Procedures for investigating breaches of content standards

BBC UK Public Online Material

Welsh version available

Procedures

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Contents

1. Introduction 3
2. BBC online material 3
3. Departing from these Procedures 4
4. Statutory Framework 4
5. Who can make a complaint 5
6. Information required 6
7. Time limits 7
8. Ofcom's initial assessment 8
9. Ofcom's investigation 9
10. Representations from third parties 10
11. Ofcom's Preliminary View 10
12. Ofcom's decision 11
13. Publication of decision 11
14. Non-disclosure 11
15. Extension requests 11
16. Sanctions 12

1. Introduction

1.1 This document outlines the Procedures for Ofcom's handling and resolution of complaints (or the conduct of its own investigations) about the BBC's compliance with the content standards set under section 319 of the Communications Act 2003 ("the 2003 Act") (the "Procedures"), the requirements set under section 320 of the 2003 Act, the BBC Charter ("the Charter"), the Framework Agreement ("the Framework Agreement") and amendments made to the Framework Agreement in December 2025 (referred to together with the Framework Agreement as 'the Updated Framework Agreement').

1.2 These Procedures concern complaints in relation to BBC UK Public Online Material ("BBC online material") and are effective from 19 November 2026 ('the Commencement Date').[1]

1.3 Separate procedures apply to the consideration of Fairness and/or Privacy complaints in relation to BBC online material.

2. BBC online material

2.1 BBC online material is as defined by the Updated Framework Agreement, and means content provided as part of the UK Public Services by the BBC online and intended for users in the UK (or any part of the UK), including BBC-branded content on third party websites, applications and interfaces and any content included in—

- BBC news and sports websites;
- BBC apps on a smartphone, television or other device;
- any BBC social media account (including reposts by a BBC social media account of any content posted on any other social media account including that of any individual working for the BBC); or
- BBC educational and learning resources.

References to "content" include written text and still or moving images, with or without sound, and content consisting of sound only.

"BBC social media account" means an account on any social media platform that relates to any BBC programme, service or genre and is branded and operated by the BBC as a BBC account (and, accordingly, does not include the personal social media accounts of any individual working for the BBC).

2.2 BBC online material does not include any content to the extent that it—

- consists of BBC corporate materials, including reports published by the BBC, speeches or statements by individuals working for the BBC and internal publications;
- is posted on a BBC message board or comments page;
- is user-generated and interactive content which is not directly linked to a UK Public service;
- is provided by any person other than the BBC as a dissociable section of a service provided by the BBC;

[1] Other methods of redress may be available to complainants through the civil courts. Complainants may wish to obtain legal advice.

- is provided by the BBC on UK Public Broadcasting Services ("BBC broadcasting services") or in an on-demand programme service (i.e. BBC iPlayer and BBC Sounds); or
- concerns content arising as part of the BBC World Service. Ofcom has no remit to consider complaints about the BBC World Service and these Procedures do not apply to any content to the extent that it is provided by the BBC as part of the World Service.

3. Departing from these Procedures

3.1 If Ofcom considers that it is necessary to depart from these Procedures in any material respect in a particular case for reasons of fairness and/or in order for Ofcom properly to consider a complaint or carry out an investigation, it will write to the BBC (and any other relevant parties) in advance setting out the nature/extent of its departure, and its reasons for doing so.

3.2 In certain circumstances, Ofcom may expedite the process set out in these Procedures. Examples of when this may occur include (but are not limited to) when a potential breach involves:

- incitement to crime;
- where Ofcom considers there is an ongoing risk of harm to minors and the BBC online material remains accessible to the public;
- problematic issues of a systemic nature within the media industry that may affect the BBC;
- when concerns about due impartiality arise during an election or referendum period which require determining during that period.

3.3 Expedition may include Ofcom intervening at an earlier stage to handle and resolve a complaint that has not been resolved by the BBC, allowing substantially less time to provide material and other information, and allowing substantially less time to provide any representations. Ofcom will make clear to the BBC the time limits for responses in such cases. See paragraph 5.5 below for examples of circumstances where Ofcom may intervene at an earlier stage.

4. Statutory Framework

4.1 Ofcom has a specific duty under the Updated Framework Agreement to set and, from time to time, to review and revise such standards for BBC online material as appear to it best calculated to secure the standards objectives contained in section 319(2)(a) – (f) of the Communications Act 2003 ("the applicable standards objectives").

4.2 In setting such standards, Ofcom must have regard, in particular, to each of the matters contained in sections 319(4) of the Communications Act 2003 and the requirements contained in section 320 of that Act (with such adaptations as appear appropriate), to such extent as those matters appear to it to be relevant to the securing of the applicable standards objectives in relation to BBC online material, and the objective that the standards it sets in relation to BBC online material should be consistent with those set for broadcast television and radio services to such extent as appears to it to be appropriate.

4.3 For the purposes of the duty imposed upon us by the Updated Framework Agreement, Ofcom applies the provisions of the BBC Online Material Code ("the Code").

4.4 Ofcom regulates the BBC by virtue of section 198 of the 2003 Act to the extent that provision to do so is contained in the Charter and the Framework Agreement and the provisions of the 2003 Act and Part 5 of the Broadcasting Act 1996. The Charter and Updated Framework Agreement set out the BBC's obligations to comply with the Code and Ofcom's powers to investigate and enforce compliance by the BBC.

4.5 Ofcom is required under the Framework Agreement to set and publish procedures for handling and resolving complaints referred to them about the BBC. Complaints and investigations concerning standards covered by the Code will be governed by these Procedures. As noted at paragraph 1.3, separate procedures apply to the consideration of Fairness and/or Privacy complaints in relation to BBC online material.

4.6 Ofcom may launch investigations on its own initiative as well as investigate complaints. The Procedures followed in a complaint-led investigation and an Ofcom-initiated investigation are the same.

5. Who can make a complaint

5.1 Complaints about BBC online material (other than those raising issues of Fairness and/or Privacy) should normally be made to the BBC in the first instance[2], using the following methods:

- http://www.bbc.co.uk/complaints/
- 03700 100 222 or 03700 100 212 (textphone)
- BBC Complaints, PO Box 1922, Darlington DL3 0UR

5.2 Ordinarily, Ofcom will only accept a complaint that has first been considered by the BBC. The BBC considers complaints against its Editorial Guidelines, which reflect the relevant provisions of the Code.

5.3 Complaints under these Procedures can be made by any person or body who considers that the BBC has failed to comply with the Code in relation to BBC online material in the following circumstances:

- if a complainant is not satisfied with the resolution of a complaint by the BBC;
- if a complainant considers, following the resolution of a complaint by the BBC, that the imposition by Ofcom of a sanction, where available, against the BBC may be appropriate; or
- if the BBC has failed to resolve a complaint within the time period set in the relevant BBC procedures.

5.4 Ofcom may, in exceptional circumstances, intervene at an earlier stage to handle and resolve a complaint which has not been resolved by the BBC. Such circumstances may include (but are not limited to) Ofcom having potential concerns about material that:

- is likely to incite crime;
- may cause financial or physical harm, or harm to minors;
- involves under 18s;

[2] The BBC considers complaints against its Editorial Guidelines. The approach by which complaints should normally be made to the BBC in the first instance (the 'BBC First' approach) does not apply to BBC Fairness and/or Privacy complaints, which may be made directly to Ofcom.

- raises problematic issues of a systemic nature within the media industry that may affect the BBC; or
- has resulted in a 'whistleblower' complaint and so it would be inappropriate for the BBC to resolve first.

Whether Ofcom decides to intervene at an earlier stage in any such complaint will depend on the relevant facts in each case.

5.5 Ofcom will consider the complaint and the BBC's final response to it against the Code. Relevant sections are as follows:

- Section one: Protecting the under eighteens
- Section two: Harm and offence
- Section three: Crime, disorder, hate
- Section four: Religion
- Section five: Due impartiality and due accuracy
- Section six: Election and referendums

5.6 Fairness and/or Privacy complaints made to Ofcom under the Fairness Code (as reflected in the Broadcasting Code) must be made under separate Procedures.

6. Information required

6.1 Ofcom requests that complaints are submitted on its complaint form. Alternatively, complainants may contact us at:

- Ofcom, Riverside House, 2a Southwark Bridge Road, London SE1 9HA
- 0300 123 3333 or 020 7981 3040
- If you have a text phone you can call 020 7981 3043 (please note that this number only works with special equipment used by people who are deaf or hard of hearing)
- A Video Relay Service to contact Ofcom in British Sign Language is available on Ofcom's website
- To contact us on our Welsh language line, call 0300 123 2023

6.2 All complaints should include sufficient detail. Specifically, complaints should include:

- a copy of (for example, a screenshot), or link to, the BBC online material complained about;
- the date upon which the BBC online material was first posted, if known;
- the nature of the complaint and the particular parts of the BBC online material complained about;
- the complainant's contact details (including full postal address details where appropriate);[3]
- when the complainant submitted a complaint to the BBC;
- the final response the complainant received from the BBC or, if the BBC has failed to reach a decision in the timeframe set out in its own procedures, the most recent correspondence from the BBC on the issue; and

[3] Please see Ofcom's General Privacy Statement for information about how Ofcom handles your personal information and your corresponding rights.

- any other supporting material/evidence that the complainant considers relevant to the substance of the complaint.

6.3 It is very important that the complainant provides as many of these details as possible when making a complaint. Failure to provide these details may prevent Ofcom from identifying the relevant BBC online material and otherwise delay or prevent Ofcom from being able to consider the complaint.

6.4 Unless a complainant specifically requests at the time a complaint is made that their name and contact details should remain confidential, Ofcom may disclose them to the BBC. Ofcom will consider requests from complainants to remain anonymous.

7. Time limits

7.1 Complainants (other than those raising issues of Fairness and/or Privacy) should in the first instance submit their complaint to the BBC in accordance with the BBC's own complaints procedure, which provides that complaints should be submitted within **30 working days** of the date when the BBC online material was first posted.

First posted

7.2 Ofcom may, in exceptional circumstances, intervene to handle and resolve a complaint which was not initially made to the BBC within **30 working days** of the date when the BBC online material was first posted.

7.3 Where the BBC makes material changes to the content and/or the prominence of BBC online material after it was originally first posted, Ofcom may consider the date the material changes were made to be the date upon which the material was first posted.

7.4 Material changes to the content of BBC online material may include:

- making substantial and/or significant amendments to the BBC online material, such as adding new information, images or audio; and/or.
- removing or editing substantial and/or significant parts of the BBC online material.

Minor edits, such as typographical alterations, that do not affect the substance of the material would not normally constitute material changes.

7.5 Material changes to the prominence of BBC online material may include:

- changing the position of the BBC online material to a more visible location on BBC online interfaces; and/or
- reposting the BBC online material on a BBC social media account.

BBC First

7.6 The BBC's complaints handling procedures outline the stages involved in handling a complaint:

- The BBC aims to reply within 10 working days of receipt of a complaint. This is known as Stage 1a of the BBC's procedures. If a complainant is dissatisfied with the BBC's reply at Stage 1a, the BBC's procedures set out how a complainant can write back to BBC Audience Services.
- The BBC will investigate the complaint and aims to reply within 20 working days of receipt of the complaint, though it also makes clear that some complaints take longer than others to investigate. This is known as Stage 1b of the BBC's procedures. If a

complainant is dissatisfied with the reply from the BBC at Stage 1b, the BBC's procedures set out how to take a complaint to the BBC's Executive Complaints Unit (ECU).

- The ECU aims to provide a response within 20 working days, or 35 working days in the case of more complex investigations (and will inform complainants at the outset which timeframe applies). This is known as Stage 2 and the BBC's response at Stage 2 is the BBC's final response under its procedures.

Referring your complaint to Ofcom

7.7 The complainant should wait to see if they are satisfied with the BBC's final response before referring a complaint to Ofcom. If the complainant is not satisfied (or considers that the imposition by Ofcom of a sanction against the BBC may be appropriate), the complainant should refer their complaint to Ofcom (with the BBC's final response) as soon as possible, and in any event within **20 working days** of the final response by the BBC under its procedures.

7.8 If the BBC has not provided its response to a complaint within a relevant time period set in its procedures, the complainant may submit the complaint to Ofcom and should do so within **20 working days** of the relevant BBC time period.

7.9 If a complaint is submitted to Ofcom later than **20 working days** after the BBC's final response (or, if no response is received from the BBC, later than **20 working days** after the relevant BBC time period), complainants should explain to Ofcom why the complaint was not submitted earlier. Ofcom will then consider all relevant factors (including the complainant's explanation for the delay in submitting the complaint) in deciding whether or not Ofcom should investigate the complaint despite the delay in submission.

7.10 Ofcom will not consider a complaint under these Procedures if it appears that the BBC online material was first posted before the Commencement Date.[4] In determining a complaint made about BBC online material posted after the Commencement Date Ofcom may take into account material posted before that date, if we consider it appropriate to do so.

8. Ofcom's initial assessment

8.1 All complaints are important to Ofcom as they help us to understand whether the BBC may be failing to comply with the applicable provisions of the Code in a particular case. Ofcom will log and acknowledge every complaint that it receives. Ofcom will carry out a process of initial assessment, as follows.

8.2 Ofcom will first consider whether, on its face, a complaint raises potentially substantive issues under the Code that warrant investigation by Ofcom. It will do so by reference to the gravity and/or extent of the matter complained of, including, for example, whether it involves harm to minors or severe financial or physical harm; and whether Ofcom considers the BBC reached an appropriate decision on the matter. In addition, if Ofcom considers that the BBC has reached an appropriate decision, we will consider whether the imposition by Ofcom of a sanction against the BBC may be appropriate.

[4] Clause 60 of the Framework Agreement continues to apply to BBC online material posted before the Commencement Date, subject to the time limits for making complaints set out in the relevant complaints procedures.

8.3 Ofcom may ask the BBC to provide a copy of the relevant BBC online material (for example, a record of archived content) within **five working days.**[5] The BBC is expected to inform Ofcom whether any material changes have been made to the BBC online material after it was first posted, specify what those changes are, and provide a record of the changes, where appropriate.

8.4 Ofcom may ask the BBC to provide any other background material or evidence we consider may be relevant to Ofcom's initial assessment of the complaint. However, we will not normally request written representations from the BBC at this stage.

8.5 Based on Ofcom's initial assessment of the complaint, the BBC's final response to the complaint under its own procedures and any other relevant material/evidence from the BBC, Ofcom will consider whether there may have been a breach of particular provisions of the Code that Ofcom considers requires investigation.

8.6 If Ofcom considers that a complaint does not raise a substantive issue under the Code which warrants investigation by Ofcom then it will decide not to investigate the complaint further and will notify the complainant by publishing its decision in its BBC Online Material Bulletin, which is published fortnightly on its website. This may include circumstances where a complaint did raise a potential substantive issue under the Code but the issue was appropriately dealt with by the BBC and an investigation by Ofcom is not warranted.

8.7 Ofcom aims to complete its initial assessment of any complaint within **15 working days.**

9. Ofcom's investigation

9.1 Other than in cases falling within paragraph 9.2 below, when Ofcom considers that investigation is required Ofcom will write to the BBC seeking representations. Ofcom will summarise the material parts of the complaint, set out the particular provisions of the Code that it considers relevant and applicable to the complaint, and invite the BBC to make representations in response (including any relevant material/evidence in support of its representations) within **10 working days**. Ofcom may request that the BBC provides material/evidence from its own consideration of the complaint. Ofcom will publish details of BBC online material under investigation on its website.

9.2 There may be cases where the matter(s) in issue, on the facts, mean that Ofcom does not consider it necessary to seek representations or information from the BBC to reach a Preliminary View. In such cases, Ofcom will write to the BBC with its Preliminary View on the complaint, as set out in paragraph 11.4 below.

9.3 A complainant may also make a complaint to Ofcom about content that it is provided by the BBC on BBC broadcasting services or in an on-demand programme service that raises the same or substantially the same issues under the Broadcasting Code and the BBC Online Material Code. Where this occurs, Ofcom may consider and conduct an investigation into such matters concurrently.

9.4 Ofcom aims to complete cases it takes forward for investigation within **50 working days.**

[5] Under Article 47 of the Charter, Ofcom may require the BBC and any other person to provide information for the purposes of the carrying out by Ofcom of our functions.

10. Representations from third parties

10.1 Ofcom recognises that there may be persons/bodies[6] who may be directly affected by the outcome of Ofcom's handling and resolution of a complaint and who may have interests independent of the BBC (for example, freelance journalists). Wherever possible, the BBC should seek to take account of and include the representations of such persons/bodies in their submissions in response to a complaint and confirm to Ofcom that they have done so.

10.2 Third parties may also make representations on their own behalf direct to Ofcom and should do so as early in an investigation of a complaint as possible, setting out if/to what extent their representations differ from those of the BBC. [7] Ofcom will take those representations into account and include those persons/bodies in its decision-making process under these Procedures, as appropriate.

11. Ofcom's Preliminary View

11.1 Ofcom will then prepare our Preliminary View on the substance of the complaint (the "Preliminary View"), having taken account of the BBC's written representations, where provided. This Preliminary View is only provisional and may be subject to change in the light of subsequent representations/material provided by the BBC.[8]

11.2 All draft Preliminary Views will be provided to a panel of Ofcom's Content Board[9] members for their advisory opinion. The decision on Ofcom's Preliminary View will be taken by a senior member of Ofcom's Executive with appropriate Board delegated authority. Typically, this would be the person who is responsible for overseeing the investigation. The Preliminary View will contain:

- a summary of the complaint;
- a summary of the material parts of the BBC online material to which the complaint relates;
- the particular provisions of the BBC Online Material Code which Ofcom considers are relevant and applicable to the complaint;
- a summary of the BBC's representations in response; and
- Ofcom's preliminary assessment of whether any breaches of those provisions have occurred and the reasons for that assessment.

11.3 If in any case Ofcom considers that it is necessary to obtain further information to ensure that it can fairly and properly prepare its Preliminary View, Ofcom may seek such information before preparing that view.

11.4 When Ofcom has prepared its Preliminary View, Ofcom will provide it to the BBC (and any relevant third party) and request written representations within **10 working days.**

11.5 Ofcom considers that it will normally be able to reach a decision fairly and properly following written representations and without oral representations from the BBC. However,

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[6] Complainants are not generally third parties from whom Ofcom will seek representations as part of a standards investigation.
[7] Details of Ofcom's live investigations are available in its BBC Online Material Bulletin.
[8] Including any representations from relevant third parties (see paragraphs 10.1-10.2).
[9] The Content Board is a committee of the main Ofcom Board established by the Communications Act 2003. It includes members with extensive broadcasting experience.

the BBC may, in any particular case, make a written request to make its representations orally to Ofcom in addition to any written representations. Ofcom will agree to such a request if Ofcom considers that an oral hearing is appropriate in view of the nature of the breach under consideration and the complexity of the issues raised.[10]

12. Ofcom's decision

12.1 Once Ofcom has received and considered the BBC's representations (and/or any representations from a relevant third party) on its Preliminary View, it will reach its final decision.

12.2 All draft decisions will be provided to a panel of Ofcom's Content Board members (who have not been involved in the investigation) for their advisory opinion before a final decision is taken. The final decision will be taken by a senior member of Ofcom's executive with appropriate Board-delegated authority, who will not have been involved in the investigation and/or the preparation of the Preliminary View.

13. Publication of decision

13.1 Before publishing the Final Decision, Ofcom will provide the BBC, for information only, with an embargoed copy of the Final Decision one working day before publication. The Final Decision will be published in Ofcom's BBC Online Material Bulletin.

14. Non-disclosure

14.1 It is an essential part of the integrity of Ofcom's processes and its ability to regulate fairly that all parties concerned abide by Ofcom's published rules and procedures, including those relating to non-disclosure below.

14.2 Parties to a complaint (complainants, the BBC and Ofcom and any directly affected third parties) may, unless otherwise indicated, make public the fact that a complaint has been made or that Ofcom is investigating a case. They may also use information which is already in the public domain.

14.3 Parties should not disclose any correspondence, documents or other material concerning the complaint during the course of Ofcom's investigation.[11] Failure to follow Ofcom's requirements in this regard may result in Ofcom ceasing to consider the party's representations. This does not limit what Ofcom can publish in its decision at the end of the investigation.[12]

15. Extension requests

15.1 The BBC should keep to the time limits specified in these procedures.

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[10] The final decision maker would chair any oral hearing.

[11] Ofcom is obliged to meet various statutory obligations relating to the disclosure of information (for example, under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004). Information provided to Ofcom as part of a complaint may need to be disclosed by Ofcom in order to meet such obligations.

[12] Ofcom may (in investigating and publishing its decision) withhold material it believes to be confidential, market sensitive or legally privileged or that it is under some other legal obligation to protect from disclosure. In such cases, the BBC will be notified that relevant material has been withheld and the reasons why.

15.2 However, Ofcom may consider it appropriate (in the interests of fairness and/or properly to consider a complaint) to amend or adapt the time limits set out in these Procedures in a particular case. If the BBC seeks an extension of a time limit, they should explain in writing to Ofcom why they believe it is appropriate. Ofcom will then decide if an extension is appropriate and inform the other party/parties accordingly.

16. Sanctions

16.1 Where Ofcom decides there has been a breach (or breaches) of the standards set under section 319 of the 2003 Act and the Charter and Framework Agreement (as reflected in the provisions of the Code), Ofcom may determine that it justifies consideration of a sanction against the BBC. Ofcom will make such a determination clear in its Decision (under paragraphs 12.1-12.2, above) and the sanctions procedures will then apply.