

Reference: 02215183

Information Requests
information.requests@ofcom.org.uk

16 July 2026

Dear,

Freedom of Information request: Right to know request

Thank you for your request for information concerning Online safety complaints and TikTok.

We received this request on 22 June 2026 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act"). We note that you have made a number of connected requests regarding TikTok and/or online safety complaints in the past few months.

Your request

"Thank you for your response dated 22 June 2026 (ref: 02205897). I have three observations and four short additional questions arising directly from it. Each question is answerable with a yes or no, a single number, or by reference to an existing document. I am conscious of the cost provisions under the FOI Act and have framed my questions accordingly.

Observation 1: The contradiction has not been resolved. It has been restated.

Your response states that complaints "may lead to an investigation" but that "statistics on how each one has been investigated aren't held."

My original question 4 asked how many complaints resulted in formal regulatory action against TikTok. Your original response said this information is not held. Your 22 June response confirms that complaints may lead to investigations. These two positions remain in tension.

If complaints may lead to investigations, Ofcom must have some mechanism for identifying which complaints trigger further action and which do not. The existence of that mechanism implies that some record of the outcome exists, even if only at the level of logged with no further action versus referred for investigation.

I am not asking Ofcom to compile new analysis. I am asking whether a record of that mechanism exists.

Observation 2: The regulatory powers gap

My original request covered the period April 2021 to April 2026. Ofcom's Online Safety Act enforcement powers activated in March 2025. For approximately four years of the period covered by my request, Ofcom had no OSA enforcement powers.

Your response states that complaints "may lead to an investigation." I ask Ofcom to clarify: under what legal framework could a complaint about TikTok's content or conduct have led to a formal investigation between April 2021 and March 2025?

The only available regime during that period was the Video Sharing Platform (VSP) regime, which is narrow in scope and does not cover the categories of harm I asked about. If no legal framework existed under which complaints about TikTok's content or conduct could have led to investigation

during that period, that is directly relevant to whether section 393(1) can apply to complaint data from those years. Information obtained in the exercise of functions that did not exist cannot be regulatory intelligence.

Observation 3: Which "particular business" is section 393(1) protecting?

Throughout this exchange, Ofcom has applied section 393(1) to protect information relating to "TikTok." I ask Ofcom to clarify which legal entity it is treating as "a particular business" for the purposes of section 393(1).

The regulated UK entity is TikTok Information Technologies UK Limited, Companies House number 10165711. That is the entity subject to the VSP regime and the entity fined in July 2024.

The complaints submitted to Ofcom by members of the public were about platform conduct and user experience. Those complainants had no legal relationship with TikTok Information Technologies UK Limited. They were reporting harm experienced on a consumer product.

If Ofcom is applying section 393(1) to protect TikTok Information Technologies UK Limited, I ask it to explain how aggregate complaint volumes from members of the public constitute information obtained "with respect to" that company's business.

If Ofcom is treating the platform product itself, rather than the registered UK entity, as a particular business, I ask it to identify the legal basis for extending section 393(1) protection to an unregistered global product rather than the regulated UK company.

Additional Questions

These questions are answerable by yes or no, a single number, or by reference to an existing named document. They do not require Ofcom to compile, analyse, or review individual complaint records.

Question A

Does Ofcom hold any written policy, internal guidance, or standard operating procedure setting out how complaints received via its online safety complaint forms are triaged, assessed, and escalated? Yes or no.

If yes, please provide the title and date of that document. I am not requesting the full document at this stage, only confirmation that it exists and its title.

Question B

Between April 2021 and March 2025, was there any legal framework under which a complaint received by Ofcom about TikTok's content or conduct, as distinct from TikTok's compliance with a statutory information request, could have led to a formal Ofcom investigation? Yes or no.

If yes, please identify the specific legal framework.

Question C

When Ofcom's Online Safety Act enforcement powers activated in March 2025, were any changes made to the way complaints about regulated services are logged, tracked, or assessed? Yes or no. If yes, please confirm whether a written record of those changes exists.

Question D

For the purposes of Ofcom's application of section 393(1) of the Communications Act 2003 in this matter, is the "particular business" being protected TikTok Information Technologies UK Limited (Companies House no. 10165711)? Yes or no."

Our response

Although a response to an earlier Internal Review, we have treated your email of 22 June 2026 as a new freedom of information request. Each of your three observations 1, 2 and 3 and your four question A, B, C and D requests new information from Ofcom.

Observation 1

Under this heading you have outlined disagreement with the factual position previously outlined in our response dated 29 April 2026 to your original freedom of information request with ref 02179882, our Internal Review response dated 20 May 2026 with ref 02193674, and our follow-up communication of 22 June 2026. We do not think there has been any inconsistency in how we have responded to you on this point.

In each of those responses, we explained that Ofcom does not hold records of the number of complaints submitted by third parties via our online safety complaint form that resulted in formal regulatory action against the platform TikTok. We explained that such information is not held by Ofcom because “we cannot respond to or investigate individual complaints” submitted via the Online Safety complaints portal, as stated on [the submission page for the complaint forms](#). In our Internal Review response, we explained that this is the position for any entity regulated under the Online Safety Act 2023 (not simply TikTok) because the adjudication of **individual complaints** is not part of our regulatory remit under the Online Safety Act 2023. Ofcom is not an Ombudsman service. Rather, Ofcom’s regulatory remit is to determine whether a provider’s systems and processes comply with its online safety duties. Evidence of potential non-compliance may reach us in a variety of ways, including through the Online Safety complaints portal.

It is explained in our [Online Safety Enforcement Guidance](#), in section 3.5 on pages 8 and 9, that information about potential compliance issues may reach us in a variety of ways, including “*via our routine monitoring of information provided to our Consumer Contact Team or online safety complaints portal*”. Section 4.3 of the same document confirms that “*we cannot pursue every possible issue that comes to our attention and must make decisions about what action to take by weighing up the likely benefits against the resources required*”. Section 4 of the same document explains how we make an initial assessment of information we receive from a variety of sources as to whether it merits prioritisation for further action, such as opening an investigation or pursuing resolution with the provider through other means. We explained in our Internal Review response and our communication of 22 June 2026 that complaints received via the Online Safety complaints portal **may** form part of the evidence considered in an initial assessment process for possible enforcement action, where the substance of the complaint raises concerns about potential compliance issues. Such a complaint would be referred to the relevant team at Ofcom according to the subject matter of the complaint. However, we also explained that submission of a complaint via the portal does not, in itself, indicate a potential compliance issue and does not, in itself, lead to formal regulatory action. The above explanations are not in tension. There is a range of possible next steps and final outcomes following submission of a complaint via the portal, but Ofcom does not have power to respond to them as individual complaints or investigate them as individual complaints. As such, we do not maintain statistics on how many complaints have led to formal enforcement action. This is not centrally logged.

Your Observation 1 requests confirmation as to whether a mechanism exists for complaints to trigger formal regulatory action. This mechanism is what is set out in the Online Safety Enforcement Guidance linked above: a complaint may form part of the sources of intelligence we receive

indicating that a service may have compliance issues that could result in the service being prioritised for formal investigation.

Observation 2

Questions 1 to 3 of your original request asked for numbers of complaints about TikTok, about livestreaming on TikTok, and about financial exploitation, gifting or fundraising on TikTok livestreams for each year between April 2021 and April 2026. We responded that we could neither confirm nor deny whether such information was held under section 1(1)(a) FOI Act because of the exemption in section 44 FOI Act, that disclosure is prohibited under another enactment. The other enactment is section 393(1) Communications Act 2003. Your Observation 2 challenges the application of the exemption because you do not see how your requests for information would be relevant to any aspect of Ofcom's regulatory jurisdiction over TikTok except what could be enforced under the Online Safety Act 2023 from March 2025 onwards. You do not see that your questions could be relevant to the Video Sharing Platform (VSP) regime that existed prior to the Online Safety Act 2023 coming into force as it relates to different harms.

You ask us what regulatory powers Ofcom would have had over TikTok prior to March 2025 that would engage section 393 Communications Act 2003.

As detailed in Ofcom's [Video Sharing Platforms: Ofcom's Plan and Approach](#) at page 7, a similar complaints portal had existed on Ofcom's website to allow people to submit complaints about services regulated under the VSP regime. This complaints portal had been live since before the publication of the document in October 2021. The hyperlinked VSP complaints portal webpage no longer exists as it has been superseded by the online safety complaints portal that went live in November 2023. However, the VSP document emphasises:

"Ofcom doesn't have a role in responding to or adjudicating on individual user complaints. We will monitor trends in complaints made directly to us via our website as an important indicator to help us identify where there might be issues with platforms' processes or new harms arising. We will also use this information to support our ongoing research into the harms experienced online and the safety measures of platforms. We will use a number of sources to identify compliance concerns and areas for improvement. As well as tracking complaints made to Ofcom, we will harness information and insights from regular engagement with tech safety groups, civil society organisations, and charities with an interest in online safety. We will also actively track user experiences online and monitor trends through our extensive programme of research."

Your first original request was for the total number of complaints about content or conduct on TikTok each year since 2021. We consider that the application of the section 44 FOI Act exemption was correct for the first three questions in your request, given that they all relate to a specific, regulated platform.

Observation 3

You request the name of the entity that is "a particular business" as TikTok for the purposes of section 393 Communications Act 2003. As a matter of general principle, "a particular business" can encompass more than one registered company.

You ask whether the "particular business" regulated under the Online Safety Act 2023 is TikTok Information Technologies UK Limited or the TikTok platform itself. You state that UK users have no

legal relationship with the company and only report harm experienced with a consumer product (the platform).

The Online Safety Act 2023 regulates user-to-user services (platforms). TikTok is a regulated user-to-user service and TikTok Information Technologies UK Limited is the service provider for this service who is subject to the Part 3 duties in the Online Safety Act 2023. This information is available in the public domain in TikTok's Terms of Service, which UK users are required to sign up to before using the service: [Terms of Service | TikTok](#)

Question A

As set out above in the response to Observation 1, Ofcom does hold "a written policy... setting out how complaints received via its online safety complaint forms are triaged, assessed, and escalated". This is the published Online Safety Enforcement Guidance hyperlinked above.

Question B

As set out above in the response to Observation 2, TikTok was regulated under the VSP regime prior to the coming into effect of the Online Safety Act 2023. As you note in your letter, TikTok was fined by Ofcom in July 2024 under a regulatory regime that pre-dated the Online Safety Act 2023 ([TikTok fined £1.875m for providing inaccurate data on safety controls](#)).

Question C

As set out above in the response to Observation 2, there was a previous complaints portal for online services that Ofcom operated under the VSP regime in force at the time. In 2023, with the passage of the Online Safety Act 2023, the online safety complaints portal was created and people can submit various types of complaints about online services (e.g. illegal content, content harmful to children, non-compliance with safety duties). The guidance for the online safety complaints portal submissions was published and information about how online safety complaints are handled was incorporated into the Online Safety Enforcement Guidance previously mentioned. As such, there were changes to the way that complaints were logged and assessed (under a new legal regime). However, the broad principles about the way that complaints are "tracked" has remained the same: Ofcom does not respond to or adjudicate on individual complaints, but they may form part of the information used to assess whether to commence formal regulatory action.

Question D

As set out above in the response to Observation 3, TikTok Information Technologies UK Limited is the service provider for this service who is subject to the Part 3 duties in the Online Safety Act 2023. This information is already in the public domain, published on TikTok itself.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress.

Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).