

Your response

| Question | Your response |
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| <p>Question 1: How do you measure the number of users on your service?</p> | <p>The BRC as a Trade organisation wishes to submit a background note which covers several questions. It is as follows</p> <p><u>About the BRC</u></p> <p>The BRC's purpose is to make a positive difference to the retail industry and the customers it serves, today and in the future.</p> <p>Retail is an exciting, dynamic and diverse industry which is going through a period of profound change. Consumer expectations continue to evolve, and technology is enabling retailers to respond, changing how people shop. Concurrently costs are increasing significantly and consumer spending is slowing. Retailers are responding with resilience but prices for consumers are needing to rise and retail profits are under pressure.</p> <p>The BRC is committed to ensuring the industry thrives through this period of transformation. We tell the story of retail, work with our members to drive positive change and use our expertise and influence to create an economic and policy environment that enables retail businesses to thrive and consumers to benefit. Our membership comprises over 5,000 businesses, including physical retailers, online only and multi-channel retailers operating across both channels, delivering £180bn of retail sales and employing over one and half million employees.</p> <p>Preparing to regulate Online Safety: Categorising regulated services</p> <p>The Online Safety Bill is a new set of laws to protect children and adults online, by making social media companies more responsible for their users' safety when using their services¹. By varying the legal duties imposed on services in scope by category, the Bill recognises that not all online services which host user to user content are the same (i.e. social media services). However, it's essential that this categorisation accurately reflects those differences by</p> |

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| | <p>getting the thresholds for designation right. We would therefore urge Ofcom to acknowledge the substantial differences in the types of content, functionality and purpose of different online services in their advice to Government.</p> <p>Social media services are designed to facilitate the creation and wide dissemination of information and ideas through online networks. Other online services which are at risk of falling under the scope of the Bill, for example customer reviews for some retail companies, are not designed, or used with that same intention. Customer reviews are a secondary feature of a retail service, which has the primary use of selling goods. Although customer reviews are a type of user generated content, users do not write customer reviews to amplify views or information to a wide network, they use them to provide an assessment of their customer experience to support the customer community they are a part of. As a result, the risk of harmful actors using these services to distribute harmful content is extremely low. It is therefore essential that Ofcom considers this when categorising services.</p> <p>In addition to this, the functionality retail companies offer to users for contributing customer reviews, is extremely limited. The functionality generally does not allow for the wide sharing, reposting and general amplification of user generated content, and is instead limited to facilitating customers providing an honest assessment of their product experience. These services do not allow content to go viral. A proportionate online safety regime must take this into account, and Ofcom's advice should point this out to Government clearly.</p> <p>It is the BRC's view that Ofcom must pursue a proportionate approach when providing advice to the Government on categorisation of services under the Bill. To do so, at a minimum the concept of both "Risk", relating to functionality and content, must be considered alongside "Reach", relating to user numbers, to effectively distinguish between the wide range of services. Without taking both of these factors into account, there risks being disproportionate legal duties which would stifle innovation in industries which the regime is not intending to capture.</p> |

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| <p>Question 2: If your service comprises a part on which user-generated content is present and a part on which such content is not present, are you able to distinguish between users of these different parts of the service? If so, how do you make that distinction (including over a given period of time)?</p> | <p>Confidential? – Y / N</p> |
| <p>Question 3: Do you measure different segments of users on your service?</p> <ul style="list-style-type: none"> • Do you segment user measurement by different parts of your service? For example, by website vs app, by product, business unit. • Do you segment user measurement into different types of users? For example: creators, accounts holders, active users. • How much flexibility does your user measurement system have to define new or custom segments? | <p>Confidential? – Y / N</p> |
| <p>Question 4: Do you publish any information about the number of users on your service?</p> | <p>Confidential? – Y / N</p> |

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| <p>Question 5: Do you contribute any user number data to external sources/databases, or help industry measurements systems by tagging or sharing user measurement data? If not, what prevents you from doing so?</p> | <p>Confidential? – Y / N</p> |
| <p>Question 6: Do you have evidence of functionalities that may affect how easily, quickly and widely content is disseminated on U2U services?</p> <ul style="list-style-type: none"> • Are there particular functionalities that enable content to be disseminated easily on U2U services? • Are there particular functionalities that enable content to be disseminated quickly on U2U services? • Are there particular functionalities that enable content to be disseminated widely on U2U services? • Are there particular functionalities that prevent content from being easily, quickly and widely disseminated on U2U services? | <p>Confidential? – Y / N</p> |
| <p>Question 7: Do you have evidence relating to the relationship between user numbers, functionalities and how easily, quickly and widely content is disseminated on U2U services?</p> | <p>Confidential? – Y / N</p> |
| <p>Question 8: Do you have evidence of other objective and measurable factors or characteristics that may be relevant to category 1 threshold conditions?</p> | <p>Confidential? – Y / N</p> |

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| <p>Question 9: Do you have evidence of factors that may affect how content that is illegal or harmful to children is disseminated on U2U services?</p> <ul style="list-style-type: none"> • Are there particular functionalities that play a key role in enabling content that is illegal or harmful to children to be disseminated on U2U services? • Do you have evidence relating to the relationship between user numbers, functionalities and how content that is illegal or harmful to children is disseminated on U2U services? | <p>Confidential? – Y / N</p> |
| <p>Question 10: Do you have evidence of other objective and measurable characteristics that may be relevant to category 2B threshold conditions?</p> | <p>Confidential? – Y / N</p> |
| <p>Question 11: Do you have evidence of matters that affect the prevalence of content that (once the Bill takes effect) will count as search content that is illegal or harmful to children on particular search services or types of search service? For example, prevalence could refer to the proportion of content surfaced against each search term 16 that is illegal or harmful to children, but we welcome suggestions on additional definitions.</p> <ul style="list-style-type: none"> • Do you have evidence relating to the measurement of the prevalence of content that is illegal or harmful to children on search services? | <p>Confidential? – Y / N</p> |

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| <p>Question 12: Do you have evidence relating to the number of users on search services and the level of risk of harm to individuals from search content that is illegal or harmful to children?</p> <ul style="list-style-type: none"> • Do you have evidence regarding the relationship between user numbers on search services and the prevalence of search content that is illegal or harmful to children? | <p>Confidential? – Y / N</p> |
| <p>Question 13: Do you have evidence of other objective and measurable characteristics that may be relevant to category 2A threshold conditions?</p> | <p>Confidential? – Y / N</p> |

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