# <u>Ofcom</u> Broadcast and On Demand Bulletin

24 April 2024



## Note to Broadcasters

### Politicians presenting programmes on TV and radio

We are today:

- **publishing new research** on audience attitudes towards politicians presenting programmes on television and radio;
- **issuing an update to our guidance** on relevant rules in Section Five of the Broadcasting Code to reflect our regulatory approach as set out in <u>a series of Decisions</u> published on 18 March 2024, about politicians acting as presenters;
- **reminding all broadcasters** of the heightened due impartiality requirements which apply during election periods; and
- **putting broadcasters who use politicians as presenters on notice** that they must take particular care to ensure they comply with these heightened Code requirements during election periods.

#### New audience research

We commissioned this research last year given the rise in the number of programmes presented by politicians and the public interest in this issue. The research explored audiences' understanding and expectations of news and current affairs content, attitudes to politicians acting as presenters of it, and the mitigations that audiences expect to see to ensure due impartiality is preserved.

The full findings are set out in <u>a research report</u>. In brief, the research provides key new evidence:

- Audiences strongly value due impartiality as a fundamental requirement for news and current affairs programmes.
- They clearly recognise the importance of broadcast news and welcome the stricter due impartiality requirements which apply to it.
- Viewers and listeners expect news to be factual. They do not want to see or hear politicians presenting news content. They feel strongly that all politicians have a partisan viewpoint that would call into question the due impartiality of news, if presented by them.

- Audiences recognise different editorial elements in news versus current affairs content, but sometimes find it challenging to classify content as one or the other, particularly if it contains both news and current affairs. However, they accept that a programme can contain both these types of content.
- Opinions on whether politicians should present current affairs content were more mixed. Participants saw both advantages and disadvantages of politicians presenting current affairs content, such as accountability to the public and greater transparency, but were concerned about potential polarisation and lack of journalistic expertise.
- The prevalent view was that participants were uncomfortable with politicians presenting current affairs. However, taking into account freedom of expression, there was no consensus that an outright ban on politicians presenting current affairs content was justified.
- However, audiences expect broadcasters to take extra care to preserve due impartiality in these circumstances. Participants expressed their views on various editorial factors they considered were important to ensure this.

#### Update to the guidance for relevant rules in Section Five of the Code

All our audience research informs how we apply the Code and whether we need to consider potential changes to any aspects of it.

In our view, overall, the research we are publishing today supports the Code's current approach to politicians as presenters. Rule 5.1 requires news to be presented with due impartiality and reported with due accuracy. Rule 5.3 prevents politicians acting as a newsreader, interviewer or reporter in any news programmes unless exceptionally it is editorially justified. Politicians can present current affairs content provided that due impartiality is preserved.

On 18 March 2024 we published a <u>series of Decisions</u> about programmes presented by politicians that breached Rules 5.1 and 5.3 of the Code. These were precedent Decisions in this area, and were taken separately from, and were not informed by, the work we had commissioned on the research we are publishing today. As the new research does not provide evidence of a need for Ofcom to change the Code or our current approach to applying it, we are taking this opportunity to issue <u>an</u> <u>update to the guidance to Section Five</u>, which reflects the approach set out in the Decisions published on 18 March 2024.

#### Politicians acting as presenters in election programming

On 4 March 2024, we issued a <u>Note to Broadcasters</u> on election programming ahead of the various elections taking place on 2 May 2024. In addition, the next UK General Election must be held by 28 January 2025. All broadcasters should refer to our note of 4 March 2024 for a reminder of the heightened Code requirements that apply to election programming.

The highest level of due impartiality applies during election periods and news and current affairs content must comply with all relevant rules in Sections Five and Six of the Code during those periods. We are likely to consider breaches of Sections Five and Six in election programming as serious.

It is the broadcaster's responsibility to ensure that due impartiality in such programmes is maintained. It is an editorial matter for the broadcaster as to how it chooses to maintain due impartiality in such programmes, and there is a range of editorial techniques it can use to do this, as set out in detail in our Code guidance and past decisions.

In particular, we remind broadcasters that Rule 6.6 of the Code prohibits candidates in UK elections (and representatives of permitted participants in UK referendums) from acting as news presenters, interviewers or presenters of any programme during the election period.

Politicians who are not standing as candidates in a UK election can present programmes (including current affairs content but not news) during election periods, provided that programming complies with all relevant Code rules.

We expect broadcasters who use politicians as presenters to pay particular attention to our new research published today, the updated Section Five guidance, and our recent Decisions on politicians acting as presenters. Broadcasters should note that, in light of these publications, we are likely to view breaches of the due impartiality rules in election programming presented by (non-standing) politicians as serious, and we may consider the imposition of statutory sanctions.

As in previous election periods, Ofcom will expedite assessment and investigation of election programming about which we receive complaints or we identify ourselves. Substantive Code issues warranting investigation and determination during election periods will be considered by our <u>Election Committee</u>.