

OFCOM BROADCAST AND ON DEMAND BULLETIN

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Contents

Introduction	3
Advertising scheduling	
In Breach	
Jesus Sanctuary Ministries <i>BEN TV, 4, 10 and 11 January 2018, 19:00</i>	5
Broadcast Licence Conditions cases	
In Breach	
Providing a service in accordance with 'Key Commitments' <i>Big City Radio, 25 to 27 January 2018</i>	7
Retention and production of recordings <i>FreeSports, 9 February 2018, 12:00</i>	11
Broadcast licensees' late and non-payment of licence fees <i>Various licensees</i>	13
Resolved / In Breach	
Provision of information: community radio finance reports <i>Various community radio licensees, year ending 31 December 2017</i>	15
Tables of cases	
Complaints assessed, not investigated	17
Complaints outside of remit	23
BBC First	24
Investigations List	26

Introduction

Under the Communications Act 2003 ("the Act"), Ofcom has a duty to set standards for broadcast content to secure the standards objectives¹. Ofcom also has a duty to ensure that On Demand Programme Services ("ODPS") comply with certain standards requirements set out in the Act².

Ofcom reflects these requirements in its codes and rules. The Broadcast and On Demand Bulletin reports on the outcome of Ofcom's investigations into alleged breaches of its codes and rules, as well as conditions with which broadcasters licensed by Ofcom are required to comply. The codes and rules include:

- a) [Ofcom's Broadcasting Code](#) ("the Code") for content broadcast on television and radio services licensed by Ofcom, and for content on the BBC's licence fee funded television, radio and on demand services.
- b) the [Code on the Scheduling of Television Advertising](#) ("COSTA"), containing rules on how much advertising and teleshopping may be scheduled on commercial television, how many breaks are allowed and when they may be taken.
- c) certain sections of the [BCAP Code: the UK Code of Broadcast Advertising](#), for which Ofcom retains regulatory responsibility for television and radio services. These include:
 - the prohibition on 'political' advertising;
 - 'participation TV' advertising, e.g. long-form advertising predicated on premium rate telephone services – notably chat (including 'adult' chat), 'psychic' readings and dedicated quiz TV (Call TV quiz services); and
 - gambling, dating and 'message board' material where these are broadcast as advertising³.
- d) other conditions with which Ofcom licensed services must comply, such as requirements to pay fees and submit information required for Ofcom to carry out its statutory duties. Further information can be found on Ofcom's website for [television](#) and [radio](#) licences.
- e) Ofcom's [Statutory Rules and Non-Binding Guidance for Providers of On-Demand Programme Services](#) for editorial content on ODPS (apart from BBC ODPS). Ofcom considers sanctions for advertising content on ODPS referred to it by the Advertising Standards Authority ("ASA"), the co-regulator of ODPS for advertising, or may do so as a concurrent regulator.

[Other codes and requirements](#) may also apply to broadcasters, depending on their circumstances. These include the requirements in the BBC Agreement, the Code on Television Access Services (which sets out how much subtitling, signing and audio description relevant licensees must provide), the Code on Electronic Programme Guides, the Code on Listed Events, and the Cross Promotion Code.

¹ The relevant legislation is set out in detail in Annex 1 of the Code.

² The relevant legislation can be found at Part 4A of the Act.

³ BCAP and ASA continue to regulate conventional teleshopping content and spot advertising for these types of services where it is permitted. Ofcom remains responsible for statutory sanctions in all advertising cases.

It is Ofcom's policy to describe fully television, radio and on demand content. Some of the language and descriptions used in Ofcom's Broadcast and On Demand Bulletin may therefore cause offence.

Advertising scheduling cases

In Breach

Jesus Sanctuary Ministries

BEN TV, 4, 10 and 11 January 2018, 19:00

Introduction

BEN TV is an entertainment and news channel that broadcasts to Western Europe and parts of Asia and Northern Africa. The licence for this service is held by Greener Technology Limited ("the Licensee").

Jesus Sanctuary Ministries is a Christian organisation based in London. The programmes comprised services led by a pastor of the ministry and featured religious songs and Bible readings. Each programme included two advertising breaks.

Ofcom received 12 complaints about the inclusion of the advertising breaks in these programmes.

We considered that the programmes raised potential issues under Rule 13 of the Code on the Scheduling of Television Advertising ('COSTA') which states:

"Programmes including a religious service may not include advertising or teleshopping breaks during the service"

We sought comments from the Licensee as to how the programmes complied with that rule.

Response

The Licensee explained it had registered with BARB¹ shortly before the broadcast of the programmes and implemented a new process for inserting advertising in its schedules. It added that although advertising was identified during *Jesus Sanctuary Ministries*, due to a human error, it missed removing the programme from the schedule that inserts advertisements.

The Licensee said it immediately began an investigation into the issue and to avoid further disruption and following further communication with Jesus Sanctuary Ministries, it took the decision to cease broadcasting the programme until the matter was resolved. In response to Ofcom's Preliminary View, the Licensee said it has since implemented measures to ensure similar errors do not recur.

¹ The Broadcasters' Audience Research Board (BARB) compiles audience measurement and television ratings in the United Kingdom.

Decision

Reflecting our duties under the Communications Act 2003², COSTA includes rules that prohibit the insertion of advertising during certain types of content.

In these programmes, advertising breaks interrupted Bible readings and religious songs that formed part of religious services. We acknowledged the steps taken by the Licensee to remove these programmes from the schedule until the matter was resolved and its assurances that the error would not be repeated. However, we concluded the programmes were in breach of Rule 13 of COSTA.

Breaches of Rule 13 of COSTA

² <http://www.legislation.gov.uk/ukpga/2003/21/section/319> and <http://www.legislation.gov.uk/ukpga/2003/21/section/322>

Broadcast Licence Conditions cases

In Breach

Providing a service in accordance with 'Key Commitments' *Big City Radio, 25 to 27 January 2018*

Introduction

Big City Radio is a community radio station licensed to provide a service for "all the communities of Aston with a particular focus on the area's ethnic communities". The licence is held by Big City Radio CIC ("Big City" or "the Licensee").

Like other community radio stations, Big City is required to deliver 'Key Commitments', which form part of its licence.¹ These set out how the station will serve its target community and deliver social gain (community benefits), and also include a description of the programme service.

The programming schedule provided by Big City to Ofcom in the course of assessing a number of complaints about the service, suggested that the station was not delivering the 24 hours per day of original output that is required by its Key Commitments.²

We requested recordings of three days of Big City's output, covering Thursday 25, Friday 26 and Saturday 27 January 2018.

After listening to the output, we identified some potential issues with Big City's delivery of the following Key Commitments:

- "The service provides original output 24 hours per day".
- "The service provides locally-produced output³ 24 hours per day".

The hour between 09:00 and 10:00 contained no content at all and there was a significant amount of automated content which could not be counted as original output. In relation to locally-produced output, we noted the following content which the Licensee appeared to be counting towards its quota:

- Friday 26 January – *Seth Sessions*, 05:00 to 07:00

¹ Big City's Key Commitments are contained in an annex to its licence and can be found at: <http://www.ofcom.org.uk/static/radiolicensing/Community/commitments/cr000038.pdf>.

² Original output is defined by Ofcom as output that is first produced for and transmitted by the service, and excludes output that was transmitted elsewhere before. Original output can be live, pre-recorded or 'voice-tracked'. Repeat broadcasts of original output do not count towards the minimum requirement.

³ Locally-produced output is any output made and broadcast from within the service's licensed coverage area. It may include all types of local production.

- Saturday 27 January – *The All Mighty Sounds of Mr DJ Henry Hall* 00:00 to 01:00 and continuous music that appeared to be a continuation of this programme until 05:00.

Ofcom considered that these programmes did not appear to be locally-produced. There was nothing in these broadcasts, such as presenter chat or a station 'jingle', to indicate that they were transmitted from within Big City's licensed coverage area.

Ofcom considered this raised potential issues under Conditions 2(1) and 2(4) in Part 2 of the Schedule to Big City's licence. These state, respectively:

"The Licensee shall provide the Licensed Service specified in the Annex for the licence period" (Section 106(2) of the Broadcasting Act 1990); and

"The Licensee shall ensure that the Licensed Service accords with the proposals set out in the Annex so as to maintain the character of the Licensed Service throughout the licence period" (Section 106(1) of the Broadcasting Act 1990).

We requested comments from the Licensee on how it was complying with these licence conditions.

Response

Big City explained that it does not broadcast any programmes that "are not created on the premises". The Licensee said that it has broadcast automated programming "quite a lot" but that this has been reducing as the number of volunteers has been increasing.

Big City admitted that "as a group there were many rules about radio that [the presenters] did not understand", including the need for automated programmes to contain station 'jingles' to ensure they meet the locally-produced hours requirement. The Licensee explained that the compliance officer had interviewed the presenters to establish what had been broadcast as he does not listen to the overnight programmes.

Big City said that it is now back up to its full complement of presenters and that there would be more live programmes going forwards.

Decision

Reflecting our duties to ensure a diverse range of local radio services, community radio licences require the provision of the specified licensed service. This is the fundamental purpose for which a community radio licence is granted.

Original output

Big City appeared to fundamentally misunderstand the meaning of original output believing that automated programming counted towards its quota. As stated in a previous decision,⁴ "We do not consider an automated playout of continuous music, with no speech content, to constitute original output". For clarity, original output does not need to be live. Original

⁴ Issue 324 of Ofcom's Broadcast and On Demand Bulletin:
https://www.ofcom.org.uk/_data/assets/pdf_file/0021/98031/Issue-324.pdf, pages 14-16.

output can be voice-tracked, however, it cannot be automated playout of continuous music with no speech content.

In addition, the hour between 09:00 and 10:00 contained no content at all.

The Licensee was broadcasting significantly less original output per day than is required (24 hours per day). Original output amounted to three hours on Thursday 25 January, five hours on Friday 26 January and 12 hours on Saturday 27 January.

Locally-produced output

The Licensee explained that all of its content is produced in the studio and therefore meets the requirement to be locally-produced. However, Ofcom noted a programme called *Seth Sessions* broadcast between 05:00 and 07:00 Friday 26 January. DJ Seth was not referred to on Big City's website or schedule. Similarly, between 00:00 and 01:00 on Saturday 27 January, a programme called *The All Mighty Sounds of Mr DJ Henry Hall* was broadcast. DJ Henry Hall is from New York and is not referred to on Big City's website. Ofcom also noted that the content broadcast from 01:00 to 05:00 on Saturday 27 January was continuous music that appeared to continue from *The All Mighty Sounds of Mr DJ Henry Hall* programme. There was nothing in these broadcasts to indicate that they were transmitted from within Big City's licensed coverage area, such as presenter chat or station 'jingles' and the Licensee did not provide any evidence that this content was locally-produced. In addition, as previously stated, the hour between 09:00 and 10:00 contained no content at all.

We therefore concluded that locally-produced output amounted to 22 hours on Friday 26 January and 19 hours on Saturday 27 January.

Conclusion

Ofcom's Decision is that Big City is in breach of Conditions 2(1) and 2(4) of its licence to provide 24 hours of original and locally-produced content.

Ofcom was extremely concerned that the compliance officer did not appear to know what had been broadcast during the period concerned. Licensees are required by a condition in their licences to have sufficient compliance procedures in place to ensure compliance with Ofcom's codes and licence conditions. Ofcom will be asking the Licensee for full details of its compliance arrangements and what it intends to do to ensure that there are sufficient staff adequately trained to ensure compliance with the licence requirements.

We are putting the Licensee on notice that Ofcom is likely to monitor this service again and, should further breaches of this type occur, we may consider further regulatory action including the imposition of a statutory sanction.

We remind all community radio licensees of the importance of ensuring that they are practically able to deliver their Key Commitments, and that if they are unable to they should ask to change them accordingly.⁵

⁵ There is a specific process for this, under which Ofcom considers a request to change Key Commitments against various criteria before deciding whether or not to agree to it.

Breaches of Licence Conditions 2(1) and 2(4) in Part 2 of the Schedule to the community radio licence held by Big City Radio CIC (licence number CR000038).

In Breach

Retention and production of recordings

FreeSports, 9 February 2018, 12:00

Introduction

FreeSports is a sports channel, the licence for which is held by Freesports Limited ("Freesports" or "the Licensee").

Ofcom received a complaint about product placement in a programme called *On the Fly*. Ofcom therefore requested a recording of the programme from the Licensee to assess the content.

Freesports explained that the recording had been deleted from its server. The Licensee subsequently provided a recording that did not appear to be of broadcast quality, which it explained was due to its recording encoders not working at the required bit-rate. As a result, Freesports could not provide a recording of the programme as broadcast.

Ofcom guidance to licensees states that recordings "must be of a standard and in a format which allows Ofcom to view the material as broadcast".¹ Ofcom has previously made clear in a note to broadcasters² and previous Decisions³ that on request broadcasters must be able to supply Ofcom with recordings as broadcast, and that the quality of recordings should be equal to that seen by the viewer, in terms of both sound and vision.

Ofcom considered that Freesports' inability to provide a recording as broadcast raised potential issues under Licence Conditions 11(1) and 11(2) of its Television Licensable Content Service (TLCS) licence which states:

- "(1) *The Licensee shall adopt procedures acceptable to Ofcom for the retention and production of recordings in sound and vision of any programme which is the subject matter of a Standards Complaint [...]*
- (2) *In particular, the Licensee shall:*
- (a) *make and retain or arrange for the retention of a recording in sound and vision of every programme included in the Licensed Service for a period of 60 days from the date of its inclusion therein; and*
 - (b) *at the request of Ofcom forthwith produce to Ofcom any such recording for examination or reproduction".*

¹ See paragraph 2.36 of Ofcom's Guidance notes for TLCS licensees:
https://www.ofcom.org.uk/_data/assets/pdf_file/0012/36201/tlcs_guidance_notes_for_licensees.pdf

² See pages 5, 9 and 10 of issue 95 of Ofcom's Broadcast Bulletin:
https://www.ofcom.org.uk/_data/assets/pdf_file/0028/46765/issue95.pdf

³ For example, see pages 10-11 of issue 306 of Ofcom's Broadcast and On Demand Bulletin:
https://www.ofcom.org.uk/_data/assets/pdf_file/0021/50628/issue_306.pdf

Ofcom therefore asked the Licensee how it had complied with the above Licence Conditions in this case.

Response

The Licensee responded that it has now put in place measures to improve the quality of the compliance recordings for the Freesports channels. It also stated that it is in the process of a full overhaul of the compliance system to bring the recordings up to equal standard in sound and vision as that seen by the viewer.

Decision

In each broadcaster's licence there are conditions requiring the licensee to retain recordings for a specific number of days after broadcast, and to comply with any request by Ofcom to produce recordings of programmes as broadcast. For TLCS licences, this is reflected in Licence Conditions 11(1) and (2).

Breaches of Licence Conditions 11(1) and (2) are significant because they impede Ofcom's ability to assess whether a particular broadcast raises potential issues under the relevant codes. This affects Ofcom's ability to carry out its statutory duties in regulating broadcast content.

We noted that Freesports provided a recording of the programme which was not as broadcast. The failure by the Licensee to record and provide the material requested by Ofcom, in broadcast quality, prevented us from assessing the relevant broadcast material. Ofcom's Decision is therefore that the Licensee was in breach of Licence Conditions 11(1) and (2).

Breaches of Licence Conditions 11(1) and 11(2) of the TLCS licence held by Freesports Limited (licence number TLCS102069).

In Breach

Broadcast licensees' late and non-payment of licence fees *Various licensees*

Introduction

Ofcom is partly funded by the broadcast licence fees it charges television and radio licensees. Ofcom has a statutory obligation to ensure that the fees paid by licensees meet the cost of Ofcom's regulation of broadcasting. The approach Ofcom takes to determining licensees' fees is set out in the Statement of Charging Principles.¹ Detail on the fees and charges payable by licensees is set out in Ofcom's Tariff Tables.²

The payment of a licence fee and payment made on time is a requirement of a broadcasting licence.³

- 1) 'The Licensee shall pay to Ofcom such fees as Ofcom may determine in accordance with the tariff fixed by it and for the time being in force under Section 87 (3) of the 1990 Act as Ofcom shall from time to time publish in such manner as it considers appropriate.
- 2) Payment of the fees referred to...above shall be made in such manner and at such times as Ofcom shall specify...'

Failure by a licensee to pay its licence fee when required represents a significant and fundamental breach of a broadcast licence, as it means that Ofcom may be unable properly to carry out its regulatory duties.

In Breach – late payment

The following licensees failed to pay their annual licence fees by the required payment date. These licensees have therefore breached Condition 3(2) of their licences.

The outstanding payments have now been received by Ofcom. Ofcom will not be taking any further regulatory action in these cases.

Licensee	Service Name	Licence Number
Angel Radio Limited	Angel Radio	CR101255
Awaaz FM Community Radio CIC	Awaaz FM	DP101345
Awesome Enterprises Limited	Awesome Radio	DN101370
Gaydio Community Interest Company	Gaydio	DP000067
Love London Radio Limited	ZoneOneRadio	DP101880
MCR Live Limited	MCR Radio	DP101353
Rinse FM	Rinse FM	CR000225

¹ http://stakeholders.ofcom.org.uk/binaries/consultations/socp/statement/charging_principles.pdf

² https://www.ofcom.org.uk/_data/assets/pdf_file/0019/112465/Tariff-Tables-2018_19.pdf

³ As set out in Licence Condition 3 for radio licensees and Licence Condition 4 for television licensees.

Licensee	Service Name	Licence Number
Stoke Mandeville Hospital NHS Trust	Stoke Mandeville Hospital Radio	LRSL000057
The Pakistan Muslim Centre (Sheffield) Limited	Link FM	CR100157
The Royal Oldham Hospital	Radio Cavell	LRSL000059

In Breach – non-payment

The following licensees failed to pay their annual licence fees. These licensees have therefore been found in breach of Conditions 3(1) and 3(2) of their licences.

Licensee	Service Name	Licence Number
TheBeat Limited	MKFM	DP000163

As Ofcom considers these to be a serious and continuing licence breaches, **Ofcom is putting these licensees on notice that this contravention of their licences will be considered for the imposition of a statutory sanction, which may include a financial penalty and/or licence revocation.**

Resolved / In Breach

Provision of information: community radio finance reports ***Various community radio licensees, year ending 31 December 2017***

Introduction

Community radio stations are provided primarily for the good of people in an area or for a particular community, rather than primarily for commercial reasons. They must also deliver social gain, operate on a not-for-profit basis, involve members of their target communities and be accountable to the communities they serve.

There are statutory restrictions on the funding of community radio stations which are set out in community radio licences. Specifically, that stations are permitted to raise on-air advertising and sponsorship income up to £15,000, the "fixed revenue allowance". Most community radio stations may raise a further amount from this type of income, but it must not exceed 50% of the station's total relevant income (disregarding the fixed revenue allowance) for that year, and of which at least 25% must come from "other income" (such as grants or donations).

It is of fundamental importance that Ofcom can verify that a licensee is complying with its licence requirements relating to funding. We therefore require licensees to submit an annual report setting out how they have met their licence obligations.

The annual reports from stations also inform Ofcom's own understanding of the community radio sector, and financial information about the sector will feature in the new Media Nation Report (working title) to be published later this year. Annual reports that are not received or received late impact on the accuracy of the data in the Report.

Failure by a licensee to submit an annual report when required represents a serious and fundamental breach of a community radio licence, as the absence of the information contained in the report means that Ofcom is unable properly to carry out its regulatory duties.

Ofcom requested finance reports for the calendar year 2017 from all community radio licensees who were broadcasting for the whole of 2017. Several stations failed to provide their reports by the deadline specified, and one did not provide a complete report.

Ofcom considered that this raised issues under Condition 9(1) in Part 2 of the Schedule to the Broadcasting Act licence, which states:

- "9(1) The Licensee shall maintain records of and furnish to Ofcom in such manner and at such times as Ofcom may reasonably require such documents, accounts, estimates, returns, reports, notices or other information as Ofcom may require for the purpose of exercising the functions assigned to it by or under the 1990 Act, the 1996 Act or the Communications Act and in particular [...]
- c) such information as Ofcom may reasonably require for the purposes of determining whether the Licensee is complying with the requirements of the Community Radio Order 2004 for each year of the Licensed Service;

- d) such information as Ofcom may reasonably require for the purposes of determining the extent to which the Licensee is providing the Licensed Service to meet the objectives and commitments specified in the Community Radio Order 2004; and
- e) the provision of information under this section may be provided to Ofcom in the form of an annual report which is to be made accessible to the general public”.

Resolved

Ofcom did not receive a complete annual finance report from the following licensees by the deadline given. These licensees did submit late reports or provided missing data. We therefore considered the cases to be resolved.

Licensee	Service name	Licence number
Awaaz Radio Limited	Awaaz Radio	CR000208
Celtic Music Radio Limited	Celtic Music Radio FM	CR000257
Keith Community Radio Limited	Keith Community Radio (KCR)	CR000264
Sunny Govan Community Media Group	Sunny Govan Radio	CR000018
The Cat Community Radio C.I.C.	The Cat	CR100139
TMCRFM Limited	TMCR	CR000154
University of Sunderland	Spark FM	CR000143
West Hull Community Radio Limited	West Hull Community Radio	CR000056
Wythenshawe Community Media	Wythenshawe FM	CR000024

In Breach

Ofcom did not receive an annual finance report from the following licensees by the deadline given. These licensees breached Licence Condition 9(1):

Licensee	Station name	Licence number
Gravity FM CIC	Gravity FM	CR000168
Ujima Radio CIC	Ujima Radio	CR000116

Breaches of Licence Condition 9(1) in Part 2 of the Schedule to the community radio licences.

Complaints assessed, not investigated

Here are alphabetical lists of complaints that, after careful assessment, Ofcom has decided not to pursue between 30 April and 13 May 2018 because they did not raise issues warranting investigation.

Complaints assessed under the Procedures for investigating breaches of content standards for television and radio

Programme	Service	Transmission Date	Categories	Number of complaints
Hit Afternoons with Pandora	4Music	27/04/2018	Violence	1
The Victoria's Secret Fashion Show	4Music	30/04/2018	Nudity	1
Ultimate Boxxer	5Spike	27/04/2018	Offensive language	1
Kevin Ford	99.9 Radio Norwich	22/03/2018	Competitions	1
Mudha	Akaal Channel	20/04/2018	Hatred and abuse	1
FA Cup Final (trailer)	BT Sport	03/05/2018	Generally accepted standards	1
999: What's Your Emergency?	Channel 4	10/05/2018	Race discrimination/offence	1
Buy it Now	Channel 4	17/04/2018	Promotion of products/services	1
Channel 4 News	Channel 4	16/04/2018	Generally accepted standards	1
Channel 4 News	Channel 4	24/04/2018	Due impartiality/bias	1
Dirty Grandpa	Channel 4	21/04/2018	Generally accepted standards	1
Formula One: Chinese Grand Prix – Highlights	Channel 4	15/04/2018	Race discrimination/offence	1
Gogglebox	Channel 4	27/04/2018	Generally accepted standards	2
Holidays Unpacked	Channel 4	30/04/2018	Animal welfare	1
Hollyoaks	Channel 4	27/03/2018	Violence	1
Ramsay's Hotel Hell	Channel 4	19/04/2018	Nudity	1
The Island with Bear Grylls	Channel 4	23/04/2018	Generally accepted standards	3
Channel 5 News	Channel 5	20/04/2018	Due accuracy	1
Dances With Wolves	Channel 5	22/04/2018	Other	1
Police Interceptors	Channel 5	25/04/2018	Offensive language	1
Police Interceptors	Channel 5	30/04/2018	Offensive language	2
The Gadget Show	Channel 5	28/04/2018	Materially misleading	1
The Nightmare Neighbour Next Door	Channel 5	04/05/2018	Offensive language	1

Programme	Service	Transmission Date	Categories	Number of complaints
The Wright Stuff	Channel 5	12/04/2018	Materially misleading	1
QI	Dave	11/05/2018	Offensive language	1
Programming (trailer)	Discovery Science	18/04/2018	Nudity	1
E4 channel promotion	E4	02/05/2018	Generally accepted standards	1
Breakfast	Free Radio Birmingham	24/04/2018	Generally accepted standards	1
Garden Bargains	Ideal World	15/04/2018	Teleshopping	1
Benidorm	ITV	25/04/2018	Generally accepted standards	1
Benidorm	ITV	25/04/2018	Offensive language	2
Britain's Got Talent	ITV	28/04/2018	Generally accepted standards	1
Britain's Got Talent	ITV	28/04/2018	Race discrimination/offence	1
Britain's Got Talent	ITV	05/05/2018	Dangerous behaviour	1
Britain's Got Talent	ITV	05/05/2018	Race discrimination/offence	1
Coronation Street	ITV	09/04/2018	Violence	3
Coronation Street	ITV	18/04/2018	Scheduling	1
Coronation Street	ITV	23/04/2018	Age discrimination/offence	1
Coronation Street	ITV	23/04/2018	Disability discrimination/offence	1
Coronation Street	ITV	23/04/2018	Generally accepted standards	3
Coronation Street	ITV	27/04/2018	Materially misleading	1
Coronation Street	ITV	27/04/2018	Product placement	1
Coronation Street	ITV	30/04/2018	Generally accepted standards	1
Coronation Street	ITV	30/04/2018	Product placement	1
Coronation Street	ITV	Various	Generally accepted standards	1
Daily Mail Great Plastic Pick Up advertisement	ITV	27/04/2018	Political advertising	1
Emmerdale	ITV	01/01/2018	Generally accepted standards	1
Emmerdale	ITV	02/04/2018	Crime and disorder	1
Emmerdale	ITV	24/04/2018	Generally accepted standards	2
Emmerdale	ITV	25/04/2018	Religious/Beliefs discrimination/offence	1
Emmerdale	ITV	26/04/2018	Generally accepted standards	1

Programme	Service	Transmission Date	Categories	Number of complaints
Emmerdale	ITV	26/04/2018	Violence	2
Good Morning Britain	ITV	18/04/2018	Materially misleading	1
Good Morning Britain	ITV	23/04/2018	Generally accepted standards	1
Good Morning Britain	ITV	23/04/2018	Race discrimination/offence	1
Good Morning Britain	ITV	26/04/2018	Generally accepted standards	1
Good Morning Britain	ITV	27/04/2018	Generally accepted standards	1
Harry Hill's Alien Fun Capsule	ITV	15/04/2018	Generally accepted standards	1
Harry Hill's Alien Fun Capsule	ITV	21/04/2018	Generally accepted standards	4
ITV Evening News	ITV	27/04/2018	Due accuracy	1
ITV Lunchtime News	ITV	05/05/2018	Other	1
ITV News	ITV	18/04/2018	Due impartiality/bias	1
ITV News	ITV	23/04/2018	Generally accepted standards	1
ITV News	ITV	26/04/2018	Due impartiality/bias	1
Loose Women	ITV	27/04/2018	Gender discrimination/offence	1
Ninja Warrior UK	ITV	28/04/2018	Sexual material	1
Racing: Grand National Festival	ITV	14/04/2018	Race discrimination/offence	1
The Chase	ITV	27/04/2018	Competitions	2
The Chase	ITV	28/04/2018	Gender discrimination/offence	1
The Durrells	ITV	08/04/2018	Offensive language	1
The Durrells	ITV	29/04/2018	Nudity	1
The Jeremy Kyle Show	ITV	27/04/2018	Generally accepted standards	1
The Keith and Paddy Picture Show (trailer)	ITV	28/04/2018	Offensive language	1
The Royal Wives of Windsor	ITV	01/05/2018	Gender discrimination/offence	1
This Morning	ITV	25/04/2018	Generally accepted standards	2
This Morning	ITV	26/04/2018	Sexual material	1
This Morning	ITV	30/04/2018	Generally accepted standards	1
This Time Next Year	ITV	10/04/2018	Disability discrimination/offence	6
This Time Next Year (trailer)	ITV	15/04/2018	Generally accepted standards	1

Programme	Service	Transmission Date	Categories	Number of complaints
Who Wants to be a Millionaire?	ITV	05/05/2018	Generally accepted standards	1
Who Wants to be a Millionaire?	ITV	06/05/2018	Animal welfare	10
Who Wants to be a Millionaire?	ITV	06/05/2018	Generally accepted standards	1
Who Wants to be a Millionaire?	ITV	07/05/2018	Gender discrimination/offence	2
Who Wants to be a Millionaire?	ITV	10/05/2018	Religious/Beliefs discrimination/offence	2
ITV News Anglia	ITV Anglia	17/04/2018	Generally accepted standards	1
The Chase	ITV+1	n/a	Competitions	1
Britain's Got Talent More Talent	ITV2	28/04/2018	Generally accepted standards	1
Celebrity Juice	ITV2	26/04/2018	Sexual material	1
Plebs, The Marathon	ITV2	16/04/2018	Disability discrimination/offence	1
James O'Brien	LBC 97.3 FM	26/04/2018	Due impartiality/bias	1
James O'Brien	LBC 97.3 FM	27/04/2018	Due impartiality/bias	1
Nick Ferrari	LBC 97.3 FM	09/04/2018	Race discrimination/offence	1
Programming	LBC 97.3 FM	26/03/2018	Materially misleading	1
Million Pound Movers	More4	01/05/2018	Animal welfare	1
Programming	n/a	Various	Due impartiality/bias	1
Fundraising Appeal	Noor TV	19/03/2018	Appeals for funds	1
The New Music Show	Radio Verulam	01/05/2018	Offensive language	1
Press Preview	Sky News	14/04/2018	Due impartiality/bias	1
Press Preview	Sky News	27/04/2018	Due impartiality/bias	1
Press Preview	Sky News	29/04/2018	Due impartiality/bias	1
Sky News	Sky News	13/04/2018	Due impartiality/bias	1
Sky News	Sky News	18/04/2018	Due impartiality/bias	2
Sky News	Sky News	19/04/2018	Due impartiality/bias	1
Sky News	Sky News	20/04/2018	Due accuracy	1
Sky News	Sky News	20/04/2018	Due impartiality/bias	1
Sky News Sunrise	Sky News	21/04/2018	Generally accepted standards	1
Studio 66 Days	Studio 66	30/04/2018	Offensive language	1
Programming	Sunrise Radio	15/03/2018	Offensive language	1
Michael Graham LIVE from the US	Talk Radio	28/04/2018	Generally accepted standards	1
Michael Graham LIVE from the US	Talk Radio	29/04/2018	Generally accepted standards	1
Jim White	Talksport	16/04/2018	Sexual orientation discrimination/offence	1

Programme	Service	Transmission Date	Categories	Number of complaints
Are You The One?	TV3 (Sweden)	02/04/2018	Transgender discrimination/offence	35
Absolut Vodka's sponsorship of Edge of Darkness	TV6 (Sweden)	21/04/2018	Sponsorship	1
News: UTV Live	UTV	04/05/2018	Due impartiality/bias	1

For more information about how Ofcom assesses complaints about content standards on television and radio programmes, go to:

https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf

Complaints assessed under the Procedures for investigating breaches of content standards on BBC broadcasting services and BBC ODPS.

Programme	Service	Transmission Date	Categories	Number of complaints
BBC News	BBC 1	09/01/2018	Due impartiality/bias	1
Call the Midwife	BBC 1	11/02/2018	Generally accepted standards	1
News	BBC 1	27/11/2017	Due impartiality/bias	1
The Coronation	BBC 1	14/01/2018	Materially misleading	1
South Today	BBC 1 (South)	17/12/2017	Due impartiality/bias	1
BBC News	BBC Channels	15/03/2018	Race discrimination/offence	1
News	BBC News Channel	16/04/2018	Generally accepted standards	1
BBC News	BBC Radio 4	14/02/2018	Other	1

For more information about how Ofcom assesses complaints about content standards on BBC broadcasting services and BBC ODPS, go to:

https://www.ofcom.org.uk/_data/assets/pdf_file/0002/100100/Procedures-for-investigating-breaches-of-content-standards-on-BBC-broadcasting-services-and-BBC-on-demand-programme-services.pdf

Complaints assessed under the General Procedures for investigating breaches of broadcast licences

Here is an alphabetical list of complaints that, after careful assessment, Ofcom has decided not to pursue between 30 April and 13 May 2018 because they did not raise issues warranting investigation.

Licensee	Licensed service	Categories
Belfast FM Limited	Belfast FM	Other
Furness College	Cando FM	Key Commitments
Cambridge Presents Limited	That's Cambridge	Programming Commitments

For more information about how Ofcom assesses complaints about broadcast licences, go to: https://www.ofcom.org.uk/_data/assets/pdf_file/0019/31942/general-procedures.pdf

Complaints outside of remit

Here are alphabetical lists of complaints received by Ofcom that fell outside of our remit. This is because Ofcom is not responsible for regulating the issue complained about. For example, the complaints were about the content of television, radio or on demand adverts or an on demand service that does not fall within the scope of regulation.

For more information about what Ofcom's rules cover, go to: <https://www.ofcom.org.uk/tv-radio-and-on-demand/how-to-report-a-complaint/what-does-ofcom-cover>

Complaints about television or radio programmes

Programme	Service	Transmission Date	Categories	Number of complaints
Facebook page	96.9 The Eagle	22/04/2018	Outside of remit	1
Advertisement	Absolute Radio 00's	24/04/2018	Advertising content	1
Advertisement	All 4	n/a	Protection of under 18s	1
Jesus Sanctuary Ministries	BEN TV	06/01/2018	Outside of remit	1
Advertisement	Channel 4	01/05/2018	Advertising content	1
Collectable timepieces pick of the day	Ideal World	22/04/2018	Materially misleading	1
Advertisement	ITV	23/04/2018	Advertising content	1
Advertisement	ITV	01/05/2018	Advertising content	1
Advertisement	ITV	07/05/2018	Advertising content	1
Advertisement	ITV	09/05/2018	Advertising content	1
Britain's Got Talent	ITV	21/04/2018	Outside of remit	1
Advertisement	LBC 97.3 FM	19/04/2018	Advertising content	1
n/a	NOW TV	28/04/2018	Other	1
Advertisement	Pop	03/05/2018	Advertising content	1
Salvage Hunters	Quest	03/05/2018	Outside of remit	1
Salvage Hunters	Quest Red	03/05/2018	Outside of remit	1
Advertisement	Sky Golf	01/05/2018	Advertising content	1
Advertisement	Sky Living	09/04/2018	Advertising content	1
Sunrise	Sky News	25/04/2018	Outside of remit	1
Advertisement	TFM	21/04/2018	Generally accepted standards	1

For more information about how Ofcom assesses complaints about television and radio programmes, go to:

https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf

BBC First

The BBC Royal Charter and Agreement was published in December 2016, which made Ofcom the independent regulator of the BBC.

Under the BBC Agreement, Ofcom can normally only consider complaints about BBC programmes where the complainant has already complained to the BBC and the BBC has reached its final decision (the 'BBC First' approach).

The complaints in this table had been made to Ofcom before completing the BBC's complaints process.

Complaints about BBC television, radio or on demand programmes

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
BBC Breakfast	BBC 1	17/04/2018	Due impartiality/bias	1
BBC News	BBC 1	16/04/2018	Due impartiality/bias	2
BBC News	BBC 1	20/04/2018	Due impartiality/bias	1
BBC News	BBC 1	01/05/2018	Privacy	1
Eastenders	BBC 1	10/05/2018	Generally accepted standards	1
Panorama	BBC 1	30/04/2018	Information/Warnings	1
The Andrew Marr Show	BBC 1	08/04/2018	Due impartiality/bias	1
The One Show	BBC 1	30/04/2018	Due impartiality/bias	1
Famalam	BBC 2	29/04/2018	Race discrimination/offence	1
Watchdog	BBC 1	25/04/2018	Outside of remit	1
Newsnight	BBC 2	15/03/2018	Due impartiality/bias	1
Programming	BBC Channels	n/a	Due impartiality/bias	1
The Split	BBC iPlayer	25/04/2018	Religious/Beliefs discrimination/offence	1
News	BBC News	06/05/2018	Generally accepted standards	1
BBC News	BBC News Channel	15/04/2018	Under 18s in programmes	1
BBC News	BBC News Channel	17/04/2018	Generally accepted standards	1
BBC News	BBC News Channel	03/05/2018	Elections/Referendums	1
Victoria Derbyshire	BBC News Channel	17/04/2018	Generally accepted standards	1
BBC News	BBC Online World News	29/04/2018	Gender discrimination/offence	1
Greg James	BBC Radio 1	01/05/2018	Age discrimination/offence	1
Archive on 4: 50 Years On: Rivers of Blood	BBC Radio 4	14/04/2018	Race discrimination/offence	1
Programming	BBC Radio 4	Various	Generally accepted standards	1

Programme	Service	Transmission or Accessed Date	Categories	Number of Complaints
Nick Conrad	BBC Radio Norfolk	27/04/2018	Race discrimination/offence	1
Kaye Adams	BBC Radio Scotland	23/04/2018	Other	1
The Nolan Show	BBC Radio Ulster	24/04/2018	Due impartiality/bias	1
BBC The Social	BBC The Social	09/04/2018	Religious/Beliefs discrimination/offence	1
Absolute Genius: Monster Builds 2 – Mile High City	CBBC	10/03/2018	Dangerous behaviour	1
BBC News	Various	05/05/2018	Other	1
BBC News	Various	06/05/2018	Due impartiality/bias	1

Investigations List

If Ofcom considers that a broadcaster or service provider may have breached its codes, rules, licence condition or other regulatory requirements, it will start an investigation.

It is important to note that an investigation by Ofcom does not necessarily mean the broadcaster or service provider has done anything wrong. Not all investigations result in breaches of the codes, rules, licence conditions or other regulatory requirements being recorded.

Here are alphabetical lists of new investigations launched between 30 April and 13 May 2018.

Investigations launched under the Procedures for investigating breaches of content standards for television and radio

Programme	Service	Transmission date
Do the Right Thing with Eamonn and Ruth	Channel 5	29/03/2018
Top 500: Avenue Q	Encore Radio	01/04/2018
Advertising minutage	Freesport	Various
Sharky Kurt	Legacy 90.1 FM	07/04/2018
Crosstalk	RT	20/04/2018
News	RT	26/04/2018
News	RT	04/05/2018
The Everly Pregnant Brothers: Live at the Lyceum Theatre	Sheffield Live	13/04/2018
Premier League Football: Brighton and Hove Albion v Tottenham Hotspur	Sky Sports Main Event	17/04/2018
Teen Life	VA TV	17/04/2018

For more information about how Ofcom assesses complaints and conducts investigations about content standards on television and radio programmes, go to:

https://www.ofcom.org.uk/_data/assets/pdf_file/0020/55109/breaches-content-standards.pdf

Investigations launched under the General Procedures for investigating breaches of broadcast licences

Licensee	Licensed Service
CBS AMC Networks UK Channels Partnership	CBS Reality
Turner Broadcasting System Europe Limited	Various

For more information about how Ofcom assesses complaints and conducts investigations about broadcast licences, go to:

https://www.ofcom.org.uk/_data/assets/pdf_file/0019/31942/general-procedures.pdf