

Community Media Association

The Community Media Association (CMA) welcomes this opportunity to respond to your consultation on the revised general procedures for investigating breaches of broadcast licences. We particularly appreciate the inclusion of the draft new look general procedures document (Annex 6) which we believe will be invaluable for our members. We also wish to express our gratitude for Ofcom’s attention to issues affecting community radio - a sector that, as volunteer-driven organisations, has unique challenges and contributions. Our responses below draw on the views of our members, council & advisors, whilst also taking into account recent representations we have made for members in Bournemouth, Northampton, and beyond.

Question	Your response
<p>Consultation question 1: Do you agree with our proposed administrative priorities framework? Please provide further information and/or evidence in support of your response.</p>	<p>Confidential? – N</p> <p>The CMA agrees with Ofcom’s proposed administrative priorities framework. We commend Ofcom for clarifying its priorities - particularly its focus on filtering out vexatious complaints. Our work in a number of locales has shown that complaints can frequently arise, not from genuine service failures but, from a range of personal motives. We have repeatedly suggested, and continue to advocate, that complaints be addressed at the broadcaster level first. This approach not only saves valuable Ofcom resources but also supports and reinforces community radio’s role as a locally focused, volunteer-run service.</p> <p>We also welcome the recent positive changes to Key Commitments following previous consultations. Finally, we would support any additional government resource allocation to Ofcom, which we believe would enhance regulatory efficiency.</p>
<p>Consultation question 2: Do you agree with our proposal to share a summary of the issues raised with the broadcaster rather than the full text of the complaint apart from in exceptional circumstances? Please provide further information and/or evidence in support of your response.</p>	<p>Confidential? – N</p> <p>We agree and support the proposal to share only a summary of the issues raised with the broadcaster. We can understand the rationale shared by Ofcom for the proposal. The CMA notes that in past cases our advice has always been to encourage complainants to contact the station directly to resolve issues, and only approaching Ofcom as a last resort. This approach has often proved effective and avoids escalating matters to Ofcom. We endorse any proposed summary approach as a means to</p>

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	streamline investigations so Ofcom can focus on genuine service issues.
<p>Consultation question 3: Do you agree with our proposal to not share the name of the complainant with the broadcaster, apart from in exceptional circumstances? Please provide further information and/or evidence in support of your response.</p>	<p>Confidential? – N</p> <p>The CMA supports the proposal not to share the complainant’s name with the broadcaster. We feel, with an Ofcom investigation, revealing the complainant’s identity is generally unnecessary. It should be noted that some CMA members who have been subject to what they consider numerous vexatious complaints believe that disclosure of the name of the complainant would have severely curtailed these vexatious complaints. However, we recognise Ofcom’s External Contact Policy and understand that anonymity is key to preventing potential harassment or misuse of the complaints process.</p>
<p>Consultation question 4: Do you agree with our proposal to no longer notify the complainant of the outcome of their complaint? Please provide further information and/or evidence in support of your response.</p>	<p>Confidential? – N</p> <p>The CMA agrees with the proposal not to notify complainants of the outcome of their complaint. We’d hope this might encourage direct communication between complainants and broadcasters - often a more effective means of resolving issues. Moreover, as part of this proposal Ofcom clarify they will send an auto-response that informs complainants of the process & acknowledge receipt – this suggests that further notifications would use valuable resources without significant benefit. We understand Ofcom’s rationale in line with the External Contact Policy and support the move toward a more streamlined, resource-efficient approach.</p>
<p>Consultation question 5: Do you agree with our proposal that complaints should be made within 20 working days of the broadcast of the relevant content? Please provide further information and/or evidence in support of your response.</p>	<p>Confidential? – N</p> <p>The CMA supports the 20 working days requirement for lodging complaints. This period is sufficient to ensure that complaints are raised while the broadcast is still recent in the minds of listeners, thus enabling a timely and accurate assessment. We would welcome clarification on how this 20 day deadline interacts with broadcasters’ record-keeping requirements. That is to say, do the record-keeping requirements remain at 42 days? However,</p>

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	<p>in general, we find the timeframe to be both reasonable and conducive to fair investigations.</p>
<p>Consultation question 6: Do you have any comments on our proposed additional changes to the General Procedures?</p>	<p>Confidential? – Y / N</p> <p>Overall, the CMA welcomes the additional changes set out in the draft general procedures document (Annex 6). We especially appreciate the detailed flow diagram and clear presentation of the revised procedures, which will help our members better understand and comply with the new framework. We also strongly support the external contact policy provisions as they help manage vexatious complaints.</p> <p>Based on our recent experiences, we urge Ofcom to continue refining its process to ensure that investigations focus on genuine breaches rather than isolated or ambiguous issues. We note that while previous guidance sometimes left broadcasters uncertain about compliance expectations, these new procedures represent a positive step toward clarity and efficiency.</p>
<p>Consultation question 7: Do you agree with Ofcom’s assessment of the impacts of its proposed changes, set out in the sub-sections above (including potential impacts on specific groups of persons including equality impacts)? Please provide further information and/or evidence in support of your response.</p>	<p>Confidential? – N</p> <p>The CMA is generally supportive of Ofcom’s measured assessment of the impacts of the proposed changes. We appreciate that Ofcom recognizes the unique challenges faced by community radio—volunteer-run and dedicated to social gain. Too many of our members have been placed under unnecessary administrative burden by vague or overly rigid requirements. We are thankful that Ofcom’s proposals aim to alleviate such burdens and improve regulatory efficiency. In doing so, Ofcom will empower stations to focus on their core mission: delivering high-quality, locally relevant content.</p> <p>We encourage Government to allocate additional resource and support to both Ofcom and community radio stations as part of this process.</p>
<p>Consultation question 8: Are there any impacts of these proposals which Ofcom has not recognised in this document?</p>	<p>Confidential? – N</p> <p>While the consultation document is comprehensive, the CMA would like to draw attention to a few additional points:</p>

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	<ul style="list-style-type: none"> • Vexatious Complaints: Our experience shows that many complaints stem from varied individual motives rather than wider structural station concerns. We recommend that Ofcom consider verifying whether a complainant has first contacted the broadcaster before proceeding with an investigation. If possible, additional verification of the identity of the complainant should also be considered (in line with the 'External Contact Policy'). • Distinct Nature of Community Radio: It is essential to highlight the key differentiation of community radio from commercial radio. Community radio is not-for-profit, enables local social gain and is uniquely tailored to local service, unlike its commercial counterparts. The CMA are keen that any changes do not inadvertently dilute the local focus of community radio. • Historical Context: The CMA's previous representations on behalf of members highlight our concerns about vexatious complaints and unclear compliance expectations are long-standing. We believe these points should be explicitly acknowledged in any final policy.
<p>Consultation question 9: Do you agree with our assessment of the potential impact of our proposals on the Welsh language? Please provide further information and/or evidence in support of your response.</p>	<p>Confidential? – N</p> <p>The CMA generally supports Ofcom's assessment regarding the impact on Welsh language requirements. We acknowledge that Welsh language programming is critical to serving Welsh-speaking communities. Many of our members represent communities of interest where a diverse range of languages is crucial. Our experience confirms that community radio stations are best positioned to determine the appropriate balance between Welsh and English based on local audience needs. We appreciate Ofcom's careful consideration of this issue and encourage further measures - such as clear guidelines and additional support - to ensure that Welsh language output is protected and promoted.</p>

Question	Your response
<p>Consultation question 10: Do you think our proposal could be formulated or revised to ensure, or increase, positive effects, or reduce/eliminate any negative effects, on opportunities to use the Welsh language and treating the Welsh language no less favourably than English?</p>	<p>Confidential? – N</p> <p>We support the overall proposal and offer the following suggestions:</p> <ul style="list-style-type: none"> • Empowering Local Decision-Making: Stations and complainants should retain the autonomy to use their own language/s. • Guidance and Training: The CMA is prepared to support events and training sessions to raise awareness and help stations adapt to any changes arising from this consultation. Clear, practical guidance on balancing Welsh and English programming will be essential. • Forward-Looking Flexibility: We recognise that many community radio stations serve multilingual audiences. Stakeholders of the station, be they complainants or station management, should be considered. In the future, guidance should not be limited to Welsh and English but consider the diversity of languages represented within communities. • Additional Support: We encourage Ofcom to provide additional resources or training for stations, particularly those led by broadcasters for whom English or Welsh is not their first language.
<p>Consultation question 11: Please tell us how you came across this consultation.</p>	<p>Email from Ofcom</p>

Please complete this form and return to broadcast.licensing@ofcom.org.uk.