

Providing a service in accordance with ‘Key Commitments,’ Salaam Radio Ltd

Type of case	Broadcast Licence Conditions
Outcome	In Breach
Service	Salaam Radio
Date & time	11 to 17 July 2022
Category	Key Commitments
Summary	The Licensee failed to meet its original output and speech requirements and did not achieve the facilitation of discussion and expression of opinion as stated in its Key Commitments. Breach of Licence Conditions 2(1) and 2(4).

Introduction

Salaam Radio is a community radio station serving the residents of Peterborough. The licence for Salaam Radio is held by Salaam Radio Ltd (“Salaam Radio” or “the Licensee”).

Like all other community radio stations, Salaam Radio is required to deliver ‘[Key Commitments](http://static.ofcom.org.uk/static/radiolicensing/Community/commitments/cr100792.pdf)’ (<http://static.ofcom.org.uk/static/radiolicensing/Community/commitments/cr100792.pdf>) which form part of its licence. These set out how the station will serve its target community and deliver social gain (community benefits) and include a description of the on-air programme service.

Ofcom received a complaint about the Licensee’s compliance with its Key Commitments relating to its original output. In order to assess the complaint, Ofcom requested recordings of the output of the service between week 11 to 17 July 2022 as well as a schedule of programmes broadcast for the week commencing 11 July 2022 and an explanation of how Salaam Radio was meeting its obligations under its Key Commitments.

Having assessed the recordings, associated programme schedule and written response from the Licensee, it appeared that Salaam Radio was not delivering its character of service, speech

requirements, its original output requirements or its social gain objectives, which are set out in the following Key Commitments:

- “Salaam Radio is for the Muslim community of Peterborough from various ethnic backgrounds, including White British, Pakistani, Bangladeshi, Indian, African, Middle Eastern, Far Eastern and Eastern European. It promotes community cohesion and offers participation and training opportunities to members of the community to develop radio skills.”
- “Speech. The main types of speech output broadcast over the course of each week are: community news and information, poetry and readings, interviews, sports news, discussions and recitations from the Qur’an.”
- “The service provides original output¹ for a minimum of six hours per day.”
- “The service provides a range of community benefits (social gain objectives mandated by statute) for the target community, both on-air and off-air, and in doing so, achieves the following objectives:
 - the facilitation of discussion and the expression of opinion,
 - the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service, and
 - the better understanding of the particular community and the strengthening of links within it.”

The schedule provided by the Licensee included programmes taken from Inspire FM, a community radio station serving the Muslim community in Luton. It was not clear whether Salaam Radio had any procedures in place to ensure the compliance of this third party live content.

Ofcom considered that the above raised potential issues under Conditions 2(1) and 2(4) and Condition 15(2) in Part 2 of the Schedule to Salaam Radio Ltd’s licence. These state, respectively:

“2(1) The Licensee...shall provide the service specified in Part I (b) of the Annex for the remainder of the licence period.”

“2(4) Subject to Condition 2(5) below..., the Licensee shall ensure that the Licensed Service accords with the proposals set out in Part I (b) of the Annex so as to maintain the character of the Licensed Service throughout the licence period”.

“15(2) The Licensee shall adopt procedures and ensure that such procedure are observed by those involved in providing the Licensed Service for the purposes of ensuring that programmes included in the Licensed Service comply in all respects with the provisions of this Licence, the 1990 Act, the 1996 Act and the Communications Act. The Licensee shall, without prejudice to the generality of the foregoing, ensure that:

¹ Original output is output that is first produced for and transmitted by the service, and excludes output that was transmitted elsewhere before. Original output can be live or voice-tracked. Repeat broadcasts of original output do not count towards the minimum requirement.

- a) there are sufficient persons involved in providing the Licensed Service who are adequately versed in the requirements of this Licence, the 1990 Act, the 1996 Act and the Communications Act and all relevant codes and guidelines as may be drawn up and from time to time revised by Ofcom and that such persons are able to ensure compliance with such requirements on a day-to-day basis;"

We requested comments from the Licensee on how it was complying with the above conditions.

Response

Character of service

The Licensee stated in its response that there was a misunderstanding when it drew up its initial Key Commitments. It intended to cater towards Muslims from the ethnicities listed in its character of service rather than the ethnicities more generally.

In addition to this, the Licensee stated that most of its shows are broadcast mostly in Urdu and English but are relatable to all Muslims, regardless of ethnicity. It stated that it currently broadcasts a Lithuanian show and intends to broadcast shows in the Latvian and Bengali languages in the near future.

Speech

The Licensee stated that:

"Our live shows at 1900 Fridays, 1600 Mondays, 1900 Mondays and 1500 Sundays all cater to deliver, among other content, community related news, topics and information. Our new Latvian language show will also do the same. We also run community event announcements regularly during our ad breaks."

The Licensee provided links to the live shows they have broadcast at these times for different weeks.

Original output

The Licensee stated that it was aware that it was not meeting its original output hours as it "struggled severely throughout the pandemic with regards to volunteer commitment to fulfil [its] key commitment output as well as the general running of the station." For the week requested, the Licensee stated that one of its freelance broadcast assistants who was responsible for broadcasting live shows had to travel abroad to Pakistan due to a family emergency. This meant that its usual number of shows for the week in question was not able to be broadcast.

The Licensee stated that it expects to increase its number of live shows soon and intends to apply for a Key Commitment change request to reduce its original output hours once this investigation has been concluded.

Ofcom noted in our assessment that Salaam Radio broadcast some programmes from Inspire FM. Salaam Radio stated that it has no formal relationship with this radio station and the content it broadcasts from the station is live and is broadcast simultaneously on both stations.

Social gain

The Licensee stated that community cohesion is one of its core values of the service and is what it is known for locally.

The Licensee stated “We 100% offer participation and training to members of the community to develop radio skills.” The Licensee stated that on 16 October 2022, one of its directors who is also a presenter on BBC Local radio hosted a 90-minute virtual training session for 10 new volunteers to present new shows.

The Licensee stated that prior to the pandemic it held a number of regular events within the community including ‘hate crime with the Police,’ health events run by GPs, a General Election hustling which was broadcast live and its annual Summer Festival Fun Day (which will return next year). The Licensee expects to bring community events back and currently have two people who are focused on these events.

Compliance

Salaam Radio stated that Inspire FM is regulated by Ofcom and therefore must also fully comply with the same procedures for any programming before it is broadcast and during live shows. The Licensee stated further that Inspire FM only broadcasts content which is of benefit to the community and in line with “Ofcom’s rules and regulations”.

It stated that any live broadcast from Inspire FM which is used by Salaam Radio is monitored by a member of the Salaam Radio team who is aware of Ofcom’s rules and regulations. In addition to this, it stated that any Inspire FM content which is not live is listened to by Salaam Radio before being broadcast.

Decision

Reflecting our duty to ensure a diverse range of local radio services, community radio licensees are required to provide the licensed service specified in their Key Commitments. This is a fundamental purpose for which a community licence is granted.

Character of service

In assessing the content we received, we found that it was targeting Urdu and English speakers but had little to no content targeting other ethnicities and promoting community cohesion.

We acknowledge that the Licensee’s intent when drawing up these Key Commitments was to target Muslims from the ethnicities listed rather than these communities more generally. Whilst we note that the Licensee did not deliver a Lithuanian show during the week in question due to volunteer shortage, it does intend to broadcast shows in the Latvian and Bengali languages. In addition to this, we note that for the week commencing 11 July, there were several shows which featured Quranic recitation which is familiar amongst all Muslims.

Because the content assessed appeals to the Muslim community and the Licensee also broadcasts programming targeting specific groups within the Muslim community, Salaam Radio was complying with its character of service as stated in its Key Commitments for the week in question.

Speech

In assessing the content for the week commencing 11 July, we found little to no speech relating to community news and sports news.

We acknowledge that the Licensee had volunteer shortages for the week in question which meant the schedule didn't not correspond to the audio heard. Whilst there was evidence of poetry and readings, interviews, discussions (some of which were broadcast from the radio station 'Inspire FM') and recitations from the Qur'an, there was little to no community or sports news broadcast for the service. Salaam Radio therefore was not complying with its speech requirements as stated in its Key Commitments.

Original output

In assessing the content for the week commencing 11 July, the Licensee was significantly below its original output requirement to broadcast six hours of original output a day. We found that the Licensee produced less than ten hours of original output over the week monitored and Salaam Radio did not broadcast six hours of original output on any day.

We note that the Licensee stated in its response that at times it broadcasts content produced by another radio service 'Inspire FM' and is broadcast simultaneously on both stations at the same time. This does not fall into the definition of original output because the content was not first produced for and transmitted by Salaam Radio – the Licensee's statement that there is no formal relationship between itself and Inspire FM indicates that this content was not produced primarily for broadcast on both stations.

We acknowledge that the Licensee is aware that it is not meeting its original output hours. We appreciate that the Licensee stated this was due to difficulties in volunteer commitment, and is struggling to increase its original output to pre-pandemic levels. The Licensee therefore did not comply with its original output hours as stated in its Key Commitments.

We understand that the Licensee is intending to submit a Key Commitment change request to reduce its number of original output hours. We have previously approved Key Commitment change requests in which licensees applied to maintain their commitment to original output, but across each week, rather than per day i.e. from "6 hours per day" to "42 hours per week". This provides licensees with greater flexibility, whilst providing the same degree of original output (and corresponding social gain) across each week. This is something the Licensee may want to consider when submitting its Key Commitment change request and any other changes it may wish to make to its existing Key Commitments.

Social gain

The Licensee stated that in its response that previously it has held a number of community events promoting community cohesion and provides training to its volunteers. In its response the Licensee provided examples of events that it has held in the past and a recent training event it held for its volunteers. Therefore the Licensee did comply with some of its social gain objectives:

- "the provision (whether by means of programmes included in the service or otherwise) of education or training to individuals not employed by the person providing the service, and"

- “the better understanding of the particular community and the strengthening of links within it.”

However it did not fulfil its social gain objective to achieve “the facilitation of discussion and the expression of opinion,” as there was little to no evidence of programmes broadcast to fulfil this objective for the week monitored, nor any evidence that this was being provided off air.

Compliance

We acknowledge that Salaam Radio has compliance procedures in place by monitoring the content from Inspire FM during its broadcast, in the case of live content, and prior to broadcast when the content is not live. We are therefore satisfied that Salaam Radio is meeting this condition of its licence.

We would like to remind licensees that, when taking content from other licensed services, relying solely on the fact that the other service is also licensed by Ofcom is not enough to meet this condition in their own Ofcom licence.

Conclusion

Ofcom’s decision is that Salaam Radio Ltd is in breach of Licence Conditions 2(1) and 2(4) for failing to comply with the following Key Commitments:

- “Speech. The main types of speech output broadcast over the course of each week are: community news and information, poetry and readings, interviews, sports news, discussions and recitations from the Qur’an.”
- “The service provides original output for a minimum of six hours per day.”
- The service achieves “the facilitation of discussion and the expression of opinion”.

We expect the Licensee to work to rectify these issues immediately. Ofcom will monitor this service to ensure that Salaam Radio Ltd is complying with its Key Commitments.

Breach of Licence Conditions 2(1) and (4)