Future of Radio: revised proposals

1. Members received a paper setting out revisions to the core proposals for a new regulatory framework for commercial and community radio, together with findings from further audience research conducted over the summer. This was set in the context of other thinking underway on the future of DAB.

2. Members noted that the original proposals covered four main areas:

   (i) The simplification of formats and reduction in localness obligations based on the size of stations, in a bid to allow cost-savings for local analogue commercial stations while protecting what citizens and consumers value most about local radio;

   (ii) The simplification (subject to Government approval) of commercial radio ownership rules across analogue and digital platforms to allow for greater consolidation and cost savings;

   (iii) Flexibility in the future use of FM and AM spectrum to free-up analogue spectrum for alternative uses-noting that reviews of AM and FM spectrum use would take place in 2009 and 2012 respectively; and

   (iv) The simplification of the criteria and reduction in the regulatory framework of for community radio, while maintaining the not-for-profit and social gain basis for community radio.

3. Members discussed the paper and the following key points were made:

   • Members agreed with the proposals on localness;

   • The proposal regarding ownership rules was also supported as it would allow a significant amount of further consolidation within the industry as well as providing a transparent set of rules;

   • The future of radio and the position of DAB was discussed and it was noted that the DCMS was commissioning a cross industry working group to look into digital radio, to be lead by Ofcom. This working group would be tasked with considering the transition from analogue to digital radio as well as proposing the criteria under
which an end date for analogue/digital simulcasting might be decided. Members were advised that there would be consumer representation on this group.

- Members discussed the continuing concern that many local commercial radio stations want to be able to group nationally in ways that they are unable to do at present. There is also pressure for a new national network. If localness on commercial radio is to be protected, any new national commercial network would involve a reallocation of FM spectrum between the BBC and the commercial sector. Members noted that this would require a great deal of further investigation and discussion. Members were advised that this issue could be considered in the document but not as a consultation question.

4. Members APPROVED the overall direction of the next phase of the Future of Radio consultation and the revised core proposals.

Broadcast Training and Skills Regulator (BTSR): Update

5. [withheld from published minutes] and [withheld from published minutes] from the BTSR gave Members an oral update on the BTSR’s work to date and future strategy. In particular the following points were made:

- Following the successful broadcaster self evaluation exercise BTSR found that good staff training was not dependant on the size of an organisation; culture and leadership were more relevant factors.
- It was noted that there would be a specific question on compliance training in next year’s self evaluation form.
- BTSR was considering introducing Certificates of Competence which would show that an organisation has systems in place to enable appropriate training on compliance.
- Members noted that there was an issue with regard to freelancers and the fact that they were not receiving adequate training. It was noted that the Freelance Fund was managed by Skillset and that there was a challenge going forward to ensure that the fund was big enough to cope with the needs of the freelance sector, particularly in relation to compliance.
- BTSR had set up the National Training Awards and these had been generally successful, with the awards ceremony due to take place in December 2007.

6. Members NOTED the update and thanked BTSR for the significant work that had been done over the last year.

Proposals for Co-Regulation of Equal Opportunities

7. Members RECEIVED a paper setting out the proposals for the co-regulation of equal opportunities which would be implemented by extending the remit of the existing co-regulatory body for training, BTSR. The key points discussed were:

- Ofcom would retain statutory responsibility placed on it to promote equal opportunities in broadcasting;
- It was felt that BTSR would be better placed to promote equal opportunities in the employment of broadcasters and to engage with organisations, particularly given their proven track record with training;
- Ofcom had suggested co-regulation in order, therefore, to better promote equal opportunities in employment
- It was noted that ensuring a level of equality and diversity in terms of employment in broadcasting was a very important and ongoing issue which required a review of the arrangements put in place by broadcasters to ensure equal opportunities, including recruitment processes and career development plans.
• It was felt that the steps taken so far to promote equal opportunities had not made a significant impact, particularly at senior levels in the industry and care would be needed in presenting the co-regulation proposals to avoid any impression that Ofcom was reducing its commitment to appropriate promotion.
• Members questioned whether BTSR had sufficient resources in place to deal with the additional responsibility. BTSR noted that it had and that there was a desire to add a member to the BTSR Board to raise the profile of the issue.
• Members were informed that the BBC and S4C had given their support in principle to this proposal.

8. Members were INFORMED that the Advisory Committee for Older and Disabled People (ACOD) had raised some issues with the proposals, which were due to be discussed at the next ACOD meeting on 17 October 2007. Therefore, members were ADVISED that some changes may be made to the consultation document in light of these discussions.

9. Members AGREED in principle with the consultation document. It was AGREED that the Chairman and Richard Ayre be given delegated authority to agree any changes and give final approval prior to publication.

10. Members REQUESTED that BTSR return to provide further updates as required.

**ITV Non News Programming in the Nations and Regions**

11. Members RECEIVED a paper setting out the proposed changes to ITV’s nations and regions non-news obligations from 2009. The main proposals were:

• [witheld from published minutes]
• [witheld from published minutes]
  o [witheld from published minutes]
  o [witheld from published minutes]
  o [witheld from published minutes]
  o [witheld from published minutes]

12. Members discussed the issues arising from the paper and APPROVED the proposals put forward.

**Trust in Broadcasting Seminar**

13. Members RECEIVED an update on the Trust in Broadcasting Seminar and noted the following:

• The Seminar would consist of around twenty attendees and will be chaired jointly by the BBC Trust and Ofcom.
• The following three items are on the agenda:
  (i) Action taken by broadcasters, particularly the PSBs, in response to the various issues that have emerged in the last six months
  (ii) The scope for/shape of any framework of principles, which would go beyond the Broadcasting Code and the BBC Producer Guidelines, that broadcasters may have considered and any progress made.
  (iii) Training and the key issues involved, including compliance as well as looking at what should be included in any formal training and how it would be funded, delivered and reported against.

14. Members NOTED the update.
15. Members were **UPDATED** on the PSB Review and the following points were made:

- Ofcom was considering views on PSB and the availability of PSB through a variety of media.
- Considerable work had been carried out so far and there was more work in progress.
- Ofcom was aiming to put the research out in the field in March 2008 with an anticipated publication date of July 2008.

16. The second PSB Review document would cover glide path issues. Ofcom would be signing off the qualitative research by way of workshop events in London, Newcastle, Birmingham, Belfast, Edinburgh and Swansea. Members **REQUESTED** a circulation of the dates of these events, with a response deadline to facilitate Member attendance where possible.

17. Members **NOTED** that the November 2007 Content Board meeting would be focused on PSB, with an hour’s discussion time to consider the PSB Review in the Nations. In addition a further hour would be scheduled at the December 2007 meeting to consider the English Regions, with an additional hour scheduled to consider PSB in the New Year.

18. Members **REQUESTED** that if the PSB Conference in Edinburgh was a public event, it be publicised throughout Scotland.

**Media Literacy: Update**

19. Members **RECEIVED** an update on the position in relation to the Byron Review.

20. Members had been issued with a copy of the paper for information which had been submitted to the Policy Executive and the Ofcom Board. Members were **INFORMED** that the Policy Executive and the Ofcom Board had approved the proposed approach. It was **AGREED** that a Content Board working group, comprising of four Content Board members, would be set up to input Content Board views into the Ofcom Response to the Byron Review. The working group would participate in discussions at the next Ofcom Board meeting.

21. Additionally, Members were invited to speak individually to colleagues on this issue if they wished and would be sent available dates in order to schedule appropriate meetings.

22. Members **NOTED** that the anticipated submission date for the Ofcom response to the Byron Review was 30 November 2007.

23. Members discussed the issue and the following points were noted:

- It was Ofcom’s view that it was appropriate to consider whether to introduce a range of measures to help prevent children being exposed to harmful and inappropriate material on the internet and on-line games.
- Media Literacy of parents was key to ensuring that parents would be better equipped to deal with the issues involved and to raise their awareness in order for them to guide their children.

24. Members were also **UPDATED** on the key issues and areas of work carried out by Ofcom on Media Literacy, which included the following:
• **Ethnic Minority Audits** - Members were **INFORMED** that the audits were being carried out and that as 100 samples from any given ethnic minority group was not considered sufficient to produce good analysis, it had been decided that Ofcom would audit four sub-groups: Afro-Caribbean, African, Indian and Pakistani, of which samples of 300 people each would be taken.

• **Social Networking Research** - Members were **INFORMED** that Ofcom intended to carry out research on social networking internet sites.

• **Silver Surfer Awards** - Members were **INFORMED** about the Silver Surfer Awards which were part of a campaign aiming to help older people get in touch with the world through computer technology.

• **Learning Disabilities** - Members were **ADVISED** that Ofcom had been working with Mencap to produce an information pack on media literacy issues for people with learning disabilities. Ofcom had received good feedback and had agreed to support Mencap in finding funding to enable the pack to be published in hard copy, as it would initially only be available online.

• Members were also **UPDATED** on the key issues and areas of work carried out by Ofcom on Media Literacy, which included the following:

25. Members **NOTED** that the issue of media literacy was very important and that more should be done to raise awareness and develop understanding of media literacy, particularly in terms of including media literacy as part of the education curriculum.

**Standards Report**

26. The Content Board **RECEIVED** an update on programmes which had been attracting complaints, as well as an update on the status of current Fairness and Content Sanctions cases.

**Members’ Interests**

27. There were no new declarations for the Register.

**Minutes of 22 May 2007 and Matters Arising**

28. The minutes of the Content Board meeting held on 18 September 2007 were **AGREED**, with one minor amendment.

**Matters Arising**

**Content Board Operations**

29. The Chairman **UPDATED** Members that useful discussions had taken place as to how the Content Board could make more effective use of its time in order to achieve best value. Members **NOTED** that a detailed update would be given at the November 2007 meeting.

**Rolling Forward Plan of Content Board Agendas**

30. Members **NOTED** the Rolling Forward Plan of Content Board Agendas.

**Ofcom Board Meetings of 27 April, 1 May and 16 May 2007**

31. Members **RECEIVED** a report on the current Ofcom issues and **NOTED** the minutes of Ofcom Board meeting held on 11 September 2007.
Report back from Radio Licensing Committee

32. Members RECEIVED a report on current issues concerning the Radio Licensing Committee and Members NOTED the minutes of the 6 September 2007 RLC meeting.

Papers for information

33. Members NOTEED the following papers for information:
   - Matters for External Communication; and
   - Media Literacy: Ofcom’s Response to the Byron Review (had been discussed under the Media Literacy Update).

Minutes for Noting

34. Members NOTED the minutes of the following meetings:
   - National Advisory Committee – Scotland – 18 June 2007; and

Any Other Business

35. Members were INFORMED that Ofcom had recently developed a new course for colleagues, “Introduction to Broadcasting” and were given information on how to find out more about the course or take part.

Date of Next meeting

36. The next meeting of the Content Board was planned for 20 November 2007 at The Scotsman Hotel, Edinburgh.