

How To Complain

ATVOD regulates UK-based video-on-demand services that offer TV-like content. We can consider complaints about:

- material likely to incite hatred based on race, sex, religion or nationality
- material which might seriously impair the physical, mental or moral development of persons under the age of 18
- sponsorship
- product placement

In addition, we can refer complaints about material likely to encourage or incite the commission of crime or lead to disorder to Ofcom.

We cannot consider complaints about:

- services we don't regulate (for example, because they are based outside the UK)
- non-programme related issues (for example, billing, service contracts, or technical issues)
- advertising (such complaints are dealt with by the ASA, see www.asa.org.uk)

This is a brief guide to the procedure ATVOD follows when considering complaints about on-demand services and programmes. You can read the full procedure [here](#).

1 Making your complaint

You can make your complaint online using our [online complaint form](#).

- You must do this within 28 days of receiving the material you are complaining about.
- You must give the following information:
 - name of the service that provided the programme
 - date on which you received the programme
 - programme name
 - if known, the series number, episode number, and/or episode name
 - what your complaint is about
 - your contact details
- We will forward your complaint to the service provider.
- If we have not already identified the service as one regulated by us we may need to undertake further enquiries.

Alternatively, you can contact the service provider directly using the contact details in our [directory of notified services](#), but please send a copy of your complaint to us so we can ask the service provider to keep a copy of the programme you are complaining about.

2 Let us know if you're not happy with the response

If the service provider does not provide you with a satisfactory response to your complaint you can ask us to investigate. You must do this within 20 days of receiving the service provider's response.

You can do this using our [online form](#) which allows you to follow up an existing complaint. Or you can [email us](#) or write to us at ATVOD, Thames Court, 1 Victoria Street, Windsor, SL4 1YB.

Please send us copies of all relevant correspondence between you and the service provider.

3 What happens next?

ATVOD will make an initial assessment of your complaint. If we believe it raises an issue under our Rules, on a service we regulate, we will contact the service provider to seek an informal resolution. If an informal resolution is not possible or inappropriate, we will commence a formal investigation. We may need to ask you to provide further information about the complaint. We will also ask the service provider to supply us with a copy of the material you are complaining about.

4 How does ATVOD investigate?

Once we have viewed the relevant material and considered your complaint, ATVOD will write to the service provider to seek its comments on your complaint and the relevant Rule. We will consider the service provider's response and may write to the service provider again to seek further information or explanation. ATVOD's Complaints Committee will then consider your complaint and the service provider's response and decide whether there has been a breach of the Rules.

5 What if there has been a breach of the Rules?

If we decide one or more of the Rules have been breached we will write a Determination outlining your complaint and the issues, and explaining our finding and reasoning. The Determination will be published on our website. We will also send you a copy. If we decide there has been no breach of the Rules we will not normally write a Determination, although we may decide to do so if the case raises novel or complex issues, or if we think it might be helpful for other viewers or service providers for us to do so. You can see Determinations we have published previously [here](#).

6 What are ATVOD's enforcement powers?

In more serious cases, we will consult with Ofcom about whether to issue an Enforcement Notice which can require a service provider to:

- remove or restrict access to a programme;
- provide additional information to viewers;
- publish a correction; and/or
- publish a statement of ATVOD's findings.

Alternatively, we might refer the service provider to Ofcom. Ofcom has the power to impose a financial penalty on the service provider, or to suspend the service. You can read Ofcom's procedures for considering more serious sanctions [here](#).

7 Is there a right of appeal?

Either you or the service provider may request a review of our decision if you are not happy with it. This must be done within 10 working days of receiving our decision. Requests for reviews will normally be granted only if they establish that the decision was obviously wrong in substance, or that it contains a significant mistake of fact, or that it was reached following a failure of process. If a request for review is granted, ATVOD will invite the other party to comment on the request. We may refer the complaint to an independent complaints reviewer. We will then decide whether to uphold the original decision, reverse it, or vary it. Our decision will be published on our website. There is no further right of appeal, either to ATVOD or Ofcom.

8 How long will this take?

We aim to complete straightforward investigations within 30 days. More complex investigations may take longer, although we aim to complete them within 60 days. However, if the service provider has not already been identified as one we regulate the process is likely to take significantly longer than this. We will keep you informed if things take longer, and let you know why and when we hope to have your complaint resolved.