

**MINUTES OF THE ONE HUNDRED AND FIFTY-NINTH MEETING OF THE OFCOM
CONTENT BOARD HELD AT RIVERSIDE HOUSE, LONDON,
ON TUESDAY 2 JULY 2019**

Members Present:

Tim Suter	Chairman
Kevin Bakhurst	Executive Member
Tony Close	Executive Member
Bob Downes	Member
Maggie Cunningham	Member
Robin Foster	Member
Angelina Fusco	Member
Sophie Morgan	Member
Stephen Nuttall	Member
Monisha Shah	Member
Janey Walker	Member

Apologies

Jonathan Baker	Member
Aled Eirug	Member

In Attendance:

Vikki Cook	Director, Standards and Audience Protection
Ali Marsden	Director, Standards and Audience Protection
Caroline O'Dwyer	Senior Standards Executive
Siobhan Walsh	Director, Content Policy
David Edwards	Assistant Corporation Secretary
Other Ofcom Colleagues	

Introduction & Welcome

1. The Chairman welcomed all present to the one hundred and fifty-ninth meeting of the Content Board.

Chairman's update

2. It was noted that, since the previous meeting, Sharon White had been appointed as Chairman of The John Lewis Partnership. She would take up appointment in 2020 and remain as Ofcom's Chief Executive until the end of the year.
3. The Chairman reported on discussions at the June 2019 Ofcom Board meeting and focussed on the main areas of work.

Minutes of the Content Board Meeting held 21 May 2019 - CB Minutes 158(19), Actions List and Matters Arising

4. The minutes of the Content Board meeting held on 21 May 2019 were agreed as a true and accurate record for signature by the Chairman.
5. There were no other matters arising that were not covered by the meeting agenda.

Members' interests

6. Angelina Fusco declared her appointment to the Board of the Dart Centre for Journalism and Trauma, Europe.

Content and Media Policy updates - CB 14(19)

7. Members noted the contents of a paper providing an update on key policy and project areas in the Content and Media Policy Group.
8. Members were updated on and discussed a wide range of topics, including:
 - *Online Harms White Paper*; Ofcom was continuing to engage with DCMS and the Home Office to give independent advice.
 - *Review of Regional TV Production and Programming Guidance*; a statement had been published. Ofcom had consulted on amending the substantive base criterion to require that it be operational prior to the point of commission but had decided to gather more evidence from PSBs to assess the impact before deciding whether to implement.
 - Impending Ofcom publication of a range of PSB-related documents: a 'landing page' on the Ofcom website for the PSB work programme and a short context setting document to set out Ofcom's PSB duties; *Children's content review*, Ofcom's response to plans from the commercial PSBs for children's programming; *Review of prominence for public service broadcasting*, recommendations to Government for a new framework to ensure that PSB content was easy for viewers to find in the online world; and a *Listed Events* statement, on Ofcom's methodology to determine the revised list of qualifying services, and, having applied it, an updated list of TV channels (that are free-to-view and received by 95% of the UK population).
 - Commercial radio; members noted that some stakeholders had continued to express localness concerns following recent deregulation.
 - Members were pleased to note that the Ofcom engineer who first developed the concept of Small-Scale DAB, Rashid Mustapha, had been awarded an MBE in the recent Queen's Birthday Honours List for his efforts. It was further noted that Ofcom was about to publish a *Licensing small-scale DAB* consultation and that one of the two proposed licence categories could allow community radio stations to flourish.
 - Standards investigations; some of which could be time consuming and resource-intensive. It was noted that Ofcom had plans to undertake research on audience expectations and reactions to harmful content, the results of which could affect the way Ofcom allocated resources in this work area.
 - Brexit; it was noted that 100+ licences had been surrendered since the beginning of the year due to broadcasters relocating outside the UK.

Adults in Programmes update

9. It was reported that a sub-group of members had engaged with the executive to consider appropriate new rules to ensure that broadcasters took due care of people participating in TV and radio, including reality shows, documentaries and radio phone-ins. Notes of sub-group meetings would be shared with members.
10. It was noted that there were a range of potential harms; some participants were inherently vulnerable; some were made vulnerable by their participation; and there were risks for audience trust if participants were not treated fairly.
11. Ofcom was seeking a proportionate and flexible response to concerns and expected to consult on new Broadcasting Code rules by the end of July and aimed to issue new rules in the Winter.

BBC News Review update - CB 16(19)

12. Members were updated on Ofcom's review of BBC News. Following publication of the Terms of Reference in March, Ofcom had sought to gather a broad evidence base. Some work was at an early stage, including sample content analysis of news output; analysis of online consumer engagement with news; and tracking of news content across social media. The focus at the meeting would be on emerging findings from Ofcom meetings with stakeholders across the UK; a "deep dive" study of news consumption habits; and focus group research.
13. Those findings were that the BBC should continue to focus on accurate and trusted news provision; impartiality was a particular concern for the most politically engaged; a fresher style would only achieve relevance for audiences if BBC news was perceived as authentic; diversity in ethnicity, class and location, eg stories beyond Westminster, were necessary if the BBC was going to engage audiences that it had struggled to reach; and a BBC that was confident in its news provision would be able to offer more value to audiences.
14. Issues discussed by members included whether feedback on news differed by platform, eg was TV news perceived to be better than news on radio; the non-homogenous nature of news output; the BBC website, which continued to be a destination for many people; and the importance of local voices and local stories. It was expected that members would be updated further at the next meeting.

BBC Annual Report update - CB 15(19)

15. Members were updated on Ofcom plans to publish its second Annual Report and Performance Report on the BBC. Ofcom was required to report under the BBC Charter and Agreement and performance would be measured in accordance with the BBC's performance measurement framework, published by Ofcom in 2017. The two reports would be published in October.
16. Coverage would include how well the BBC had complied with regulation and take stock of last year's main findings. These related to serving young people; improving transparency; maintaining a commitment to UK-produced original content; and improving the way the BBC represents and portrays the whole of UK society.

Online Nation - Summary of Key Findings - CB 17(19)

17. Since the previous meeting, Ofcom had published its first annual *Online Nation* report to look at what people were doing online, how they were served by online content providers and platforms, and their attitudes to and experiences of using the internet.
18. Members discussed issues arising from the key findings. These included the merits of parental controls, effective to block or filter harmful content but not to address concerns about social media; bullying in the online world, with the potential to be endured 24/7, difficulties in removing harmful material and less constraints on behaviour; harms that were not well understood by consumers, eg the use of their personal data and targeted online advertising; the need to better understand online conduct; and age and socio-economic factors, behind the one in ten people who did not use the internet.

Media Nations Research - CB 18(19)

19. Members were briefed and discussed the early high-level findings from Ofcom's *Media Nations 2019* research, due to be published in August. It was noted that broadcast viewing was down by a larger number of minutes than the previous year's decline, and the main beneficiaries were gains by SVoD and YouTube, the former consumed largely on TV sets and consisting of TV-like content.
20. Talking points included the advertising market, members noting that good content would attract advertising spend; YouTube viewing on TV sets, in addition to other devices; and podcasts, diverse in type of output and accessed via a range of methods, including BBC apps, Spotify and Apple.

Information items

21. The following information items were noted:
 - Minutes of the Ofcom Board (10 April and 22 May 2019)
 - Minutes of the Communications Consumer Panel/ACOD (25 April and 23 May 2019).

Date of the Next Meeting

22. The next meeting of the Content Board was scheduled to take place on 1 October 2019.