

BBC Response to Ofcom Consultation on the BBC Online Material Code

Consultation response

1 September 2026

We broadly support Ofcom’s proposals

The BBC welcomes Ofcom's consultation on the proposed BBC Online Material Code and broadly supports the approach set out. We recognise the importance of a clear and proportionate regulatory framework that reflects changing audience behaviours and the increasing importance of online services in the delivery of public service content. We particularly welcome Ofcom's intention to build on the established principles of the Broadcasting Code while adapting them appropriately for the online environment. The proposed code strikes a sensible balance between regulatory consistency and recognition of the distinctive characteristics of online content, including audiences expectation and the ways in which they discover, consume and engage with material online.

While supportive of the overall proposals, we believe there are a small number of areas where additional clarification would enhance certainty, support compliance, and assist both the BBC and members of the public in understanding the application of the new framework. These could be accounted for within Ofcom’s proposed guidance to sit alongside the code.

Protection of Children

The BBC’s online material caters for a range of audiences. Audience expectations when engaging with BBC’s online materials need to be a core Ofcom’s considerations in implementing the code and guidance. For example, BBC News online is primarily aimed at an adult audience and whilst some articles do carry guidance warnings, the service as a whole is not aimed at young audiences. We welcome Ofcom’s statement that they “would not expect the BBC to apply unnecessarily excessive restrictions or measures around news or current affairs that would seem disproportionate or unreasonable in the online environment”.

Third-party links

We welcome Ofcom's recognition that the BBC is not responsible for content published on third-party websites. This reflects the practical reality that the BBC cannot exercise editorial control over external material. Nonetheless, the consultation also indicates that the BBC should consider the content of third-party websites before linking to them.

We would welcome additional guidance on the scope of that assessment obligation. In particular, it would be helpful to understand whether Ofcom expects editorial consideration to be limited to the specific content being linked to, or whether it extends more broadly to surrounding material, including adjacent content, advertising, recommended content, user comments, or other dynamically served material that may appear on the destination page.

This issue is especially relevant in the context of digital journalism, where external links are used routinely to provide transparency, attribution, source material and additional context. A proportionate and clearly defined approach would help ensure that audiences continue to benefit from such linking practices without creating uncertainty about the extent of the BBC's responsibilities for content beyond its editorial control.

BBC content on third-party platforms

The BBC welcomes Ofcom's acknowledgement that it does not control the algorithms or recommendation systems operated by third-party platforms. As audiences increasingly access BBC content through social media and other online intermediaries, it is important that regulatory responsibilities remain clear and appropriately allocated.

The consultation appears to recognise that the manner in which content may be surfaced to audiences on third-party platforms can nonetheless form part of the wider context relevant to editorial decision-making. We understand the rationale for this approach but believe further clarification would be beneficial.

In particular, we would welcome guidance on where Ofcom considers the boundary lies between BBC editorial responsibility and platform responsibility. While the BBC can make editorial decisions about the content it publishes and, to some extent, how it is presented when supplied to a platform, it has limited influence over subsequent distribution decisions made by platform operators. Greater clarity in this area would assist in ensuring that regulatory accountability remains proportionate and reflects the realities of the online ecosystem.

Editorially linked items

The BBC supports Ofcom's proposal to recognise "a series of editorially linked items" as the online equivalent of a series of programmes considered as a whole in the broadcasting context.

In many cases, audiences engage with a collection of related online content rather than a single standalone item. The proposed approach recognises that due impartiality may sometimes be achieved across interconnected pieces of content rather than within each individual article, video or post viewed in isolation.

To aid implementation, however, it would be helpful if Ofcom could provide further guidance on the degree of editorial connection required before content can properly be regarded as a series of editorially linked items. For example, clarification would be welcome on factors such as common commissioning, explicit cross-linking, shared branding, common thematic treatment, or other forms of audience signalling.

Providing practical examples in guidance would help ensure consistency of interpretation and reduce the risk of uncertainty in the application of these important provisions.

Fragments of content

The consultation recognises that audiences often experience online content through fragments, such as headlines and thumbnails, rather than through the complete underlying item.

Given the significance of these content fragments, we would welcome clarification regarding how Ofcom intends to assess them under the Code. Specifically, it would be useful to understand whether a fragment will generally be considered only in the context of the underlying online item to which it relates, or whether it may, in certain

circumstances, attract separate scrutiny for the purposes of accuracy, fairness, privacy, harm and offence, or due impartiality.

Such clarification would be particularly valuable in light of broader legal and regulatory developments that have increasingly focused on the impression created by headlines, images and promotional material viewed independently of the full article or programme. The recent judgment in Vince v Associated Newspapers illustrates the importance that courts may place on the meaning conveyed by a headline and accompanying presentation when considered from the perspective of the ordinary reader.