

The UK's Online Safety Act 2023

What is the Online Safety Act?

The Online Safety Act 2023 (**OSA**) is a UK law designed to improve online safety by imposing duties on online service providers that fall within its scope (**in-scope services**). These include obligations to:

- assess the risk of certain harms occurring on a service, and
- implement systems and processes to reduce this risk, and to take down harmful content.

The OSA is often compared to the EU Digital Services Act, but is further-reaching and more prescriptive, with a particular focus on regulating both illegal content and content that is harmful to children. The OSA is regulated by Ofcom and carries with it fines of up to £18 million or 10% of annual global turnover (whichever is greater).

Will the OSA apply to my services?

The OSA regulates three main types of online service:

- **User-to-user services**, meaning services where user-generated content can be shared and engaged with (for example, social media sites, video sharing platforms, messaging services, chatrooms and forums, and online gaming services).
- **Search services**, meaning internet services which include a search engine that searches multiple websites and which uses tags and filters to list results. This will include services such as comparison websites, which incorporate a search engine.
- Providers of **online pornographic content**.

In addition, certain providers can be deemed particularly high risk due to their functionality or large user base. These service providers will be categorised as **Category 1**, **Category 2A**, and **2B** services and will be subject to more extensive obligations (to be set out in secondary legislation).

The OSA is designed to protect UK users but it does have extra-territorial reach and will apply to any in-scope service which 'has links' with the UK (for example, a significant number of UK users, or the UK is a target market for the service).

What are the key obligations of the Online Safety Act?

The core duties of the OSA relate to the regulation of online harms and child safety. These obligations will vary depending on the nature and category of the services, but can be broadly summarised as follows:



Risk Assessments

Conducting assessments regarding: (i) the risk of illegal content or content that may be harmful to children being encountered on a service; and (ii) the likelihood of children being able to access a service (children meaning under 18s).



Systems and processes regarding illegal content and children's safety

Using proportionate measures relating to the design and operation of a service to: (i) protect users from illegal and harmful content, including minimising the length of time for which any such content is available; and (ii) mitigate and manage the risk of harm to children, including introducing measures to prevent children from accessing harmful content, such as robust age verification.



Content reporting and complaints procedures

Enabling users and affected persons to easily report illegal and harmful content, and operating a complaints procedure.

Key contacts



Faye Harrison

Of Counsel

[Visit profile](#)

[Email](#)



Mike Edgar

Senior

Associate

[Visit profile](#)

[Email](#)

**Terms of service**

Including specified, additional information in the platform's terms of service, implementing the terms consistently, and ensuring they are clear and accessible.

**Freedom of expression and privacy**

Ensuring particular regard is given to the importance of freedom of expression, privacy and data protection when implementing safety measures under the OSA.

**Record keeping**

Maintaining records of risk assessments and other measures taken to comply with the OSA duties.

**Governance and accountability**

Establishing a governance framework for online safety and appointing an individual to be responsible for compliance.

Categorised services (as described above) will have additional duties, including in relation to fraudulent advertising, transparency reporting, and protecting journalistic content.

What are the key dates and next steps?

The OSA is coming into force on a gradual basis, accompanied by Ofcom codes of practice and guidance to assist in-scope services with understanding how to comply with their new obligations. The codes of practice operate as a 'safe harbour', meaning that services that implement the measures recommended in a code will be compliant with the relevant sections of the OSA. Ofcom has already published various draft codes of practice and guidance for consultation (covering matters including illegal harms, child safety, age assurance, the protection of women and girls, and fees and notification requirements), with further draft codes and guidance to follow over the coming months.

Ofcom's illegal harms codes of practice and guidance were finalised in December 2024 and its guidance documents on children's access assessments and age assurance were finalised in January 2025. In-scope services therefore need to complete their illegal content risk assessments by 16 March 2025, and their children's access assessments by 16 April 2025. The final codes of practice and guidance relating to the protection of children are expected in April, which will include, in particular, the obligation to carry out children's risk assessments within a three month window.

For now, there is plenty of preparation that in-scope services can be doing, including:

- assessing how their service is likely to be categorised under the OSA,
- preparing the required risk and child access assessments,
- considering the safety measures that they need to implement, and
- ensuring that a structured governance framework is in place to continuously monitor and oversee OSA compliance going forward.

Even if a service is assessed as low risk for all types of online harms, there are certain minimum requirements that Ofcom still recommends should be met, in order to comply with the OSA.

What is 'The Safety Net'?

Bristows has launched [The Safety Net](#), a website hub dedicated to the OSA, which breaks down the framework into digestible chunks. The Safety Net contains helpful summaries, explainer articles, videos and a glossary and timeline, to help businesses understand their obligations under the OSA, along with Ofcom's powers in relation to the new regime.



If you would like any advice or further information regarding the OSA, please do get in touch with us.