RESPONSE TO OFCOM PLAN OF WORK 2026/7

1. The Online Safety Act Network works with over 70 civil society organisations, campaigners and academics with an interest in the implementation of the Online Safety Act. All our work and our previous submissions to various Ofcom consultations can be found here.

2. This response is brief and focuses on the strategic points which we feel are significant in relation to Ofcom's role at the online safety regulator in the coming year. It relates to both the material in the plan of work and the presentation of it at the London stakeholder event on 22 January.

General points

3. In para 1.3, Ofcom talks about its approach to regulation:
   "Ofcom believes good regulation can foster innovation and investment, supporting economic growth in line with the Government's growth agenda. Part of supporting innovation is ensuring that our regulation remains fit for purpose and recognising when rules no longer serve consumers or businesses."

4. This is a variation on the same theme from last year's Plan of Work, which stated (in para 1.1) that: *"Our approach to regulation has sought to foster and support growth and disruption, believing that competition for ideas as well as markets is the right way to achieve sustainable outcomes for citizens, consumers and the economy."*

5. In our response to the draft Plan last year, we asked why this statement does not include a mention of "safety"; this feedback was not included in Ofcom's round-up of responses to the consultation[1] so we will ask it here again. *Why does Ofcom's approach to "good regulation" not balance innovation, investment and economic growth with ensuring safety for consumers and citizens.*

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[1] See page 33 section on "growth" which refers only to the responses of a number of industry stakeholders: https://www.ofcom.org.uk/siteassets/resources/documents/consultations/category-2-6-weeks/consultation-ofcoms-plan-of-work-202526/main-document/summary-of-pow-2025-26-responses.pdf?v=393603

6. There does not appear to be a link between these two documents. Last year, we noted that Ofcom referred in its draft Plan of Work to the publication of the Secretary of State's Draft Statement of Strategic Priorities for Online Safety but did not consider that its final plan would need to be amended to reflect the SSP. We suggested that it would need to be "substantially amended to reflect this otherwise stakeholders, including the Government, will have no confidence that Ofcom intended to reprioritise its activities and its resources to deliver the Secretary of State's priorities".

7. In its summary of the consultation responses, Ofcom responded to our feedback in five brief sentences: "The SSP is not yet formally designated. The consultation closed in January and the Government is now finalising the document. Following the consultation, the Secretary of State will then lay the SSP before Parliament. Once the final SSP is formally designated, we will need to have regard to it when carrying out our online safety functions. Ofcom will confirm how it will take the SSP into account once the Parliamentary process concludes later in the Spring."

8. In this year's proposed Plan of Work, Ofcom says at p3: "In July, the Government published its Statements of Strategic Priorities ("SSP") for online safety. We will continue to have regard to the SSP as we carry out our work to make all UK users' lives safer online. As required under the Act, we will provide an annual review of what we have done in response to the SSP in Ofcom's Annual Report and Accounts." In a footnote, it links to its response to the Government, which was, at its best, a fairly thin collation of things that the regulator was already doing.

9. There may be a statutory requirement for the regulator to provide via the Annual Report its "annual review" of what it is doing to deliver its statutory duty to "have regard" to the SSP. But if the SSP is not providing a framework for the regulator to marshall and prioritise its online safety work (and related resources) under its annual Plan of Work, then it seems that Ofcom's leadership is giving very little regard to the Secretary of State's strategic priorities at all.

10. For example, one area of continued concern amongst the civil society organisations we work with - and Parliamentarians who have been involved in the development of the online safety regime - is the lack of understanding across teams in the regulator about "safety by design" and the requirements set out in the very first section of the OSA for this to be embedded into the regulatory framework. We therefore welcomed the fact that the former Secretary of State made "safety by design" his first priority in the final SSP, published last July.

11. In Ofcom's response in July to the Government on the SSP, it offered up - under the heading of "safety by design" - a "recently initiated" Children's Online Research Stakeholder Network along with a promise that they are "building capability" to collect and utilise data and intelligence effectively to "inform our regulatory priorities and identify emerging issues and harms". In response to the specific desire that Ofcom "deploy effective and accessible additional protections for adult users", there is little more than a statement of what minimum the regulator is required to deliver under the Act. In the proposed plan of work, there is no mention at all of

"safety by design"; there are, however, 17 mentions of "growth".

12. Ofcom's response to the SSP also offered little to suggest that the Secretary of State's other priorities were being addressed: no new commitments under the "transparency and accountability" ambition; no ideas on how the regulator might, at the suggestion of the Secretary of State, "effectively mitigate" threats from AI-generated content and activity; and a couple of vague references to media literacy to meet his priority that users are "aware of and resilient to mis- and disinformation".

13. The draft Plan of Work contains nothing to suggest that Ofcom has thought further about these priorities since then. For example, in the proposed Plan of Work 2026/7:
    ○ Ofcom confirms that the OSA transparency duties under the OSA are significantly delayed: the regulator confirms that the first transparency reports will not be published until Q2 2027 (last year's Plan of Work promised them by the end of 2025). There are no new streams of work or projects that might help fill this gap. The super-complaints regime is mentioned as a way in which civil society and other expert organisations might help: another example of where industry responsibility and accountability is overlooked while extra inputs are expected of under-resourced third-sector organisations to fill the void.
    ○ In the online safety section, Ofcom omits to mention "gen-AI", "chatbots", or even "Artificial Intelligence", or any proposed work to understand and address the risks arising from them. In a half-page pull-out box elsewhere in the Plan, titled "our approach to AI in our sectors", it mentions that it will continue "to build on the work we have already done in Online Safety, such as our Red Teaming, Deepfakes and GenAI Search papers" - these papers were published in July 2024, July 2025 and November 2025 respectively. It then says it will update on how it is regulating AI across our sectors "next year". None of this suggests any urgency in how the regulator proposes to respond to the Secretary of State's SSP priority that it "effectively mitigate" threats from AI;
    ○ Ofcom makes not a single reference to misinformation or disinformation. Ironically, this is in part because Ofcom decided to ignore the requirement under the OSA (s152) to set up an Advisory Committee on Disinformation and Misinformation and instead set up what it now refers to (on p37) as an "OS Information committee". "The Online Information Advisory Committee was established in May 2025 and will continue to provide advice to us on the matters set out in Section 152(4) of the Act, which outlines the Committee's remit. It will publish its first report no later than 1 November 2026. The Committee also intends to publish information about individual projects it carries out."

14. The gap between the SSP and the Plan of Work was raised as a question in the discussion at the London Plan of Work stakeholder event on 21 January. The response from the Ofcom leadership team was that the SSP informs everything but that the Plan of Work is not intended to cover everything; for example, the Online Safety progress report, published in December 2025, set out their proposals on online safety implementation. A review of that document, however, reveals that it only makes one reference to "safety by design" - and that is a reference to the "core objective" of the Act being to make services "safe by design" - and none to the SSP.

15. On "safety by design", it was suggested that this "ran through everything" and - in reference to the Act - that this was the whole purpose of the legislation. We agree on the latter, but very much disagree on the former: **the lack of any reference to how the regulator is delivering a priority that was clearly set out by the Secretary of State - in either its forward-looking Plan of Work for 2026/27 or its retrospective 2025 progress report - speaks volumes**. We recommend that Ofcom update the Plan of Work accordingly and set out clearly what work is being undertaken in 2026/27 to deliver the "core objective" of the Act.

16. We also call on Ofcom to ensure - for transparency and accountability purposes - that the final Plan of Work for 2026/27 sets out, in clear detail, what additional new work the regulator is undertaking to demonstrate that it is having "due regard", as statutorily required, to the Secretary of State's Strategic Priorities on Online Safety. Otherwise, over six months on from the designation of the SSP, the lack of any updated workplans to correspond to the Secretary of State's priorities will tell its own story about the "regard" that the regulator has for the Government. In process terms, it is also neither acceptable nor desirable for accountability on SSP priorities solely to be retrospective, via the Annual Report, with no dotted lines back to any relevant deliverables or projects in the previous year's Plan.

17. In response to last year's consultation, we suggested that the final Plan has more of a focus on outcomes and noted that the current proposals are mainly linked to process. Ofcom responded to this in its summary of consultation responses: "Ofcom's Plan of Work sets out how we will deliver on our duties for the coming year for the whole of the organisation. It touches on all areas of Ofcom's regulatory remit, including telecoms, spectrum, post, broadcasting and online safety. For specific proposals across our remit we run consultations and we continue to engage with stakeholders in a variety of other ways." It referred to their progress updates for details on how they were delivering on online safety in particular.

18. In light of the concerns detailed above about the link between Ofcom's Plan of Work and the SSP, we stand by the fact that this and previous Plans of Work remain focused too much on process and not enough on outcomes.

19. We are happy to expand further on any of the points above, either in writing or in discussion with Ofcom prior to the publication of the final Plan of Work.

Online Safety Act Network

February 2026