ofcom's Broadcast and On Demand Bulletin here:

https://www.ofcom.org.uk/data/assets/pdf_file/0013/127201/issue-366-broadcast-on-demand-bulletin.pdf

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,

Catriona Lawrence

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