

# Ofcom Broadcast and On Demand Bulletin

## Note to Broadcasters

### Coronavirus update to broadcast licensees – April 2021

Since the beginning of Coronavirus restrictions, we have provided regular guidance to all broadcasters on how we have reflected the changing situation in our regulatory approach. This letter provides an update to broadcasters on our position (our previous guidance can be found here: [23 March](#), [27 April](#), [26 May](#) and [9 November 2020](#)).

We recognise that each broadcaster may have specific queries depending on the nature of their service and individual circumstances. We provide contact details at the end of the letter and encourage you to get in touch if you have any questions on this update. We would also remind all licensees of the importance of ensuring we have the most recent and correct contact details, including email addresses. Please get in touch with us using the contact details below if you would like to make any changes to your details.

#### 1. Compliance with Ofcom's Broadcasting Code

In recognition of the significant potential for harm, Ofcom continues to prioritise the enforcement of broadcast standards in relation to Coronavirus related content. You can visit our website to find out more information about Ofcom's enforcement of [broadcast standards during the coronavirus pandemic](#), including summaries of relevant findings as a reference for broadcasters and programme makers.

#### 2. Licence fee payments

Throughout the Coronavirus pandemic we have recognised that some licensees have been facing changing and difficult circumstances, both operational and financial. Whilst most licensees have been able to put mitigations in place and have been able to pay their licence fees on time, we have offered flexible payment plans to licensees who have needed them.

We recognise that operational and financial challenges remain for some licensees along with a measure of uncertainty for the future. As such, we will continue to provide alternative payment arrangements for those who find themselves unable to pay on time for the 2021/22 financial year. We will write to all licensees when their invoice is due detailing the options available to them. Licensees who are still able to pay should do so at their earliest opportunity.

#### 3. Programming and production commitments

In our last update to licensees, we set out our expectation that all broadcasters would be putting relevant mitigations in place to enable them to meet all of the programming and production requirements within their licence from July 2021 onwards, but that we would keep this under review.

We thank those licensees who have kept us updated on how the challenges presented by the pandemic are evolving and how these have impacted on the delivery of their services. This has provided us with valuable insights into how the broadcasting sector is currently operating, as well as the nature and extent of any challenges directly relating to the impact of the Coronavirus pandemic. We have been encouraged by the fact that most licensees have been able to continue to meet the conditions within their licence, often through taking new and innovative approaches to commissioning, programme making and scheduling, and as a result have continued to deliver a range of high-quality programmes to viewers and listeners.

With this in mind, we believe that all licensees should be in a position to start to return to meeting all of the programming and production commitments in their licence. We recognise that restrictions currently remain in place across the UK, and that the planned routes to easing these restrictions over the course of the Spring and Summer varies by nation. As such, in order to give all broadcasters time to make any necessary arrangements and mitigations, we will expect all broadcasters to be meeting all of the conditions within their licence no later than 30 September 2021. This would mean that daily and weekly requirements are met in full from this date, and that best endeavours are made to ensure programming and production levels are broadly in line with annual quotas, noting that these typically run by calendar year.

If you anticipate that you may still face challenges in meeting any of your production and programming commitments beyond 30 September 2021 as a result of the ongoing impact of the pandemic, we ask that you notify us as soon as possible before this date to explain what obligation(s) may be missed, the circumstances that have led to this, and any mitigations you have sought to put in place. We may seek further relevant information as necessary. If no attempt to contact Ofcom is made and a licensee subsequently fails to meet its programming and production commitments, we may commence enforcement action.

We will continue to keep our approach under review and will update all licensees as necessary.

#### 4. Information requests

As per our correspondence in November, we expect that all licensees have now put in place relevant mitigations or adjusted their internal processes so they can respond as normal to information requests issued by Ofcom and be able to provide the relevant data and information by the deadline specified.

If a licensee still faces challenges responding to any information requests it receives as a result of the pandemic, we ask that it notifies the contact on the request as soon as possible, and before the request deadline, providing detailed information on the issues it is facing and any mitigations it has put in place. If no attempt to contact Ofcom is made and a licensee fails to provide the relevant information by the specified deadline, we may commence enforcement action.


#### Getting in touch with Ofcom

If you have any queries about this update, please do not hesitate to get in touch with us by email:

- For questions related to the submission of TV returns data and requests, please email [MID@ofcom.org.uk](mailto:MID@ofcom.org.uk). For further information on the TV industry data collection, please see the resources on our [website](#).

- For questions related to the submission of commercial radio industry data and returns requests, please email [radiomid@ofcom.org.uk](mailto:radiomid@ofcom.org.uk). For further information on the commercial radio industry data collection, please see the resources on our [website](#).
- For questions related to the licence held by the broadcaster, community radio returns, or anything else, please email [broadcast.licensing@ofcom.org.uk](mailto:broadcast.licensing@ofcom.org.uk).

Yours sincerely,

A handwritten signature in black ink, reading "Ke. Bakhurst". The signature is written in a cursive style with a small dot at the end.

Kevin Bakhurst  
Group Director  
Broadcasting & Online Content Group, and  
Executive Member, Ofcom Board