

Confirmation Decision: Investigation into the provider of xgroovy.com's failure to comply with requirements to implement Highly Effective Age Assurance

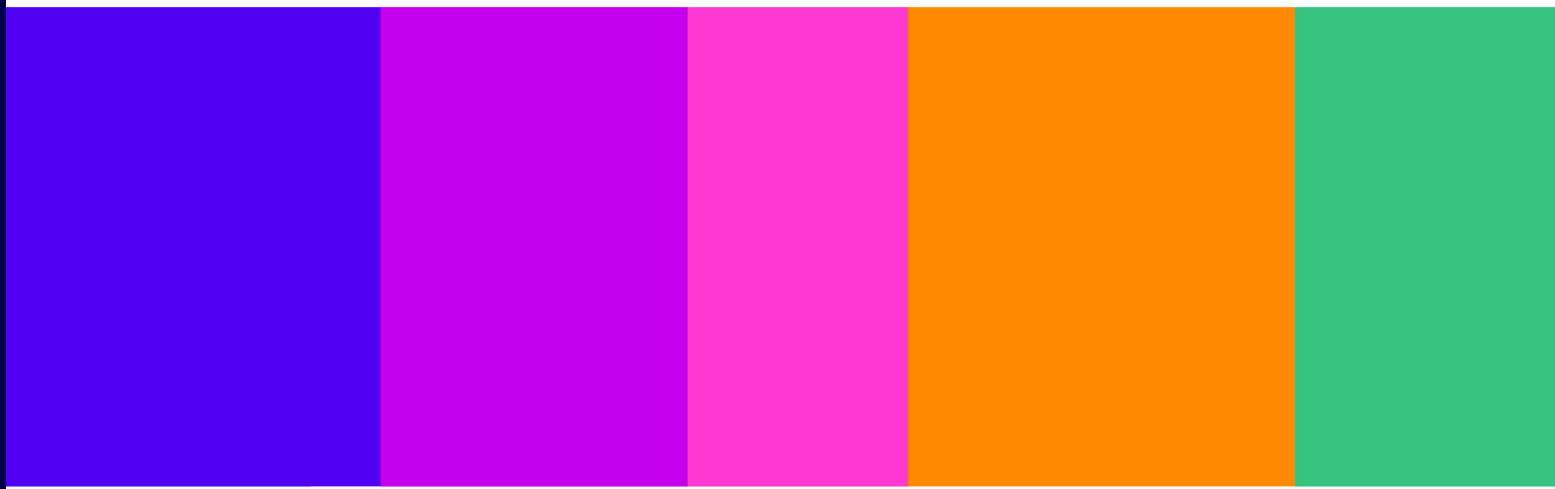
Issued under section 132 of the Online
Safety Act 2023

Non – confidential version – redactions marked with [X]

Non – confidential Confirmation Decision

Issued: 29 September 2026

Case reference: CW/01318/09/25



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1. Overview

- 1.1 This is a Confirmation Decision (**'Confirmation Decision'**) issued under section 132 of the Online Safety Act 2023 (the **'Act'**) in respect of the provider of xgroovy.com (**'Xgroovy'**).
- 1.2 For the purposes of this Confirmation Decision, the provider of xgroovy.com is referred to as **Xgroovy** unless otherwise stated.
- 1.3 For the reasons given in this document, Ofcom considers that Xgroovy has failed to:
 - a) comply with its duties under section 12 of the Act to protect children from encountering pornographic content through the use of highly effective age assurance; and
 - b) comply with a statutory information request issued by Ofcom under section 100 of the Act (**'the March 2026 Notice'**).

What Ofcom has decided – in brief

On 16 June 2026, Ofcom issued a Provisional Notice of Contravention (**'Provisional Decision'**) to Xgroovy, setting out:

- its provisional findings on compliance with section 12 and section 102(8) of the Act;
- its proposed remedy and financial penalties; and
- an opportunity for Xgroovy to make representations on its findings.

Xgroovy did not submit any representations to Ofcom on the matters contained in the Provisional Decision. Having reviewed all relevant evidence, Ofcom has determined that Xgroovy has failed to comply with its duties as set out below.

Failure to comply with Section 12 of the Act

From 25 July 2025, section 12 of the Act required Xgroovy to implement age verification and/or age estimation (collectively referred to as **'age assurance'**) that is highly effective at determining whether a user is a child, in order to prevent children from encountering pornographic content on its services.

Ofcom has determined that Xgroovy has failed to comply with this requirement. During the period from 25 July 2025 to 25 November 2025 (the **'Relevant Period'**), the service xgroovy.com, operated by Xgroovy, did not implement age assurance measures. As a result, children were not effectively prevented from encountering pornographic content on the service.

On 28 November 2025, Xgroovy implemented age assurance measures on xgroovy.com. On 8 December 2025, Ofcom identified that a block on xgroovy.com had been implemented to prevent UK users accessing the service.

Accordingly, Ofcom has determined that, during the Relevant Period, Xgroovy failed to comply with its duties under the following provisions of Part 3 of the Act:

- Section 12(3)(a): a duty to operate a service using proportionate systems and processes designed to prevent children of any age from encountering, by means of the service, primary priority content that is harmful to children.
- Section 12(4): a duty to use age verification or age estimation (or both) to prevent children from encountering primary priority content that is harmful to children which the provider identifies on the service.

- Section 12(6): a duty to ensure that any age verification or age estimation used is highly effective at correctly determining whether or not a particular user is a child.

As a result of the above breaches, Ofcom is imposing the following:

- A single penalty of £700,000 on Xgroovy in respect of its failure to comply with the duties under Section 12 of Part 3 of the Act.

Failure to comply with Ofcom's Information Notice

On 30 March 2026, Ofcom issued a statutory information request ('**the March 2026 Notice**') to Xgroovy in connection with Ofcom's investigation, with a deadline of 6 April 2026, requiring Xgroovy to provide information including its qualifying worldwide revenue ('**QWR**'); a complete list of all services operated by Xgroovy; and the full legal name(s) of the entity and/or individual(s) with control over who can use the user-to-user part(s) of Xgroovy's services. To date, Xgroovy has not responded to the March 2026 Notice.

As a result, Ofcom has determined that Xgroovy has contravened its duty under section 102(8) of the Act to act in accordance with the requirements of the March 2026 Notice issued under section 100 of the Act.

As a result of the above breach, Ofcom is imposing the following:

- A single penalty of £30,000 on Xgroovy in respect of its contravention of Section 102(8)(a) of the Act.
- A requirement for Xgroovy to comply with section 102(8)(a) by taking immediate steps to provide Ofcom with a complete list of all sites operated by Xgroovy and the full legal name(s) of the entity and/or individual(s) with control over who can use the user-to-user part(s) of Xgroovy's services.

In the event of continuing non-compliance, Ofcom will impose a daily penalty at a rate of £200 per day starting from 04 September 2026 (the day after the date of issue of this Confirmation Decision- the '**Information Notice Compliance Date**') in respect of the breaches described in this document until whichever is the sooner of:

- the date the section 102(8)(a) duty is complied with; or
- 03 November 2026 (60 days starting from the Information Notice Compliance Date).

The overview section in this document is a simplified high-level summary only. Ofcom's findings and reasoning are set out in the full document.

2. Legal Framework

- 2.1 The Act creates a new regulatory framework with the general objective of making regulated internet services safer for users in the United Kingdom (UK), particularly for children.

Scope of the Act

- 2.2 This framework applies to regulated internet services, particularly those that host pornographic content. An “internet service” is broadly defined as any service made available via the internet.

Internet services subject to the Part 3 duties

- 2.3 Part 3 of the Act places duties of care on providers of user-to-user services and search services with “links with the United Kingdom”. The duties extend only to the design, operation and use of the service in the UK and, for duties expressed to apply in relation to “users”, as it affects the UK users of the service.¹
- 2.4 A service is a regulated user-to-user service (**‘U2U service’**) under the Act² if:
- a) it is an internet service³ by means of which content⁴ that is generated directly on the service by a user⁵ of the service or uploaded to or shared on the service by a user of the service, may be encountered⁶ by another user, or other users, of the service;⁷
 - b) it has “links with the United Kingdom”; and
 - c) it is not an exempt service under Schedule 1⁸ or a service described in Schedule 2 (services combining user-generated content or search content not regulated by the Act with pornographic content that is regulated).⁹

Links with the United Kingdom

- 2.5 A U2U service has “links with the United Kingdom”¹⁰ if one or more of the following criteria are met:

¹ Section 8(3) of the Act.

² A regulated user-to-user service is defined in section 4(2) of the Act. Reference in the Act to a U2U service include a service provided from within and outside of the United Kingdom (section 204(1)).

³ Section 228(1) “a service that is made available by means of the internet”.

⁴ “Content” means anything communicated by the means of an internet service, whether publicly or privately, including written material or messages, oral communication, photographs, videos, visual images, music and data of any description (section 236(1)).

⁵ “User” is defined in section 227 of the Act and includes registered and unregistered users (section 227(2)).

⁶ “Encounter” in relation to content, means read, view, hear or otherwise experience content (section 236(1)).

⁷ Section 3(1). It does not matter if content is actually shared with another user or users as long as a service has a functionality that allows such sharing, and it does not matter what proportion of content on a service is user-to-user content (section 3(2)).

⁸ Exempt U2U services under Schedule 1 include where the only user-generated content enabled by the service is email, SMS, MSS or one-to-one live aural communication, services where functionalities are limited to posting reviews or comments relating to provider content, where the U2U service is an internal business service, or where it is provided by a public body, and by education or childcare provider.

⁹ Section 4(2)(b) of the Act.

¹⁰ Section 4(5) of the Act.

- a) the service has a “significant number of United Kingdom users”;¹¹
 - b) “United Kingdom users form one of the target markets for the service (or the only target market)”; or
 - c) the service is capable of being used in the United Kingdom by individuals and there are reasonable grounds to believe that there is a material risk of significant harm¹² presented to individuals in the United Kingdom by user-generated content¹³ present on the service.¹⁴
- 2.6 The Act does not prescribe a threshold for what constitutes a “significant number” of UK users or a “target market.” Ofcom considers these factors on a case-by-case basis, taking into account the nature and context of the service and all relevant evidence.
- 2.7 Where the above conditions are met, the provider must comply with the duties set out in section 12 of the Act.
- 2.8 Providers of regulated services must comply with the relevant duties in the Act, regardless of whether they are based in the UK or not. The Act treats the “provider” as being the entity that has control over who can use the U2U service (and that entity alone).¹⁵ If no entity has control over who can use the user-to-user part of a U2U service, but an individual or individuals have control over who can use that part, the provider of the service is that individual or those individuals.¹⁶

Children’s Access Assessments

- 2.9 Sections 35 and 36 of the Act require providers of regulated U2U services in scope of Part 3 to carry out a Children’s Access Assessment (“CAA”) in relation to each service. The purpose of a CAA is to assess and determine:
- a) whether children are able to access the service, or any part of the service; and
 - b) where children are able to access the service, whether the service meets the “child user condition” within the meaning of the Act.¹⁷
- 2.10 Under section 35(2) of the Act, a provider may only conclude that children are *not* able to access a service, or any part of it, where the service uses age-verification or

¹¹ A “user” is a “United Kingdom user” if the user is an individual in the United Kingdom or an entity incorporated or formed under the law of any part of the United Kingdom (section 227(1)).

¹² The Act defines “harm” in section 234(1) as meaning “physical or psychological harm”. Under section 234(10), reference to “risks of harm” is to be read in the same way as “harm”. Section 234 gives further interpretation of risks of “harm” presented by content.

¹³ Under section 4(8), “user generated content” has the meaning in section 55(3) and (4). Under those sections, it is content that is (a) generated directly on the service by a user of the service or uploaded to or shared on that service by a user of the service and (b) that may be encountered by another user, or other users, of the service by means of the service. It includes content generated, uploaded or shared by means of software or an automated tool applied by the user. Section 55(4)(b) addresses when a bot or automated tool is regarded as a user.

¹⁴ Section 4(6).

¹⁵ Section 226(2). “Entity” means a body or association of persons or an organisation, regardless of whether the body, association or organisation is formed under the law or any part of the UK or of a country outside the UK, or a legal person under the law which it is formed (section 236(1)).

¹⁶ Section 226(3).

¹⁷ Section 35(3) of the Act.

age-estimation measures that have the effect that children are not normally able to access that service or that part of it.

- 2.11 Section 36 of the Act further requires providers to complete, record in writing, and retain a CAA for each relevant service. Providers were required to complete and record their first CAA by the statutory deadline of 16 April 2025.¹⁸
- 2.12 Where a provider has failed to complete the first required CAA by that statutory deadline, sections 37(4) and (5) of the Act provide that the service is to be treated as “likely to be accessed by children” from 16 April 2025 until such time as a CAA is completed and recorded.¹⁹
- 2.13 Section 12 of the Act sets out the safety duties that apply in relation to regulated U2U services that are “likely to be accessed by children”. Accordingly, where a service is treated as “likely to be accessed by children” under section 37 of the Act, the duties in section 12 apply to that service.

Section 12 children’s safety duties

- 2.14 Section 12 of the Act imposes the following core duties relating to age assurance on service providers in scope of Part 3:
- a) to operate a service using proportionate systems and processes designed to prevent children of any age from encountering, by means of the service, primary priority content²⁰ that is harmful to children;
 - b) to comply with that duty through the use of age verification²¹ or age estimation²² (or both) to prevent children of any age from encountering primary priority content that is harmful to children which the provider identifies on the service²³; and
 - c) where a provider is required to use age verification or age estimation to comply with the duty to prevent children from encountering primary priority content that is harmful to children, the provider must use age verification or age estimation (or both) that is highly effective at correctly determining whether or not a particular user is a child.²⁴
- 2.15 The requirement to use age verification or age estimation applies in relation to a particular kind of primary priority content that is harmful to children in all cases, except where:

¹⁸ Section 36(1) and Schedule 3 of the Act

¹⁹ Meaning of “likely to be accessed by children”: section 37(4) of the Act states that the second case is where the provider of the service fails to carry out the first children’s access assessment as required by section 36(1). Section 37(5) of the Act provides that “In that case—

(a) the service is to be treated as likely to be accessed by children from the date by which the first children’s access assessment was required to have been completed (see Part 1 of Schedule 3), and

(b) the service is to continue to be treated as likely to be accessed by children by reason of subsection (4) until such time as the provider completes the first children’s access assessment of the service.”

²⁰ Section 12(3)(a) of the Act. Section 61 sets out the definition of “primary priority content that is harmful to children”.

²¹ Section 230(2) of the Act states that “age verification” means any measure designed to verify the exact age of users of a regulated service.

²² Section 230(3) of the Act states that “age estimation” means any measure designed to estimate the age or age-range of users of a regulated service.

²³ Section 12(4) of the Act.

²⁴ Section 12(6) of the Act.

- a) the provider's terms of service prohibit the presence of that kind of primary priority content on the service (however expressed); and
- b) that prohibition applies to all users of the service.²⁵

Kinds of primary priority content harmful to children

- 2.16 Primary priority content that is harmful to children includes pornographic content.²⁶
- 2.17 Pornographic content means content of such a nature that it is reasonable to assume that it was produced solely or principally for the purpose of sexual arousal.²⁷
- 2.18 Not all pornographic content is included as primary priority content. The following content is expressly excluded:
 - a) pornographic content that consists only of text; or
 - b) consists only of text accompanied by:
 - i) identifying content which consists only of text;
 - ii) other identifying content which is not itself pornographic content;
 - iii) a GIF which is not itself pornographic content;
 - iv) an emoji or other symbol; or
 - v) any combination of content listed in (i) to (iv).²⁸

Protection of Children Codes of Practice

- 2.19 Ofcom has also had regard to the Protection of Children Codes of Practice,²⁹ which are prepared and issued under the Act. As set out in the Codes, Ofcom is required to prepare and issue Codes of Practice for providers of Part 3 services, describing measures recommended for the purpose of complying with the statutory duties imposed on those providers, including the children's safety duties in section 12 of the Act. The Act further provides that where a provider implements the measures recommended to it in a Code, it is to be treated as complying with the relevant duty or duties to which those measures relate, as identified in the Code's index of recommended measures. Under Section 50 of the Act, when Ofcom is making a decision arising in connection with its statutory functions, it must take account of any relevant part of a Code of Practice - provided that part of the Code was in force at the time and is relevant to the issue Ofcom is considering.
- 2.20 Code measure PCU B2 applies to user-to-user services likely to be accessed by children, whose principal purpose is the hosting or dissemination of one or more kinds of primary priority content (as set out above, this includes pornographic content).
- 2.21 This measure recommends that such services implement highly effective age assurance at the point of entry to the service, ensuring that children are prevented from accessing any part of the service until they have successfully completed a highly effective age assurance check. Age assurance should operate before any user can view or interact with the service, so that no primary priority content is accessible to a user who has not been confirmed as an adult.

²⁵ Section 12(5).

²⁶ Section 61(1) and (2).

²⁷ Section 236.

²⁸ Section 61(6).

²⁹ [Protection of Children Code of Practice for user-to-user services](#), issued 4 July 2025.

- 2.22 Code measure PCU B4 applies to user-to-user services likely to be accessed by children that:
- a) do not have the principal purpose of hosting or disseminating primary priority content; and
 - b) either permit one or more kinds of primary priority content under their terms of service, or prohibit all primary priority content in their terms but are unable, at present, to effectively remove such content.
- 2.23 This measure recommends that such services implement highly effective age assurance mechanisms to ensure that children are prevented from encountering primary priority content identified on the service. Age assurance should operate wherever children could otherwise be exposed to primary priority content, and must be sufficiently reliable to prevent access until an adult user has successfully completed the age assurance process.
- 2.24 Providers may choose alternative measures to those set out in the Codes, but must be able to demonstrate that such measures enable them to comply with their statutory duties under section 12 of the Act, including the requirement to implement highly effective age assurance.³⁰

Age verification and age estimation

- 2.25 As set out above, where a provider is required to use age verification or age estimation to prevent children from encountering pornographic content, the method used must be highly effective at accurately determining whether a user is a child.³¹
- 2.26 Ofcom's 'Guidance on highly effective age assurance for Part 3 Services'³² ('the **Guidance**') explains that regardless of where the age assurance occurs in the ecosystem or whether it is implemented by the service provider or by a third-party, it is the responsibility of the regulated U2U service provider to ensure that age assurance is implemented in such a way that it is highly effective at determining whether or not a user is a child.

Kinds of age assurance that are capable of being highly effective

- 2.27 The Guidance sets out³³ a non-exhaustive list of methods considered capable of being highly effective, including:
- open banking;
 - photo-identification matching;
 - facial age estimation;
 - mobile-network operator (MNO) age checks;
 - credit card checks;
 - email-based age estimation; and
 - Digital Identity Services.
- 2.28 Additionally, the Guidance sets out details of the kinds of age assurance that **are not capable** of being highly effective, including:³⁴

³⁰ [Protection of Children Code of Practice for user-to-user services](#)

³¹ Section 12(6) of the Act.

³² [Guidance on highly effective age assurance for part 3 services](#), published 24 April 2025.

³³ See paragraphs 3.7 to 3.13 of Ofcom's [Guidance on highly effective age assurance for part 3 services](#).

³⁴ See paragraphs 3.14 to 3.16 of Ofcom's [Guidance on highly effective age assurance for part 3 services](#).

- self-declaration of age;
 - age verification through online payment methods which do not require a user to be over the age of 18; and
 - general contractual restrictions on the use of the regulated service by children.
- 2.29 The Guidance further notes that implementing one of the example methods is not a guarantee that the service is acting in accordance with the requirements of the Act – service providers need to be able to demonstrate that the method has (or methods have) been implemented in such a way that ensures the overall process as a whole is highly effective.³⁵
- 2.30 To be considered highly effective, age assurance should meet each of the following four criteria:³⁶
- technically accurate;
 - robust;
 - reliable; and
 - fair.

Ofcom's information gathering powers and relevant duties on providers

- 2.31 Under section 100(1) of the Act, Ofcom may require providers of regulated services (and other persons) to provide them with any information required for the purposes of exercising, or deciding whether to exercise, any of Ofcom's online safety functions.³⁷ This includes any information required for the purposes of assessing compliance with any duty or requirement set out in section 12 of the Act.
- 2.32 Section 100(4) requires that the powers conferred by section 100(1) of the Act must be exercised in a way that is proportionate to the use to which the information is to be put in the exercise of Ofcom's functions.
- 2.33 Section 100(5) sets out the persons who are required to provide Ofcom with the information as described in Section 100(1). This includes a provider of a user-to-user service or a search service,³⁸ and a person who appears to Ofcom to have, or to be able to generate or obtain, information required by Ofcom.
- 2.34 Section 100(6) outlines the purposes for which Ofcom may require the provision of information. Ofcom has set out the relevant duties for which it sought the information requested in the March 2026 Notice below.
- 2.35 Under section 102(8)(a) of the Act, a person who received an information notice under section 100 of the Act has a duty to act in accordance with the requirements of the notice. This includes responding to the information notice by the deadline set out in the notice.

³⁵ See paragraph 3.3 of Ofcom's [Guidance on highly effective age assurance for part 3 services](#).

³⁶ The full, detailed criteria to ensure an age assurance process is highly effective is set out in Section 4 of Ofcom's [Guidance on highly effective age assurance for part 3 services](#).

³⁷ Section 100(5) sets out the persons to whom Ofcom has the power to issue an information notice under the Act. Ofcom's power to request information includes, under section 204(2), a power to request documents held outside the UK.

³⁸ Section 100(5)(a).

Service of notices

- 2.36 Section 208(2)(d) of the Act allows Ofcom to serve a notice by sending it by email to a person's email address.
- 2.37 Under section 208(10) of the Act, a person's email address for this purpose is: (a) any email address published for the time being by that person as an address for contacting that person; or (b) if there is no such published address, any email address by means of which Ofcom believes, on reasonable grounds, that the notice will come the attention of that person or (where that person is an entity) any director or other officer of that entity.³⁹
- 2.38 Under section 208(11) a notice sent by email is treated as served 48 hours after it was sent, unless the contrary is proved.

Ofcom's powers to issue Confirmation Decisions

- 2.39 Where Ofcom has issued a Provisional Decision to a person and the period allowed for representations has expired, Ofcom has powers under section 132(3) of the Act to issue a Confirmation Decision to that person if they are satisfied that the person has failed, or is failing, to comply with a notified requirement. For the purposes of section 132, a 'notified requirement' means a duty or requirement to which a Provisional Decision relates.
- 2.40 A Confirmation Decision issued by Ofcom under section 132(3) of the Act may require the person to take steps to comply with the notified requirement and/or remedy the failure to comply. It may also require the person to pay a penalty.⁴⁰
- 2.41 Where a person is required to take steps to comply with the notified requirement and/or remedy the failure to comply, the Confirmation Decision must (amongst other things):
- specify the steps that are required;
 - set out Ofcom's reasons for the decision to impose those requirements;
 - specify each notified requirement to which the steps relate;
 - specify the period during which the failure to comply with a notified requirement has occurred, and whether the failure is continuing;
 - specify a reasonable period within which each of the steps specified must be taken or systems or processes (where required) must begin to be used;
 - contain details of the rights of appeal under section 168 of the Act; and
 - contain information about the consequences of not complying with the requirements included in the decision (including information about the further kinds of enforcement action that it would be open to Ofcom to take).⁴¹

³⁹ Section 208(12) of the Act defines "officer" in relation to an entity, as including a director, a manager, a partner, an associate, a secretary or, where the affairs of the entity are managed by its members, a member.

⁴⁰ Section 132(5) of the Act.

⁴¹ Section 133(4) of the Act.

- 2.42 Ofcom has powers to impose a single penalty, a daily penalty, or a combination of the two.⁴²
- 2.43 Where a confirmation decision imposes a single penalty in respect of a failure to comply with a notified requirement, it must:
- set out Ofcom's reasons for the decision to impose the penalty;
 - specify each notified requirement to which the penalty relates;
 - specify the period during which the failure to comply with a notified requirement has occurred and whether that failure is continuing;
- 2.44 state the reasons for the amount of the penalty (including any aggravating or mitigating factors that have been taken into account);
- specify a reasonable period within which the penalty must be paid;
 - contain details of the rights of appeal under section 168 of the Act; and
 - contain information about the consequences of not paying the penalty (including information about further kinds of enforcement action it would be open to Ofcom to take).⁴³
- 2.45 Where a confirmation decision imposes a daily rate penalty in respect of a continuous failure to comply with a notified requirement, it must, in addition to the matters outlined at paragraph 2.43 above:
- state the daily rate of the penalty and how the penalty is calculated;
 - state that the person will be liable to pay the penalty if that same failure continues after the compliance date;
 - state the date from which the penalty begins to be payable, which must not be earlier than the day after the compliance date; and
 - provide for the penalty to continue to be payable at the daily rate until:
 - i. the date on which the notified requirement is complied with;
 - ii. if the penalty is imposed in respect of a failure to comply with more than one notified requirement, the date on which the last of those requirements is complied with; or
 - iii. an earlier date specified in the confirmation decision.⁴⁴

⁴² Section 137(1) of the Act.

⁴³ Section 137(5) of the Act.

⁴⁴ Section 137(8) of the Act.

3. Ofcom's investigation and final determinations

Content warning – explicit descriptions of sexual activity included in this section

A: Ofcom's investigation

- 3.1 On 16 January 2025, Ofcom announced it was opening an enforcement programme into the implementation of age assurance measures by certain regulated providers of pornographic content. On 25 July 2025, Ofcom expanded the enforcement programme to include assessing the implementation of age assurance by services that allow user-generated pornographic content.⁴⁵
- 3.2 From 25 July 2025, Ofcom conducted reviews of services whose primary purpose appeared to be to allow pornographic content, to establish if they were likely to be within scope of Part 3 duties.
- 3.3 On 2 September 2025, Ofcom initially reviewed xgroovy.com – the provider of which is referred to as 'Xgroovy' for the purposes of this Confirmation Decision - and identified concerns that Xgroovy had not implemented age verification or age estimation on its services. (**Annex 1**)
- 3.4 Ofcom has conducted additional reviews of Xgroovy throughout the investigation. (**Annex 2**)⁴⁶

Correspondence with Xgroovy

- 3.5 As part of Ofcom's efforts to promote compliance with the age assurance duties across the industry, prior to 25 July 2025 Ofcom sought to engage with providers of certain adult services, including Xgroovy. These efforts included offering support and requesting information about the age assurance measures that Xgroovy intended to implement to comply with its duties under section 12 of the Act.
- 3.6 Despite Ofcom's repeated attempts to contact Xgroovy via its published email address, support@xgroovy.com, Xgroovy did not respond to Ofcom's queries regarding the age assurance measures that Xgroovy intended to implement to comply with its duties under section 12 of the Act. Copies of this correspondence are provided in **Annexes 3 to 5**.⁴⁷

⁴⁵ See the programme updates of 16 January and 24 July 2025: [Enforcement Programme to protect children from encountering pornographic content through the use of age assurance](#).

⁴⁶ Additional reviews were conducted on 11 September 2025, 12 September 2025, 22 September 2025, 29 September 2025, 6 October 2025, 13 October 2025, 3 November 2025, 10 November 2025, 17 November 2025 and 25 November 2025. On these dates no age assurance solution was in place (see Annex 2). Checks were also completed on 1 and 8 December 2025, as evidenced in **Annex 2**.

⁴⁷ In addition to the correspondence sent to Xgroovy before the 25 July 2025 deadline, Ofcom also contacted Xgroovy on 15 August 2025 stating that Ofcom could not identify an age assurance solution on xgroovy.com (**Annex 6**). Xgroovy did not respond to Ofcom's email.

- 3.7 On 2 September 2025 Ofcom reviewed the service Xgroovy.com and identified concerns that Xgroovy had not implemented age verification or age estimation measures on its service.
- 3.8 On 10 September 2025, Ofcom wrote to Xgroovy to confirm that it had opened an investigation into whether Xgroovy had complied with its duties under section 12 of the Act, specifically the requirement to implement highly effective age assurance. See **Annexes 7 - 13d** for a copy of the case opening documents.
- 3.9 On the same day, Ofcom issued, in draft, an information notice to Xgroovy (**Annex 9**). Xgroovy did not provide any comments.
- 3.10 On 23 September 2025, Ofcom issued a final version of the Notice (**the September 2025 Notice**) requiring Xgroovy to provide specified information. (**Annex 9b**)
- 3.11 Having not received a response from Xgroovy to **the September 2025 Notice**, Ofcom issued a final warning on 10 October 2025 and subsequently expanded the scope of the investigation on 19 November 2025 to include consideration of whether Xgroovy had complied with the requirements of the September 2025 Notice.
- 3.12 On 28 November 2025, Ofcom received a response from Xgroovy from the email address "dmca@xgroovy.com" which stated they had not received previous correspondence sent by Ofcom. (**Annex 10**)
- 3.13 On 18 December 2025, Ofcom replied and requested that Xgroovy confirm the most suitable email address to use for further correspondence. No response was received from Xgroovy to this request. (**Annex 11**)
- 3.14 Following Xgroovy's email, Ofcom contacted Xgroovy a number of times in order to issue a revised information notice containing additional questions:
- On 28 January 2026, Ofcom emailed Xgroovy and confirmed that **the September 2025 Notice** had been withdrawn. Ofcom issued, in draft, **the March 2026 Notice** to support@xgroovy.com requiring a response by 6 February 2026. Xgroovy did not provide any comments on the draft. (**Annex 12a**).⁴⁸
 - On 19 March 2026 Ofcom re-sent the draft **March 2026 Notice** to both support@xgroovy.com and dmca@xgroovy.com with a deadline of 26 March 2026. (**Annex 13a**) On the same day for completeness Ofcom also sent the case opening letter. (**Annex 13b**)
 - On 30 March 2026 Ofcom issued the final version of this Notice (**the March 2026 Notice**) to support@xgroovy.com and dmca@xgroovy.com with a deadline of 6 April 2026. (**Annex 13d**).
- 3.15 Following Xgroovy's failure to respond, Ofcom issued a final warning on 14 April 2026. Ofcom subsequently expanded the scope of the investigation on 13 May 2026 to include consideration of whether Xgroovy had complied with the requirements of the **March 2026 Notice**. See **Annexes 14 to 14e** for a copy of the final warning correspondence and

⁴⁸ A final version was initially issued on 17 February 2026 to support@xgroovy.com only but this was later withdrawn in order that the March 2026 Notice could be issued to both support@xgroovy.com and dmca@xgroovy.com. (**Annex 12c**). Ofcom also issued a warning on 4 March 2026 relating to the information notice issued on 17 February 2026 to both support@xgroovy.com and dmca@xgroovy.com. (**Annexes 14b and 14c**)

Annexes 15 to 15c for a copy of the scope expansion correspondence. To date, Ofcom has not received a response from Xgroovy to the **March 2026 Notice**, nor any correspondence regarding the investigation which is the subject of this Confirmation Decision.

- 3.16 On 16 June 2026, Ofcom issued a Provisional Decision to Xgroovy via email to dmca@xgroovy.com and support@xgroovy.com in which it set out its provisional findings that Xgroovy had failed to implement highly effective age assurance during the Relevant Period to prevent children from encountering pornographic content and had failed, and was continuing to fail, to comply with the duty set out within section 102(8)(a) of the Act in respect of the March 2026 Notice.
- 3.17 In the Provisional Decision, Ofcom informed Xgroovy that it had until 5pm on 14 July 2026 to make written representations to Ofcom about the matters set out in the Provisional Decision and to inform Ofcom if it would also like to make oral representations.
- 3.18 Ofcom did not receive any representations from Xgroovy about the matters set out in the Provisional Decision.

B: Application of Part 3 Duties of the Act to Xgroovy

- 3.19 Ofcom considers that xgroovy.com is an internet service which allows users to upload and/or share pornographic content, specifically images, that can be encountered by other users of the service.
- 3.20 For the reasons set out below, Ofcom considers that these services meet the conditions set out in the Act and were therefore within scope of Part 3 of the Act during the Relevant Period (and remain in scope).

‘Xgroovy’ is the provider of xgroovy.com

- 3.21 Under section 226(2) of the Act, a provider is defined as the entity that has control over who can use the U2U part of a service. This includes control over whether users can register, upload content, or interact with other users.
- 3.22 Ofcom conducted a review of xgroovy.com on 2 September 2025⁴⁹ to assess whether it was in scope of the age assurance duties under Part 3 of the Act. Ofcom also completed ongoing site checks between 11 September 2025 and 25 November 2025⁵⁰ (**Annex 2**). Based on this review, and other evidence available as referenced in this Confirmation Decision, Ofcom considers Xgroovy to be the provider of xgroovy.com for the following reasons:
- a) The terms and conditions and/or privacy policy on site, as reviewed on 2 September 2025, identify ‘Xgroovy.com’ as the ‘Company’ responsible for the service. Please see the extract from the party definitions section of Xgroovy’s terms and conditions (**Annex 16**), which states:
- ‘1.1.1 - Xgroovy.com shall be referred to as “Company”. When first pronouns are used in this Agreement, (Us, We, Our, Ours etc.) these provisions are referring to Company

⁴⁹ See **Annex 1**.

⁵⁰ Site checks were conducted on 11 September 2025, 12 September 2025, 22 September 2025, 29 September 2025, 6 October 2025, 13 October 2025, 3 November 2025 10 November 2025, 17 November 2025 25 November 2025. Further checks were completed on 1 December 2025 and 8 December 2025.

and/or to any other site that we may operate in the future. When the terms “the Site” or “Site” are used, these terms refer to www.xgroovy.com; and

- b) In correspondence with Ofcom dated 28 November 2025,⁵¹ an email regarding the operation of xgroovy.com was sent on behalf of the service and signed off as the “Xgroovy team”, indicating that Xgroovy presents itself as responsible for the operation and management of the service.

3.23 Taken together, the evidence supports Ofcom’s determination that Xgroovy exercises control over the operation of, and access to, the user-to-user functionality of xgroovy.com and is therefore the provider of the service within the meaning of section 226(2) of the Act.

Xgroovy.com is a user-to-user service

3.24 Ofcom has determined that xgroovy.com is a regulated user-to-user service within the meaning of section 4(2) of the Act. Specifically, Ofcom’s review found that xgroovy.com is an internet service which includes functionalities that enable users to generate, upload, or share “content”⁵² that can then be “encountered” (e.g. read or viewed) by other users of the service. This is demonstrated by the following:

- a) The ‘Terms & Conditions - Xgroovy User Agreement’ states that ‘the Website allows users to submit video and other materials, and allows hosting, sharing and/or publishing of such submissions’ (**Annex 16, page 11, paragraph 6.1**).
- b) On the xgroovy.com FAQ page there are multiple questions relating to uploads, including, ‘When the video (picture, gif) that I’ve uploaded become active and visible to me?’, and ‘What kind of pictures can I upload to xgroovy’ (**Annex 17**).
- c) On the xgroovy.com 2257 page it states ‘Xgroovy.com is a video-sharing website where visitors are allowed to watch, share and upload various types of adult content’ (**Annex 18**).

3.25 Ofcom does not consider that xgroovy.com is an exempt service as provided for by Schedule 1 of the Act,⁵³ nor is it a service of a kind described in Schedule 2.⁵⁴

Xgroovy’s website allows (user-generated) pornographic content

3.26 Paragraphs 2.17 – 2.18 of this Confirmation Decision explains how “pornographic content” is defined in the Act and paragraph 2.4 explains what “user-generated content” means.

3.27 The terms and conditions of xgroovy.com under ‘section 6. submissions by user’, confirm that user-generated content is permitted, and that xgroovy.com did not prohibit pornographic content for all users during the Relevant Period. A provider of a service likely to be accessed by children must use highly effective age assurance unless its terms of service prohibit pornographic content for all users.⁵⁵

⁵¹ **Annex 10.**

⁵² Section 236(1) of the Act: “content” is defined as anything communicated by means of an internet service, whether publicly or privately, including written material or messages, oral communications, photographs, videos, visual images, music and data of any description.

⁵³ Schedule 1 states that a Part 3 service is exempt if the conditions in paragraph 7(2) of Schedule 1 (internal business service conditions) are met in relation to that part.

⁵⁴ Services combining user-generated content or search content not regulated by the Act with pornographic content that is regulated.

⁵⁵ Section 12(4) and 12(5)(a) of the Act.

- 3.28 Xgroovy.com featured advertisements for other websites marketed and operated as dedicated pornographic services (**Annex 1 pg. 12**). From the terms and conditions page of xgroovy.com users can also click on the  option which redirects users to further sites featuring pornographic content (**Annex 1 pgs. 12 – 15**).
- 3.29 As set out in section C, Ofcom’s review found that content on xgroovy.com is frequently categorised using sexually explicit terms, and content thumbnails are often explicitly sexual in nature demonstrating the pornographic nature of content available on the service (**Annex 1 pgs. 4 – 8**).⁵⁶
- 3.30 In summary, xgroovy.com is operated as a dedicated pornographic service and the content on the website is primarily pornographic. Based on the nature of the user-generated content encountered on the service, Ofcom has determined that such content was produced solely or principally for the purpose of sexual arousal and therefore meets the definition of pornographic content under the Act.

Xgroovy has “links with the United Kingdom”

- 3.31 Xgroovy.com is in scope of the Act and has “links with the UK” as:
- it has a significant number of UK users;
 - UK users form one of its target markets; and/or
- 3.32 the service is capable of being used by users in the UK and there are reasonable grounds to believe that there is a material risk of significant harm to children in the UK presented by user-generated content present on the service.

Significant number of UK users

- 3.33 The Act does not define a “significant number” of UK users for the purposes of considering whether a service has “links with the UK”. Ofcom considers this on a case-by-case basis, taking into account the nature and context of the service.
- 3.34 Ofcom considers “significant number of UK users” to mean UK user numbers that are material in the context of the service. Providers should therefore err on the side of caution when assessing whether they have a significant number of UK users. A UK user⁵⁷ does not need to be registered to count, but persons acting in the course of the provider’s business should be excluded.⁵⁸ Providers should be able to distinguish these categories when determining whether there is a significant number of UK users.
- 3.35 The number of UK unique monthly users for xgroovy.com using data provided by Similarweb,⁵⁹ is as follows:

⁵⁶ See **Annex 1** for the full user mapping journey conducted for xgroovy.com, which evidences the examples listed in section C.

⁵⁷ Section 227(1) of the Act.

⁵⁸ Section 227(3) and (4) of the Act.

⁵⁹ Similarweb estimated unique visitors to the websites via desktop or mobile browser. Data extracted 12 June 2026. All data made available by Similarweb is estimated based upon data obtained from third parties and is intended for informational purposes only.

Table 1: UK unique monthly users

October 2025	November 2025	December 2025	January 2026	February 2026	March 2026
2,349,945	2,312,720	1,697,917	1,155,089	900,250	805,144

- 3.36 As set out at paragraph 2.4 (footnote 5), the definition of a "user" includes registered and unregistered users, and so Ofcom considers the Similarweb unique visitor data (which would include both registered and unregistered users) to be an appropriate data source to rely on for the unique monthly user numbers for the Xgroovy.com.
- 3.37 On this basis, Ofcom finds that xgroovy.com has monthly UK unique user numbers that are significant within the meaning of section 4(5)(a) of the Act.

UK users do not form one of xgroovy.com's "target markets"

- 3.38 Ofcom does not find that the UK was a target market for Xgroovy for the Relevant Period under section 4(5)(b) of the Act.

The service is capable of being used by users in the UK and there are reasonable grounds to believe that there is a material risk of significant harm to individuals in the UK presented by user-generated content present on the service

- 3.39 The Act requires providers to implement age assurance to prevent children of any age from encountering primary priority content because such content is considered particularly harmful to children. Ofcom's Children's Register of Risks⁶⁰ sets out some of the harmful impacts that encountering pornographic content can have on children.
- 3.40 During the Relevant Period, xgroovy.com was capable of being used by users in the UK⁶¹ and did not implement any form of age assurance to ensure that such users were not children. As a result, there was a material risk that UK children could have experienced significant harm from encountering pornographic content on Xgroovy's service.
- 3.41 Therefore, in addition, Ofcom finds there are reasonable grounds to believe that during the relevant period xgroovy.com presented a material risk of significant harm to individuals in the UK, specifically UK child users, due to the user-generated pornographic content on the service.

Application of the Section 12 duties to Xgroovy.com

- 3.42 Section 12 of the Act applies to regulated user-to-user services that are "likely to be accessed by children". Under sections 37(4) and 37(5), where a provider has not completed and recorded the first Children's Access Assessment ("CAA") for a service by the statutory deadline of 16 April 2025, that service must be treated as "likely to be accessed by children" until the first CAA for each service is completed.
- 3.43 On 30 March 2026, Ofcom issued the **March 2026 Notice** requiring Xgroovy to provide specified information, including a copy of the first CAA that had been conducted for xgroovy.com. Xgroovy did not provide a copy of the CAA in response to the **March 2026**

⁶⁰ See Ofcom's [Children's Register of Risks](#), published 24 April 2025, particularly the 'impacts' section, pp.38-41.

⁶¹ Ofcom's review demonstrated that xgroovy.com was freely accessible on the open web from a UK IP address.

Notice or in any of their subsequent communication with Ofcom. (See Annexes 12c and 13c)

- 3.44 Ofcom has determined that there are reasonable grounds to believe that Xgroovy has not completed the first required CAA. Accordingly, Ofcom considers that there are reasonable grounds to believe the section 12 duties applied to xgroovy.com from 25 July 2025 and throughout the Relevant Period.

C: Xgroovy's compliance with its duties under Part 3, section 12 of the Act

- 3.45 For the following reasons, Ofcom has determined that there are reasonable grounds to believe that Xgroovy failed to comply with the duty set out within section 12 of the Act to implement highly effective age assurance to prevent children from encountering pornographic content on its service xgroovy.com.
- 3.46 In making this determination, Ofcom has had regard to the relevant measures in the Codes of Practice⁶² (including measures B2 and B4).⁶³
- 3.47 Ofcom makes this finding in respect of the period from 25 July 2025 to 25 November 2025 (the Relevant Period).

Pornographic content was available on the service

Content warning – explicit descriptions of sexual activity included in this section

- 3.48 As noted at paragraphs 3.16 – 3.21 of this Confirmation Decision, Ofcom's review of the service found that xgroovy.com is marketed and operated as a dedicated pornographic service. In particular, the reviews between 2 September 2025 and 25 November 2025 showed that pornographic content was available on the service.
- 3.49 A summary of Ofcom's findings is set out in the rest of this section. Please see the full user mapping journey for site at **Annex 1**.

Xgroovy.com is marketed and operated as a dedicated pornographic service

- 3.50 The site includes a 2257 Statement page which states xgroovy.com is a video-sharing website where visitors are allowed to watch, share and upload various types of adult content (**Annex 18**).
- 3.51 The models page references that xgroovy.com works with the largest names in the adult industry (**Annex 19**).

Actual pornographic content observed on Xgroovy

- 3.52 On accessing the landing page of the site, many of the thumbnails of the videos on the website are of explicit sexual activity, such as  and  (**Annex 1 pg. 4**)

⁶² [Protection of Children Code of Practice for user-to-user services](#)

⁶³ It is not necessary to determine which measure applies in this case. Regardless of whether a service has a principal purpose of disseminating pornographic content, section 12 of the Act requires providers of services that are likely to be accessed by children and that allow such content to implement highly effective age assurance.

- 3.53 The titles of multiple videos reference pornographic content, such as '[X]'. (**Annex 1 pg.4**)
- 3.54 Multiple categories of content, listed at the top of the landing page, also indicate the presence of pornographic content, such as '[X]', '[X]', and '[X]'. (**Annex 1, pg.4**)

Final determinations

- 3.55 The user-generated content that is allowed and can be encountered on xgroovy.com by other users of the service is sexually explicit and constitutes pornographic content, in that the content is of such a nature that it is reasonable to assume that it was produced solely or principally for the purpose of sexual arousal.⁶⁴
- 3.56 For these reasons, Ofcom has determined that pornographic content was available on xgroovy.com during the Relevant Period.

The service did not use highly effective age verification or age estimation to identify children and prevent them from encountering pornographic content

- 3.57 To comply with section 12(3)(a) of the Act, providers of Part 3 services that allow pornographic content must use age verification or age estimation (or both) to ensure that children are prevented from encountering user-generated pornographic content on its services. The age verification or age estimation used must be of such a kind, and used in such a way, that it is highly effective at correctly determining whether or not a particular user is a child.
- 3.58 Paragraphs 3.7-3.13 of Ofcom's Guidance on highly effective age assurance for part 3 services⁶⁵ sets out the kinds of age verification or age estimation that may be capable of being highly effective at determining whether or not a particular user is a child. The Guidance states that general contractual restrictions, including conditions in the terms of service prohibiting users who are over 18, general disclaimers that users should be over 18, and warnings on specific content that the content is only suitable for over 18s, are not capable of being highly effective if used in isolation.
- 3.59 Ofcom's user journey reviews of xgroovy.com on 2 September 2025, evidenced in **Annex 1**, and additional reviews conducted between 11 September 2025 and 25 November 2025 (**Annex 2**),⁶⁶ demonstrated that at no stage while accessing the service were Ofcom's reviewers required to complete any form of age verification or age estimation.
- 3.60 Ofcom reviewed xgroovy.com on 25 November 2025 and did not identify any Age Assurance in place. (**Annex 2, page 26**)⁶⁷ Ofcom identified on 28 November 2025 that Xgroovy appeared to have implemented Age Assurance on xgroovy.com and this was in place until 8 December 2025 when Ofcom identified a geoblock had been implemented to prevent users with a UK IP address from accessing the platform (**Annex 2, pages 28 and 34**).⁶⁸ Accordingly, Ofcom considers that the period of 25 July 2025 to 25 November 2025 is the appropriate period in which to assess Xgroovy's compliance, and it makes no formal findings as to Xgroovy's compliance with Section 12 of the Act from 26 November 2025

⁶⁴ Section 236.

⁶⁵ [Guidance on highly effective age assurance for part 3 services](#), published 24 April 2025.

⁶⁶ Annex 2 ongoing site checks.

⁶⁷ Annex 2 ongoing site checks.

⁶⁸ Annex 2 ongoing site checks.

onwards. Ofcom reserves its position in relation to Xgroovy's ongoing compliance with the Act.

Final determinations

- 3.61 Ofcom has determined that Xgroovy was required to implement age assurance of a kind that is highly effective at determining whether or not a user is under the age of 18, prior to pornographic material being displayed to its users, from 25 July 2025.
- 3.62 Ofcom has determined that during the Relevant Period, no age verification or age estimation of this kind was in place on xgroovy.com. As such, Ofcom has determined that Xgroovy failed to comply with its duties under section 12 of the Act in respect of xgroovy.com during that period.

D: Xgroovy's compliance with section 102(8) of the Act

The March 2026 Notice

- 3.63 As noted at paragraph 3.13, as part of its investigation, Ofcom issued a formal request for information to Xgroovy on 30 March 2026 (the March 2026 Notice). The **March 2026 Notice** sought information including Xgroovy's QWR; a complete list of all services operated by Xgroovy; and the full legal name(s) of the entity and/or individual(s) with control over who can use the user-to-user part(s) of Xgroovy's services.
- 3.64 Ofcom sent the **March 2026 Notice** on 30 March 2026 to the following email addresses: "support@xgroovy.com" and "dmca@xgroovy.com".
- 3.65 Ofcom did not receive any delivery failure notification from either email address in relation to these communications.
- 3.66 The terms and conditions page on xgroovy.com states 'please contact us via support@xgroovy.com if you have any questions or comments regarding our site'.⁶⁹
- 3.67 Xgroovy had previously used the dmca@xgroovy.com address to email Ofcom on 28 November 2025. (**Annex 10**). Ofcom subsequently emailed dmca@xgroovy.com requesting confirmation of the most suitable email address to contact Xgroovy (**Annex 11**), but Xgroovy did not respond to the request.
- 3.68 Therefore, Ofcom considers that serving the **March 2026 Notice** to these two email addresses was sufficient to bring the **March 2026 Notice** to the attention of Xgroovy, as the provider of xgroovy.com within the meaning of section 226 of the Act.
- 3.69 Ofcom also considers that service of the **March 2026 Notice** on Xgroovy was effective through these communications 48 hours after the **March 2026 Notice** was issued to these email addresses, in accordance with section 208 of the Act.
- 3.70 As Ofcom did not receive a response to the **March 2026 Notice** by the deadline of 6 April 2026, on 13 May 2026 Ofcom extended its investigation to consider whether Xgroovy had failed to respond to a statutory information request.⁷⁰

⁶⁹ Annex 16.

⁷⁰ Annex 15c.

Xgroovy has failed to comply with its duties under section 102(8)(a)

- 3.71 Xgroovy was required to act in accordance with the requirements of the **March 2026 Notice** by providing the requested information by 6 April 2026. Xgroovy did not provide the information by that deadline and, as at the date of this Confirmation Decision, Ofcom has still not received the required information from Xgroovy.
- 3.72 We therefore find that there are reasonable grounds for believing that Xgroovy has failed, and is continuing to fail, to comply with the duty set out within section 102(8)(a) of the Act in respect of the **March 2026 Notice**.

E: Confirmation decision on Xgroovy's compliance with section 12 and section 102(8) of the Act

Failure to comply with Section 12 of the Act

- 3.73 From 25 July 2025, section 12 of the Act required Xgroovy to implement age assurance that is highly effective at determining whether a user is a child, in order to prevent children from encountering pornographic content on its services.
- 3.74 Ofcom has determined that Xgroovy failed to comply with this requirement. Specifically, during the Relevant Period, where Xgroovy did not implement any age assurance measures on xgroovy.com.
- 3.75 As a result, children were not effectively prevented from encountering pornographic content on those services.

Failure to comply with Section 102 (8) of the Act

- 3.76 On 30 March 2026, Ofcom issued the **March 2026 Notice** to Xgroovy in connection with Ofcom's investigation, with a deadline of 6 April 2026, requiring Xgroovy to provide information regarding its QWR, a complete list of all services operated by Xgroovy and the full legal name(s) of the entity and/or individual(s) with control over who can use the user-to-user part(s) of Xgroovy's services. To date, Xgroovy has not responded to the **March 2026 Notice**.
- 3.77 Ofcom has determined that Xgroovy has contravened its duty under section 102(8) of the Act to act in accordance with the requirements of the **March 2026 Notice** issued under section 100 of the Act.

4. Remedy and Penalty

Representations on Remedy and Penalty

Representations by Xgroovy on remedy and penalty

- 4.1 Ofcom issued a Provisional Decision to Xgroovy that it had failed to comply with S12 and S102 (8). As noted in paragraph 3.18 above, Xgroovy did not submit any representations about the remedy or penalty proposed in the Provisional Decision.
- 4.2 Taking into account all relevant evidence, Ofcom considers it appropriate to impose the remedy and penalty proposed in the Provisional Decision. Ofcom sets these out in more detail below.

Remedy

- 4.3 Section 133 of the Act gives Ofcom the power to require that the provider of a regulated service takes steps to comply with a notified requirement or remedy the failure to comply with a notified requirement – in this case, section 102(8)(a) of the Act.

Confirmation Decision on remedy

Complying with an information duty

- 4.4 Where a Confirmation Decision requires a person to take steps for the purpose of complying with an information duty, under section 133(5) of the Act Ofcom may require the person to take those steps immediately. The specific steps that Xgroovy is required to take are set out at paragraph 4.6 below.
- 4.5 Given that Ofcom's powers under section 100 of the Act are crucial to Ofcom's ability to effectively regulate the online sector, it is important that providers of regulated services submit required information to allow Ofcom to fulfil its duties.
- 4.6 As such, we require Xgroovy to comply with section 102(8)(a) of the Act and immediately take steps to provide Ofcom with:
 - a. a complete list of all sites operated by Xgroovy; and
 - b. the full legal name(s) of the entity and/or individual(s) with control over who can use the user-to-user part(s) of its services.
- 4.7 This requirement will come into effect from 3 September 2026 (the date of issue of the Confirmation Decision).
- 4.8 This information should be readily available to Xgroovy and can be easily provided to Ofcom. As such, Ofcom considers this period of time to be sufficient for Xgroovy to provide this information.
- 4.9 Under section 168 of the Act, if Xgroovy wishes to challenge this Confirmation Decision, it has a right to appeal to the Upper Tribunal. The Upper Tribunal will decide such an appeal by applying judicial review principles and has the power to quash the Confirmation Decision. Further information about the Upper Tribunal, including guidance about

the appeal process, is available on its website: <https://www.judiciary.uk/courts-and-tribunals/tribunals/upper-tribunal/>.

Penalty

- 4.10 Under the Act, Ofcom can, in a Confirmation Decision, impose a single penalty amount and/or a daily rate penalty (or a combination of both), depending on what is proposed in the provisional notice of contravention.⁷¹
- 4.11 A single penalty amount is one amount covering the specified breaches.⁷² A daily rate penalty may be imposed where the contravention that Ofcom has identified is continuing and the Confirmation Decision requires the subject of the decision to take action to bring itself into compliance. A daily penalty will be payable for the period specified in the decision, which will generally be until the date on which the subject takes the action required in the decision to bring it into compliance.⁷³
- 4.12 Section 143 of the Act and Schedule 13 to the Act set out the principles that apply when determining the amount of any penalties to be imposed upon a person. In particular, paragraph 2(4) of Schedule 13 to the Act requires that a penalty must be of an amount that Ofcom considers to be appropriate and proportionate to the failure (or failures) in respect of which it is imposed.
- 4.13 Paragraph 2(1) of Schedule 13 to the Act requires that in determining the amount of a penalty to be imposed on a person, Ofcom must take into account any representations made, and evidence provided, by the person, and the effects of the failure (or failures) in respect of which the penalty is imposed.⁷⁴
- 4.14 As set out in Ofcom's Enforcement Guidance,⁷⁵ Ofcom may impose a financial penalty in respect of a contravention if it considers that appropriate and proportionate, taking account of the circumstances in the round. In considering the appropriate level of penalty, Ofcom will also take into account the principles set out in its Penalty Guidelines⁷⁶ published under section 392 of the Communications Act 2003.⁷⁷
- 4.15 The maximum penalty Ofcom can impose on a person in respect of a regulated service is £18 million or 10% of the person's QWR for the person's most recent complete accounting period, whichever is greater.⁷⁸ Ofcom's Online Safety Fees & Penalties

⁷¹ Section 137(1).

⁷² Section 130(7)(b) and 137(1)(a).

⁷³ See section 130(7)(b), section 137(1)(b), (2) and (8) and [Online Safety Enforcement Guidance](#), para 6.43.

⁷⁴ Schedule 13, para 2(1). Where the penalty is imposed in a Confirmation Decision, Ofcom must also take into account any steps taken by the person towards complying with the duty or requirement specified in the provisional notice of contravention or to remedy the failure (Schedule 13, para 2(3)).

⁷⁵ [Online Safety Enforcement Guidance](#).

⁷⁶ [Penalty Guidelines](#).

⁷⁷ Schedule 13, para 2(5) and [Online Safety Enforcement Guidance](#), para 6.43.

⁷⁸ Schedule 13, para 4(1). Under section 85(1)(a) of the Act Ofcom has a power to make regulations for the purposes of determining the qualifying worldwide revenue of a provider of a regulated service for an accounting period. Ofcom will also make regulations determining the qualifying worldwide revenue for the purposes of considering financial penalties for group entities, see ss 85(1)(a) and (6) and paragraph 5(9), Schedule 13 to the Act. On 26 June 2025, Ofcom published its [Statement on the implementation of the fees and penalties regime](#) under the Act. The [Online Safety Act 2023 \(Qualifying Worldwide Revenue\) Regulations 2025](#) were laid before Parliament on 26 June 2025 and are now in force.

Statement⁷⁹ defines a provider's QWR as the total amount of revenue the provider receives during the qualifying period that is referable to the regulated service.⁸⁰ Revenue is treated as referable to a regulated U2U service only if and so far as it arises in connection with the provision of those parts of the regulated service where regulated user-generated content may be encountered.⁸¹

Penalty considerations

It is appropriate to impose a financial penalty in this case

- 4.16 Ofcom finds it is appropriate to impose a single penalty for Xgroovy's failure to comply with section 12 because:
- a) **Preventing children from encountering pornographic content is a priority outcome for the UK's online safety regime:** One of the strategic priorities of the Act is to ensure that children do not encounter harmful content online, including pornographic content. Imposing a financial penalty would send a strong message to the industry that non-compliance in this space will not be tolerated.
 - b) **Xgroovy was made aware of the requirements in advance of the deadline to implement age assurance by 25 July 2025:** Prior to the opening of this investigation, Ofcom sought to engage with Xgroovy on 25 April 2025. These efforts included offering support and requesting information about the age assurance measures that Xgroovy intended to implement to comply with its duties under section 12 of the Act. Ofcom also sought to engage with Xgroovy on 15 August 2025. Despite Ofcom's repeated contact via published email addresses, Xgroovy did not respond substantively to Ofcom's queries regarding the age assurance measures that it intended to implement. This correspondence is provided in **Annexes 3 - 8**.
 - c) **Imposing a penalty would deter Xgroovy, and the wider sector, from future contraventions:** As set out in Ofcom's Penalty Guidelines,⁸² the central objective for imposing a financial penalty is to effectively deter contraventions of regulatory requirements. Ofcom considers that imposing a financial penalty in this case would incentivise Xgroovy's management to take appropriate steps to ensure that it complies in future. It would also send out a broader message to the industry to demonstrate that Ofcom takes compliance with the highly effective age assurance duties extremely seriously and is willing to take action should providers fail to comply.
- 4.17 Additionally, Ofcom finds that it is appropriate to impose a single penalty for Xgroovy's failure to comply with its duties under section 102(8) of the Act for the following reasons:
- a) **Gathering accurate and timely information is critical to Ofcom's functions:** Ofcom's powers under section 100 of the Act are crucial to Ofcom's ability to effectively regulate the online sector and protect UK users from primary priority content. A contravention of a requirement to provide information in the manner and form required under section

⁷⁹ [Online Safety Fees & Penalties Statement](#).

⁸⁰ [Online Safety Act 2023 \(Qualifying Worldwide Revenue\) Regulations 2025](#) (the "2025 Regulations"), regulation 6(2), read with Schedule 13, para 4(9) of the Act.

⁸¹ "Regulated user-generated content" is defined in section 55(2) of the Act to mean user-generated content, except emails, SMS messages, MMS messages, one-to-one live aural communications, comments and reviews on provider content, identifying content that accompanies such content, and news publisher content. [Online Safety Act 2023 \(Qualifying Worldwide Revenue\) Regulations 2025](#), para 4(2).

⁸² [Penalty Guidelines](#).

102(8) is inherently a serious matter as it materially hinders Ofcom's ability to carry out its functions, including Ofcom's ability to assess Xgroovy's compliance with its duties under the Act.

- b) **Imposing a penalty would deter Xgroovy - and the wider sector - from future contraventions:** As set out in Ofcom's Penalty Guidelines,⁸³ the central objective for imposing a financial penalty is to effectively deter contraventions of regulatory requirements. Ofcom considers that imposing a financial penalty in this case would incentivise Xgroovy management to take appropriate steps to ensure that it complies in future. It would also ensure that both Xgroovy and the wider sector understand how seriously Ofcom takes compliance with these duties.

4.18 Ofcom also considers it appropriate to impose a daily rate penalty in respect of Xgroovy's continuing contravention of section 102(8) of the Act for the following reason:

- a) **A daily rate penalty is necessary to incentivise compliance:** As at the date of this Confirmation Decision, Xgroovy remains in contravention of section 102(8) of the Act. Ofcom considers that a daily rate penalty is appropriate to encourage Xgroovy to provide the outstanding information as soon as possible and to bring the continuing contravention to an end.

Amount of penalty

4.19 Ofcom has published Penalty Guidelines which set out the factors it may take into account when determining the appropriate amount of a financial penalty.⁸⁴ In accordance with paragraph 2(5) of Schedule 13 to the Act, section 392 of the Communications Act 2003, and Ofcom's Online Safety Enforcement Guidance,⁸⁵ Ofcom has had regard to the Penalty Guidelines and has set out below its consideration of these factors, to the extent that they are relevant to this case.

4.20 Ofcom has also considered whether there are any relevant precedents, noting that while past decisions may be relevant, they are not binding and Ofcom may, considering the circumstances of each case, impose higher penalties in future cases than in previous ones to secure effective deterrence.⁸⁶ On the basis of the various elements considered in this section of this Confirmation Decision, we consider that the penalties in this case are both appropriate and proportionate, while being sufficiently high to effectively deter future breaches.

Deterrence

4.21 As set out in Ofcom's Penalty Guidelines, the central objective of imposing a penalty is deterrence.⁸⁷

4.22 Any penalty Ofcom imposes should be sufficiently high to both deter a provider of a regulated service from contravening regulatory requirements, and to deter the wider industry from doing so. The level of the penalty should be high enough that the provider

⁸³ [Penalty Guidelines](#).

⁸⁴ [Penalty Guidelines](#).

⁸⁵ Ofcom is required to have regard to these penalty guidelines when determining the amount of any penalty under s. 392(6) Communications Act 2003; see also paragraph 6.42 of Ofcom's [Online Safety Enforcement Guidance](#).

⁸⁶ See paragraph 1.3 of [Penalty Guidelines](#).

⁸⁷ See paragraph 1.11 of [Penalty Guidelines](#).

recognises that it is not more profitable for a business to break the law and pay the consequences than it is to comply with the law in the first instance, therefore encouraging good practice and a culture of compliance across the organisation.⁸⁸

- 4.23 In relation to the breach of section 12 of the Act, deterrence is a particularly important objective as the adult sector is large and dispersed, with many hundreds of thousands of services potentially caught by the Act. The introduction of age assurance to prevent children from encountering pornographic content has been strongly resisted by the providers of adult services across the world, and there are obvious incentives for providers to refuse to comply with their duties. It is therefore essential that penalties imposed for a breach of these duties under the Act, act as a strong message both to the provider under investigation and the wider adult sector, to show that Ofcom will not tolerate providers of such services putting profit above the safety of children.
- 4.24 In addition, as a general matter, Ofcom is of the view that the need for deterrence in any penalty set for a contravention of information requirements is important, as information notices are fundamental to Ofcom's regulatory functions, including in the context of online safety regulation.

Seriousness, harm and culpability

Seriousness

- 4.25 The requirement of providers to implement highly effective age assurance on their services under section 12 of the Act is key in achieving the Act's primary objective of making regulated internet services safer for UK users, and particularly for children. Where providers contravene these requirements, children are at risk of encountering harmful⁸⁹ content online. In our view, this is therefore a serious contravention of the Act.
- 4.26 In addition, under section 3(2)(g) of the Communications Act 2003, Ofcom is required to secure the adequate protection of citizens from harm presented by content on regulated services, through the appropriate use by providers of systems and processes designed to reduce the risk of such harm. Under section 3(4A) of the Communications Act, in undertaking this provision, Ofcom must have regard to, in part, the need for a higher level of protection for children than for adults. As such, it may be appropriate to impose higher penalties for infringements that expose children to risks of harmful content than contraventions of other duties, but this will necessarily be considered on a case-by-case basis.
- 4.27 Xgroovy was in contravention of its duties under section 12 of the Act during the Relevant Period (between 25 July 2025 and 25 November 2025). Throughout this period, any user, including children, could view pornographic content on xgroovy.com without highly effective age assurance being in place to prevent child users from encountering such content. Ofcom considers this failure was serious, having regard to the nature of the service and the absence of highly effective age assurance during the Relevant Period.
- 4.28 In respect of Xgroovy's duties under section 102 of the Act, Ofcom's powers under section 100 of the Act are crucial to Ofcom's ability to effectively perform its functions under the Act. A contravention of a requirement to provide information in the manner and form

⁸⁸ See paragraph 1.5 of [Penalty Guidelines](#).

⁸⁹ As defined under section 60(2)(a) of the Act, in accordance with section 61(2).

required under section 102(8) is therefore inherently a ‘serious’ matter as it materially hinders Ofcom’s ability to carry out its functions.⁹⁰

- 4.29 Ofcom considers that the continuing failure to provide the specified information in the **March 2026 Notice** materially hinders its ability to assess Xgroovy’s compliance with its duties under the Act, and therefore to ensure that UK children are prevented from normally encountering pornographic content. This is a serious failure.

Harm

- 4.30 Ofcom has also considered the degree of harm, whether actual or potential, caused by the contravention.⁹¹
- 4.31 The protection of children from normally encountering pornographic content is a cornerstone of the online safety regime in the UK, as provided for in the Act, and is therefore a fundamental priority for Ofcom in exercising its functions under the Act. Ensuring that providers comply with their duties under the Act to prevent children from normally encountering pornographic content from their services is central to securing Parliament’s intention to create a safer life online for UK children.
- 4.32 Further, Xgroovy’s failure to provide the information requested in the **March 2026 Notice** prevented Ofcom from being able to efficiently assess Xgroovy’s compliance with the Act. This has had an impact on Ofcom’s ability to effectively regulate the online sector in line with its statutory duty to ensure the adequate protection of citizens from harm presented by content on regulated services, through the appropriate use by providers of such services of systems and processes designed to reduce the risk of such harm.⁹²

Culpability

- 4.33 In line with Ofcom’s Penalty Guidelines, Ofcom has considered the extent to which the contraventions occurred deliberately or recklessly, including the extent to which senior management knew, or ought to have known, that a contravention was occurring or would occur.⁹³
- 4.34 Given the wide-ranging publicity and communications designed to raise industry awareness of the new duties under the Act, as well as the notifications sent directly to Xgroovy on 25 April 2025 and 15 August 2025 by Ofcom in relation to its duties under Part 3, Ofcom considers that Xgroovy was aware of the need to implement highly effective age assurance on its service and had sufficient opportunity to do so. Ofcom also considers that Xgroovy was aware of the potential consequences if it did not comply with the requirements of the Act or the **March 2026 Notice**.
- 4.35 The legal Notice issued to Xgroovy on 30 March 2026 explained the potential consequences if Xgroovy did not respond to the request for information. Following Xgroovy’s failure to respond within the deadline, Ofcom issued a final warning on 6 April 2026 and subsequently expanded the scope of the investigation on 13 May 2026. Despite

⁹⁰ See section 1.12 of [Penalty Guidelines](#).

⁹¹ See section 1.12 of [Penalty Guidelines](#).

⁹² See section 3(2)(g) of the Communications Act 2003.

⁹³ By ‘culpability’ Ofcom means ‘the extent to which the contravention occurred deliberately or recklessly, including the extent to which senior management knew, or ought to have known, that a contravention was occurring or would occur’, taken from [Penalty Guidelines](#).

these communications, Xgroovy has, as at the date of this Confirmation Decision, failed to respond.

The size and financial position of Xgroovy

- 4.36 In line with Ofcom's Penalty Guidelines,⁹⁴ Ofcom considers the size and turnover of the regulated body to ensure that the overall amount of the penalty is appropriate and proportionate to the contravention in respect of which it is imposed.
- 4.37 Ofcom requested financial information from Xgroovy in the **March 2026 Notice** but received no response. Ofcom was not able to find reliable revenue information for Xgroovy. Absent this information, Ofcom has therefore been unable to consider Xgroovy's financial position when determining the penalty amount.
- 4.38 However, Ofcom notes that Xgroovy's website reaches a large number of UK users and displays advertising, indicating that Xgroovy may have significant financial size and strength.
- 4.39 Ofcom notes that Xgroovy had the opportunity to provide representations in response to the Provisional Decision, including on the amount of the proposed penalty, but did not provide any such representations.

Precedent

- 4.40 Ofcom has previously imposed penalties under the Act for breaches of section 12 and 102(8) and those penalties have been taken into account when assessing an appropriate penalty amount.
- 4.41 While Ofcom has imposed penalties for breaches of section 12 and 102(8) in previous decisions, those penalties are not determinative. Ofcom may depart from earlier penalty levels where necessary to secure effective deterrence, in accordance with the Penalty Guidelines.⁹⁵
- 4.42 Regarding the contravention of section 12, to secure effective deterrence across the adult sector, Ofcom has taken into account the nature of the contraventions identified, including:
- a) the scale and reach of the service and number of UK users affected;
 - b) the ease of access to pornographic content;
 - c) the extended duration of non-compliance despite clear opportunities to implement measures; and
 - d) the nature of the content and associated risks of harm to children.
- 4.43 Ofcom considers that the penalties are proportionate and appropriate in the facts and context of this case for the reasons set out in this section.

Additional considerations

Co-operation with investigation

- 4.44 It is noted that Xgroovy contacted Ofcom on 28 November 2025 to state that an age assurance measure had been implemented, and also to assert that it had not received Ofcom's earlier correspondence. However, as set out in paragraph 3.14, Xgroovy has not responded directly to any of Ofcom's correspondence in relation to the investigation and has

⁹⁴ [Penalty Guidelines](#).

⁹⁵ Paragraph 1.7, [Penalty Guidelines](#).

not co-operated with Ofcom throughout the investigation process. Ofcom has therefore considered Xgroovy's lack of engagement and its lack of co-operation with the investigation as an aggravating factor when determining what it considers to be an appropriate penalty.

- 4.45 However, this is balanced against the fact that Xgroovy did attempt to implement a form of age assurance to prevent children from accessing xgroovy.com by 28 November 2025, in response to Ofcom's decision to open an investigation into its compliance with the Act. Subsequently a block was implemented preventing users with a UK IP address from accessing xgroovy.com on 8 December 2025. Ofcom has taken this into account as a mitigating factor when considering the proposed level of penalty.

Gain

- 4.46 By failing to comply with the requirements under section 12 of the Act, Ofcom considers that Xgroovy would have benefitted from significant financial gain through the alleged contravention, both by avoiding the costs associated with implementing highly effective age assurance, and also potentially by attracting additional UK users to its service, who may have wished to avoid age assurance measures in place on services complying with their duties under Part 3 of the Act, to the detriment of those compliant services which may have lost customers as a result.
- 4.47 When determining the penalty amount, Ofcom has also considered the potential harm caused to other businesses that have complied with their duties under the Act. Providers of compliant services invested time and resources to meet these duties, which may have caused them to lose users and business to non-compliant competitors. If not complying with the Act allows providers to benefit, it discourages compliance. In addition to any potential gain made by Xgroovy, the penalty therefore also reflects the unfair disadvantage placed on providers in the sector who have implemented the required measures.
- 4.48 As such, and while Ofcom does not consider it necessary to quantify these amounts, Ofcom considers that any penalty imposed should be set at a level to at least remove any financial benefit gained through non-compliance, and ensure that regulated providers recognise that it is not more profitable for a business to break the law and pay the consequences, than it is to comply with the law in the first place.

Previous breaches

- 4.49 Ofcom has not previously found Xgroovy to be in breach of the Act.

Confirmation Decision on penalty

- 4.50 Ofcom has determined that Xgroovy has failed to comply with both section 12 and section 102(8) of the Act. As such, Ofcom finds that it is appropriate to impose a penalty for each breach within a single Confirmation Decision. This approach reflects the fact that the March 2026 Notice was issued to (1) understand Xgroovy's QWR for the purpose of assessing a penalty in relation to its non-compliance with section 12 and (2) for assessing the age assurance measures in place on any other services operated by Xgroovy that allow pornographic content.
- 4.51 Ofcom has decided to impose a financial penalty that has a single element. A single penalty is appropriate to the seriousness of the failures to comply with sections 12 and 102(8) to date and to incentivise Xgroovy to comply with its duties under the Act in the future.

- 4.52 Taking into consideration the factors set out above, we have therefore decided to impose single penalties of:
- a) £700,000 in respect of Xgroovy's contravention of section 12 of the Act during the Relevant Period, by failing to implement age verification or age estimation (or both) to ensure that children are prevented from encountering pornographic content; and
 - b) £30,000 in respect of its contravention of section 102(8) of the Act, by failing to provide information requested under section 100(1).
- 4.53 In respect of the contravention of section 102(8) of the Act, in the event of continuing non-compliance, we also impose a daily rate penalty at a rate of £200 per day starting from the Information Notice Compliance Date,⁹⁶ until whichever is the sooner of:
- i) the date the section 102(8)(a) duty is complied with; or
 - ii) 3 November 2026 (60 days starting from the Information Notice Compliance Date).
- 4.54 The daily rate of £200 per day has been calculated having regard to the penalty considerations set out above, including the need to secure compliance with the March 2026 Notice, the seriousness and continuing nature of the contravention, and the need for effective deterrence. Ofcom considers that a daily rate of £200 per day is appropriate and proportionate in the circumstances of this case.
- 4.55 Ofcom requires Xgroovy to pay the single penalties of £700,000 and £30,000 by no later than 3 November 2026 (two calendar months from the date of this Confirmation Decision issued under section 132 of the Act), and to pay the total daily rate penalty by no later than two calendar months from the final day on which a daily rate penalty is incurred.
- 4.56 Taking into account all the circumstances of this case, Ofcom considers that these penalties are compatible with Article 10 of the Human Rights Act 1998.⁹⁷
- 4.57 In the event that Xgroovy fails to pay any of the penalties specified above, Ofcom may seek recovery of those penalties in accordance with paragraph 6 of Schedule 13 to the Act. In addition, if Xgroovy fails to pay any penalty or comply with the requirement imposed by this Confirmation Decision, Ofcom may seek a court order to impose business disruption measures, as described at Section 9 of our Online Safety Enforcement Guidance.⁹⁸
- 4.58 Under section 168 of the Act, if Xgroovy wishes to challenge this Confirmation Decision, it has a right to appeal to the Upper Tribunal. The Upper Tribunal will decide such an appeal by applying judicial review principles and has the power to quash the Confirmation Decision. Further information about the Upper Tribunal, including guidance about the appeal process, is available on its website: <https://www.judiciary.uk/courts-and-tribunals/tribunals/upper-tribunal/>.

⁹⁶ This is the day after the date of issue of any Confirmation Decision.

⁹⁷ Ofcom recognises that the obligations imposed by the Act and the imposition of a financial penalty engage Article 10 of the European Convention on Human Rights. Any interference is prescribed by law and pursues legitimate aims, in particular the protection of children from harm. The measures in this Decision, including the requirement to implement highly effective age assurance, are targeted, do not prevent lawful access to content by adults, and are proportionate, as is the level of penalty imposed having regard to the nature and duration of the contraventions. Ofcom therefore considers this Decision is compatible with Article 10.

⁹⁸ [Online Safety Enforcement Guidance](#).

5. Annex index

Annex reference	Summary of contents	Name of document
Annex 1 Content warning: explicit content	Document containing screenshots of the user journey mapping process to evidence access to pornographic content without going through age assurance, for Xgroovy's service xgroovy.com.	20250902 User mapping journey
Annex 2 Content warning: explicit content	Document containing screenshots of the user journey to evidence access to pornographic content without going through age assurance, for xgroovy.com, after the investigation was opened 10 September 2025.	xgroovy.com ongoing site checks
Annex 3	Email from Ofcom to support@xgroovy.com dated 25 April 2025 providing a letter regarding the upcoming requirement to introduce highly effective age assurance.	20250425 Ofcom deadline for age checks on adult services - request for project plans email supervision team to Xgroovy
Annex 4	Letter from Ofcom to support@xgroovy.com dated 25 April 2025 regarding the upcoming requirement to introduce highly effective age assurance.	20250425 Ofcom deadline for age checks on adult services - request for project plans letter supervision team to Xgroovy
Annex 5	Email from Ofcom to support@xgroovy.com dated 27 May 2025 following up on previous correspondence asking provider to provide a named contact and information about plans to meet age assurance duties by 10 June 2025.	20250527 Chaser email - supervision team to Xgroovy
Annex 6	Email from Ofcom to support@xgroovy.com dated 15 August 2025 informing Xgroovy that Ofcom were unable to identify an age assurance on their service and reminding Xgroovy of the requirement to introduce highly effective age assurance.	20250815 No age assurance - supervision team to Xgroovy
Annex 7	Email from Ofcom to support@xgroovy.com dated 10 September providing an investigation opening letter and draft notice.	20250910 Case opening cover email

Annex 8	Investigation opening letter regarding compliance with section 12 duties addressed to Xgroovy dated 10 September 2025.	20250910 Case opening letter
Annex 9	Draft S100 information notice issued to Xgroovy 10 September 2025 requiring a response by 17 September 2025.	20250910 Draft RFI
Annex 9a	Email from Ofcom to Xgroovy issuing the final statutory information notice dated 23 September 2025.	20250923 Final RFI cover email
Annex 9b	Final statutory information Notice from Ofcom to xgroovy.com dated 23 September 2025	20250923 Final RFI
Annex 10	Correspondence sent from Xgroovy to Ofcom stating it had not received previous correspondence and in the meantime had implemented an age assurance measure.	20251128 Correspondence from Xgroovy via dmca@xgroovy.com address.
Annex 11	Correspondence from Ofcom to Xgroovy regarding confirmation of best contact details to use moving forward.	20251218 Email from Ofcom to Xgroovy.
Annex 12	Email from Ofcom to Xgroovy withdrawing previous RFI Inc draft RFI.	20260128 Cover email re – issue draft RFI
Annex 12a	Draft S100 information notice issued to Xgroovy 28 January 2026 requiring a response by 6 February 2026.	20260128 Draft RFI
Annex 12b	Email from Ofcom to Xgroovy issuing the final statutory information notice dated 17 February 2026.	20260217 Final RFI cover email
Annex 12c	Final statutory information notice from Ofcom to xgroovy.com dated 17 February 2026	20260217 Final RFI
Annex 13	Email from Ofcom to Xgroovy re-issuing draft RFI.	20260319 Cover email accompanying re – issue of draft RFI to dmca@xgroovy.com
Annex 13a	Draft S100 information Notice issued to Xgroovy 19 March 2026 requiring a response by 26 March 2026.	20260319 Draft RFI
Annex 13b	Original case opening letter resent to dmca@xgroovy.com.	20260319 Case opening letter – re sent
Annex 13c	Email from Ofcom to Xgroovy issuing the final statutory information notice dated 30 March 2026.	20260330 Final RFI cover email

Annex 13d	Final statutory information notice from Ofcom to xgroovy.com dated 17 February 2026	20260330 Final RFI
Annex 14	Email from Ofcom to Xgroovy warning Xgroovy to respond to the final notice by 15 October 2025, dated 10 October 2025.	20251010 First final warning cover email
Annex 14a	Final warning letter to Xgroovy to respond to the final notice dated 10 October 2025.	20251010 Initial final warning letter
Annex 14b	Email from Ofcom to Xgroovy warning Xgroovy to respond to the final notice by 10 March 2026, dated 4 March 2026.	20260304 Second final warning cover email – sent to dmca@xgroovy.com
Annex 14c	Final warning letter to Xgroovy to respond to the final notice dated 4 March 2026.	20260304 Second final warning letter- sent to dmca@xgroovy.com
Annex 14d	Email from Ofcom to Xgroovy warning Xgroovy to respond to the final notice by 17 April 2026, dated 14 April 2026.	20260414 Third final warning cover email - sent to dmca@xgroovy.com
Annex 14e	Final warning letter to Xgroovy to respond to the final notice dated 14 April 2026.	20260414 Third final warning letter - sent to dmca@xgroovy.com
Annex 15	Email from Ofcom to Xgroovy informing them that Ofcom had expanded the scope of the investigation to include a potential breach of section 102(8) of the act, dated 19 November 2025.	20251119 Scope expansion cover email sent to Xgroovy
Annex 15a	Letter addressed to Xgroovy advising that the scope of the investigation is being expanded to include failure to comply with the information notice, dated 19 November 2026.	20251119 Scope expansion letter sent to Xgroovy
Annex 15b	Email from Ofcom to Xgroovy informing them that Ofcom had expanded the scope of the investigation to include a potential breach of section 102(8) of the Act, dated 12 May 2026.	20260512 Scope expansion cover email sent to xgroovy
Annex 15c	Letter addressed to Xgroovy advising that the scope of the investigation is being expanded to include failure to comply with the information notice, dated 12 May 2026.	20260512 Scope expansion letter sent to xgroovy

Annex 16	20-page terms and conditions document taken from xgroovy.com.	20250902 Terms and conditions xgroovy.com
Annex 17	FAQ's page on xgroovy.com with responses from Xgroovy to popular questions from users.	20250902 FAQ's page xgroovy.com
Annex 18	2257 page regarding video sharing platform information and support form linked. Taken from xgroovy.com	20250902 2257page xgroovy.com
Annex 19	Models page on xgroovy.com to 'welcome' collaboration with others in the industry.	20250902 Models page xgroovy.com