

## **Flirt FM Code of Practice on Complaints Handling**

We aim to deliver the best possible service to our listeners. We welcome and will engage with all feedback, both negative and positive, from our listeners concerning any aspect of our service.

The Online Safety and Media Regulation Act 2022 requires a broadcaster and/or an on-demand audio-visual service provider to provide a Code of Practice for handling complaints under relevant provisions of the Act.

The Act states that:

- A broadcaster or provider of an audio-visual on-demand media service shall give due and adequate consideration to a complaint made in writing to it, that it has failed to comply with one or more of the provisions of the Act (outlined below) where in the opinion of the broadcaster or provider, the complaint has been made in good faith and is not of a frivolous or vexatious nature.
- A complaint in respect of a broadcast shall be made to the broadcaster not more than 30 days after the date of the broadcast.
- Where a complaint relates to 2 or more unrelated broadcasts, the date of the earlier broadcast shall apply.
- Where a complaint relates to 2 or more related broadcasts, of which at least 2 are made on different dates, the later or latest date shall apply.
- Where a complaint relates to programme material made available on an on-demand media service, the date the programme material ceased to be available on that service, shall apply.

**If a person does not wish to make a complaint, in accordance with the provisions of the Act, and only wishes to outline their views or opinions, this may be done by way of email to [feedback@flirtfm.ie](mailto:feedback@flirtfm.ie).**

### **Grounds for making a complaint.**

You may submit a complaint to us if you are of the opinion that a broadcast or part of a broadcast on our service has breached one or more of the following obligations:

#### (i) News

We will ensure that our news programming is objective and impartial without any expression of our own views.

#### (ii) Current affairs

We will ensure that our current affairs programming is:

- objective and impartial without any expression of our own views; and
- will treat the subject matter and all interests concerned fairly.

If we cannot achieve fairness, objectivity, and impartiality in one current affairs programme, we will do so in related broadcasts that will be broadcast within a reasonable period of each other.

#### (iii) Programmes

We will ensure that our programming does not contain any content which may reasonably be regarded as

- causing harm or offence;
- tending to promote, or incite crime;
- tending to undermine the authority of the State; or
- unreasonably encroaching upon the privacy of an individual.

We also will ensure programming is in compliance with the BAI Code of Programme Standards

(iv) Commercial Communications

All commercial communications broadcast by us will be in compliance with the BAI General Commercial Communications Code and the BAI Children’s Commercial Communications Code. If you have a complaint that does not fall under the categories set out in (i) to (iv) above, we invite you to avail of our feedback/complaints by email or post.

If your complaint concerns alleged defamation, you should refer to the Coimisiún na Meáin Right of Reply Scheme.

The BAI codes can be accessed at [www.bai.ie](http://www.bai.ie) or are available on request from the Coimisiún na Meáin offices.

### **Making a complaint and the response to a complaint**

If members of the public are of the opinion that a programme or a segment of a programme or an advertisement broadcast on Flirt FM has:

- Breached a provision of Sections 46J (1) (a), (b), (c), (d) or (e); 46K (1), (2) and 46L (1) (a) and (b), 46 M (2) and (3) of the Online Safety and Media Regulation Act 2022

or

- Failed to comply with a provision of the Coimisiún na Meáin (BAI) Codes. (See Note on Codes below)

they are entitled to make a formal complaint to Flirt FM. The complaint should be sent to Flirt FM/College Campus Radio DAC (Feedback & Complaints), Áras na MacLéinn, University of Galway, Galway, H91 RTR6, or by e-mail to [feedback@flirtfm.ie](mailto:feedback@flirtfm.ie).

A valid complaint about a broadcast or on-demand audio service must contain specific information about the nature of the complaint:

- Your name and address;
- The date, time and channel of broadcast;
- The name of the programme, news item or advertisement/commercial communication that you have viewed/heard and which is the subject of your complaint;
- Detail exactly what, in the broadcast, concerned you.

This information is required for the following reasons:

1. It allows the broadcaster/provider to identify the programme that is the subject of the complaint and the nature of the complaint, and this facilitates a meaningful response being prepared on behalf of the relevant programme.
2. If the complainant is not satisfied with the response, it can be referred to Coimisiún na Meáin where the above information will be sought as part of the referral process. In this

way, providing the information at the outset ensures the entire process can function as intended.

**If Flirt FM receives a complaint that does not contain the above information, we will request more precise information to allow us to process the complaint. If the information sought is not provided, the complaint will not proceed and will be deemed as Feedback. (See Feedback below).**

Flirt FM will respond to complaints within 20 working days from the date the complaint is opened by management. In accordance with the Act, complaints must be made in writing, by way of email or letter.

We may uphold or reject a complaint. Upholding a complaint means that we believe that our programming did not comply with our obligations covered by this Code of Practice. Rejecting a complaint means we believe that our programming was in compliance with our obligations.

If we uphold your complaint, we will seek to resolve it to your satisfaction in an agreed manner. The manner of resolution will be decided on a case-by-case basis but may include an apology, correction, clarification and/or the offer of a rebuttal.

Where a complaint is dismissed, the complainant will also be informed of the right to refer the Flirt FM decision to Coimisiún na Meán for independent adjudication.

### **Regulatory Codes**

Coimisiún na Meán was established in March 2023. The 2022 Act allows that the existing regulatory broadcasting codes remain in place until they are revised and updated by the Commissioners.

These Codes are as follows:

- BAI Code of Fairness, Objectivity and Impartiality in News and Current Affairs
- BAI Code of Programme Standards
- BAI General Commercial Communications Code (Advertising)
- BAI Children’s Commercial Communications code (Children’s Advertising)

### **Complaints to Coimisiún na Meán**

Members of the public may complain to Coimisiún na Meán if they are not satisfied with the response Flirt FM has made to their complaint. The Commissioners will consider the complaint and the response the complainant has received.

A referral to Coimisiún na Meán can be made as follows –

Via the website: [www.cnam.ie](http://www.cnam.ie)

Or E: [complaints@cnam.ie](mailto:complaints@cnam.ie)

Or: Coimisiún na Meán

2-5 Warrington Place

Dublin D02 XP29

### **Flirt FM Feedback**

Any person who wishes to make a formal complaint about a programme is required to comply with certain conditions to facilitate the processing of the complaint.

This is separate and different from communicating your views on programming to Flirt FM management.

Flirt FM allows any person to communicate their views, positive or negative to management, outside of the statutory complaints process. If you wish to convey your views to management, please email [feedback@flirtfm.ie](mailto:feedback@flirtfm.ie).

You should submit your complaint to the following address:

Station Manager

Flirt FM

Áras na MacLéinn

University of Galway

Email: [feedback@flirtfm.ie](mailto:feedback@flirtfm.ie)

Phone: 091 493470

### **Flirt FM is committed to protecting the rights and privacy of individuals in accordance with General Data Protection Regulation (GDPR) 2018.**

We are required under the Broadcasting Act, 2009 to keep a record of all complaints submitted in accordance with this Code of Practice for two years. We are also obliged to provide these records to the Compliance Committee of Coimisiún na Meáin if the Committee so directs. Our records will include copies of your complaint, our response/s and the audio copies of the broadcast material.