

# Perspectives on Broadcaster Training Co-regulation

A qualitative study of stakeholder awareness and attitudes towards the co-regulation system conducted by holden pearmain on behalf of Ofcom

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## Section 1

# Introduction

Under the 2003 Communications Act, Ofcom has two statutory duties relating to training in the television and radio broadcasting industries. The first is to promote the development of training opportunities (section 27); the second is to require licensees to make arrangements for training (section 337).

In 2005, following agreement between Ofcom, Skillset (the Sector Skills Council for the Audio Visual Industries) and broadcasters, a co-regulatory system for broadcasters' training and development arrangements was established. A new organisation, the Broadcast Training & Skills Regulator ('BTSR'), was set up to monitor and assess broadcasters' performance.

The co-regulatory system is underpinned by a Memorandum of Understanding, under the terms of which Ofcom must review the performance of the system every three years and publish its report.

To inform its first review Ofcom commissioned Holden Pearmain to conduct a programme of qualitative research among broadcasters and other key stakeholders with an interest in training in the broadcasting industry.

## Section 2

# Executive Summary

### Background

- Ofcom is conducting a review of the co-regulation of training and development in the broadcasting industries. It commissioned Holden Pearmain to conduct research to understand stakeholders' attitudes towards the Broadcast Training & Skills Regulator (BTSR) in order to assess progress so far and to identify any potential issues.
- In 2006, BTSR introduced a new framework for self-evaluation by broadcasters, intended to encourage broadcasters to analyse the effectiveness of their training and to support them in making any necessary improvements. Each eligible broadcaster is required to provide information specifying how they consider their training and development activities deliver against seven key indicators of performance. Returns from the self-evaluation process are substantiated and moderated by visits by an independent company (currently PricewaterhouseCoopers, 'PwC'). PwC visits a sample of broadcasters and discusses their training activities to capture evidence to support the self-assessment.

### Summary of methodology

- The methodology decided upon for this piece of research was qualitative in-depth interviews, as it was felt that this would allow a more thorough understanding of the relevant issues. It should be noted that due to the qualitative nature of this research the sample interviewed was relatively small, 27 depth interviews, and as such is not necessarily representative of opinions across the whole industry. It should also be noted that the research sought to elicit stakeholder perceptions, not to challenge them or probe further. A number of the views that emerged are in fact inconsistent with what happens in practice, particularly around information and feedback provided to broadcasters.

### Overall impact of co-regulation

- The concept of co-regulation was generally well-regarded among the research participants and was seen as a fairer and more independent way of monitoring training provision within the industry compared to the previous system of direct regulation. The self evaluation process itself has served two key purposes:
  - a) for larger organisations, it has helped provide positive confirmation that adequate training is in place, and

- b) for smaller broadcasters, it has emphasised the importance of training within the organisation

A minority of participants felt that that training is the responsibility of the organisation itself and therefore should not be mandatory or monitored. It appears that some viewed the self-evaluation process as an administrative exercise, with little inherent value. However, most participants believed strongly that co-regulation had the potential to make a significant impact on the industry, by setting high standards and recognising good performance. There was a feeling that this would need to be achieved through improved communication, clear guidelines and standards, and provision of useful feedback at an organisational and industry-wide level.

### **Attitudes towards, and understanding of, the BTSR**

- While many stakeholders welcomed the introduction of co-regulation, research participants seemed to be unclear on the role of the BTSR: is it a regulator or a support organisation? If it is the former, then the perception of participants was that, so far, it has placed too much emphasis on process and assessment and, if the latter, too little on training support and collaboration. This lack of understanding made it difficult for the research participants to rate the BTSR in terms of its overall effectiveness.
- Their knowledge of the BTSR appeared to be limited to their awareness of its management of the self evaluation process. They felt that the BTSR ought to provide feedback on the returns. This should include analysis of submissions both at an organisational level, and more importantly, at an industry level, so that organisations would have useful feedback in response to the information they had provided. In fact, BTSR does provide such feedback. For example, in 2007 it sent all relevant broadcasters its report for 2006, which reviewed the 2006 returns and included detailed analysis of industry-wide performance as well as case studies. And at an organisational level, PwC provide all broadcasters that they visit with a report about the visit. Research participants appeared to have low awareness of this information; one reason might be that those engaged in the research were not the same individuals who had been sent the 2006 report.

### **Future of co-regulation**

- The research participants suggested that there is potential for the BTSR to make a much more positive impact, by:
  - a) being more consultative and collaborative, both with broadcasters and with other stakeholders

- b) by broadening its monitoring role and offering best-practice guidelines, benchmarking or industry training standards;
- c) clearly communicating its role and remit, especially with regard to the process of collating returns and providing feedback on them;
- d) improving its image, to create the perception that it is a professional body with an important role to play in the industry; and
- e) ensuring that it is seen to be fair and equitable in its monitoring role.

### Section 3

# Objectives and methodology

## Objectives

Ofcom is conducting a review of the co-regulation of training and development in the broadcasting industries. It commissioned research to understand stakeholders' attitudes towards the BTSR in order to assess progress so far and to identify any potential issues.

From a research perspective, the objectives were:

- to gain an insight into broadcasters' understanding of the performance of the co-regulatory system, including its impact to date;
- to better understand awareness levels of the BTSR and perceptions towards its role within the broadcasting industry;
- to gauge stakeholder perceptions towards the BTSR in terms of efficiency, fairness, transparency and overall cost-effectiveness;
- to collect broadcasters' thoughts on the self-evaluation format and the validation process;
- to establish whether co-regulation overall is seen to have had a positive impact on attitudes to training and training provision; and
- to identify stakeholder suggestions for improvement of the current system.

## Methodology

A series of 45-minute qualitative interviews, with a short structured element to record some key statistics, was conducted among stakeholders, to get a detailed understanding of stakeholders' perspectives on the impact of the co-regulatory system.

As part of the interviews, a short structured questionnaire was used, and the responses to this set of closed questions were recorded and subsequently tabulated. This allowed us to gather opinion, and to complement the detail gathered through the more probing approach in the qualitative interviews.

In total, 27 interviews were conducted across England, Scotland, Wales and Northern Ireland. Half of the interviews were face-to-face, with the remainder being conducted via telephone. All the interviews were conducted in the participants' places of work, in March 2008.

## **Sample structure**

Ofcom generated a complete list of all eligible broadcasters (required to undertake the self evaluation process) and also a list of non broadcaster stakeholders from an Ofcom database of contacts.

Before being invited to participate in the research, each potential contact was sent a letter from Ofcom which described the research and the methodology. The letter allowed recipients to opt out of the research completely, or to nominate a more appropriate person within their organisation.

Twenty-two broadcasters (12 TV, eight radio and two TV *and* radio) and five broadcasting related stakeholders were willing to participate. The identity of participants was not disclosed to Ofcom.

Broadcasters are responsible for the provision of training and development within their organisation and are accountable for completing the validation forms themselves.

The length of time each individual participant had been in their current role ranged from 11 months to 19 years. Among the broadcaster sample, there was a broad spread of company sizes; nine large, seven medium and six small, (Ofcom definitions).

More than half of the broadcaster sample had been visited by PwC to have their returns validated.



## Section 4

# Overall impact of co-regulation

### Co-regulation overview

Participants were generally in favour of the concept of co-regulation; it was perceived to be a fairer and more independent way of monitoring training provision than the alternative; direct regulation by Ofcom. In addition, co-regulation helped to raise the profile of training within organisations, by reminding those involved in the process of the need to provide adequate training.

However, a few participants appeared to feel slightly offended that their training provision needed to be monitored at all. They believed that it was the responsibility of the individual organisations themselves to ensure that their staff were properly trained and that it was in their interest to do this anyway.

This concern was compounded by the perceived lack of feedback of the analysis of the monitoring. Some broadcasters who had provided returns questioned whether there was any benefit to them in completing their return. There was a desire for some form of collective analysis to be fed back, so that the individual organisations could assess how well they were doing compared to other broadcasters, or the industry average.

Some participants questioned how the standards were defined, and found it difficult to understand how training provision could be assessed without benchmarks. Some mentioned the lack of best-practice guidelines and felt that if these were made available, there would be a broad benefit to the industry.

However, it is worth noting here that in fact the BTSR's yearly report on the self-evaluation returns does evaluate how well – or otherwise – the industry is performing. BTSR also provides guidance on how to improve performance.

A number of participants said that the system should be monitored to ensure that it was fair; some perceived that not *all* eligible broadcasters were being adequately held to account. This gave them the impression that the BTSR 'lacked teeth'; that it had limited power to ensure that training was being implemented.

Finally, some interviewees thought that co-regulation had been put in place because Ofcom did not want to deal with the issue of training provision itself.

In summary, the impact of the introduction of training co-regulation on the industry as a whole was perceived to be fairly neutral. Participants felt that the BTSR had not yet had sufficient time to establish a presence, and did not yet have a high enough profile in the industry. However, most participants in this research believed strongly that co-regulation had the potential to make a significant impact on the industry, by setting high standards and recognising good performance. They felt that this would need to be achieved through improved communication, clear guidelines and standards, and provision of useful feedback at an organisational and an industry-wide level.

## Section 5

# Attitudes towards and understanding of the BTSR

### **Awareness and understanding of the BTSR**

Amongst the research participants, awareness of the BTSR appeared to be limited to awareness of its process for ensuring that organisations complete the self evaluation process. Some respondents had more detailed knowledge of it, because they had attended a BTSR workshop, or because their organisation had been visited by the BTSR. However, it appeared that this level of contact was rare; participants claimed that their contact with the BTSR was mainly via email: reminders to submit the self-evaluation forms, or chasing payment of invoices.

A very small minority of participants had attended a workshop to help improve and develop the self-evaluation form, and a few had attended the National Training Awards. However, this could suggest a lack of interest amongst stakeholders rather than lack of information from BTSR; the BTSR had in fact contacted all relevant stakeholders by email about these and other events.

While almost all participants were aware of the BTSR, few had a clear understanding of its remit.

On the one hand, it was perceived to be a regulatory body, whose role was to monitor and assess training standards among those broadcasters who were eligible to complete a self-evaluation form. On the other hand, it was seen as an organisation that should be responsible for the implementation of best-practice guidelines for training provision, based on its analysis of broadcasters' submissions, at an industry-wide level.

The overall view amongst research participants was that neither of these perceived roles had been wholly fulfilled. While the BTSR did appear to regulate training provision across the industry, there was also a perception that they did not ensure that all broadcasters complied by submitting their returns. In discussion, participants claimed that some smaller organisations were not compelled to make a submission, and consequently, the analysis would be biased towards the more established organisations, and this could potentially result in a skewed view of the industry as a whole.

Only those broadcasters who had been visited by PWC to have their submission validated (about half the broadcaster sample) were aware of this part of the process.

Not all those involved in the research recalled having seen the BTSR 2006 report, which led them to believe that the findings from the analysis were not being communicated back to industry members.

However, this might suggest failures in communication within broadcasters' own organisation; as previously noted, BTSR had sent a copy of its 2006 report to all relevant broadcasters.

### **Attitudes towards the BTSR**

The research revealed mixed impressions of the BTSR, driven largely by participants' lack of knowledge about the organisation's role. This made it difficult for some of the research participants to rate the BTSR's effectiveness.

Impressions of the BTSR varied from *flexible, competent, and encouraging*, through to *regulatory, forensic, improving* and on to *pointless, unprofessional, ineffective*. While some impressions were less positive, there was also an underlying thread of empathy with the organisation; people recognised that it was relatively new and was striving to get itself established. There was an expectation that when the BTSR is up and running and working at full speed, their opinions will improve and there will be better lines of communication, fostered by the sharing of best practice guidelines for the industry.

As already mentioned, some participants struggled to rate the overall performance of the BTSR, because they did not understand its role or its targets. In addition, the perceived lack of feedback or action plans emerging from the BTSR's analysis of the broadcaster returns resulted in respondents having little evidence on which to base their assessment.

While there was an overall appreciation of the need to have an organisation like the BTSR, broadcasters and other stakeholders felt they could not make a fair assessment of how well it performed without a clear understanding of its remit.

Participants did not remember receiving feedback from the BTSR, with analysis of the submissions, participants could not see any return on their investment, so they did not perceive the BTSR to be cost effective.

The majority of the participants felt that the self-evaluation process served only to help them verify the high standard of their existing training provision. For a minority, the process supported their efforts to implement a training programme. It allowed them to reflect on their current standards and to plan to improve them. A few participants said that the requirement for the form to be electronically signed by their CEO made the senior members of the organisation aware of the importance of training, and this further supported participants' efforts to implement a competent training programme.

Participants discussed the need for more support and encouragement at an industry-wide level, through communication of best-practice guidelines. They felt that the provision of such guidelines

would directly benefit their own organisation and would also help raise the standards of training across the industry. However, they felt that the BTSR placed too much emphasis on reviewing and assessing, rather than supporting and encouraging. This resulted in uncertainty about the need for the BTSR; the fact of its existence did not explain why training provision within the broadcasting industry had to be assessed.

Nonetheless, individuals that we spoke to appreciated that the organisation was still in the early stages of making its impression on the industry, and things could improve. They felt the organisation was not fully “set-up”; that it was under-resourced, and had part-time staff with limited levels of commitment. This resulted in the perception that the BTSR was not a very high profile organisation and had little “clout” in the industry.

They had higher expectations of the BTSR in the future, when measures would be in place to enable a more consultative and collaborative role. For some, the invitation to participate in this research was seen as the first step in this process. Other steps deemed important are explored in detail in section 6.

### **Effectiveness of communications activities**

Overall, the majority of research participants felt that communications from the BTSR were not very strong or effective. Apart from emails reminding broadcasters to complete and submit their return, or letters chasing them for payment of their invoices, there was seen to be very little direct communication from the BTSR.

There was very little awareness of the BTSR website or its 2006 report. Those who had read it, found it “well put together”.

The majority of participants felt that the BTSR needed to develop its communications, that the current lack of communication was inhibiting the impact of the BTSR and the co-regulation system, and that better communication would bring broadcasters and other stakeholders up to speed on the role of the BTSR.

The feedback from research participants about communications should be put into the wider context of efforts made to keep the industry informed of key developments. For example, in May 2007, about 90 industry representatives attended a training and development event at Ofcom. At this event, BTSR and Skillset clarified their respective roles, and BTSR provided the headlines from the self-evaluation process in respect of the 2006 returns. BTSR also sent printed copies of its 2006 report to all relevant broadcasters.

## **Perceptions of self-evaluation and validation processes**

Overall, participants felt that the returns process served two key purposes:

- a) for larger organisations, it helped to confirm that adequate training was already in place, and
- b) for smaller broadcasters, it helped raised the profile of training within the organisation

Both these points are beneficial at an organisational level. However in terms of perceived impact on the industry as a whole, participants felt the self-evaluation and validation processes were not very effective; this appeared to be because they were unaware of BTSR's yearly report which analyses how the industry is performing.

### **Self-evaluation process**

The self-evaluation *process* was considered to be an *effective means* by which to determine how well organisations had devised and provided training for their employees. It was thought to enable companies to make their own judgements on how well they had done. This process of reflection revealed potential areas for improvement.

For those who had completed and submitted a return in previous years, the current self-evaluation form was seen to be an improvement on preceding forms. The focus seemed to be on the quality, and not simply the amount, of training provided. It also addressed issues such as staff appraisals and career development.

Some still questioned whether or not this evaluation process was needed annually, particularly if the organisation rated highly for its training provision. They suggested that in these cases an assessment every 2-3 years would be sufficient to ensure standards were being maintained.

The positive aspects of the self-evaluation process were cited as:

- recording of the quality not the quantity of training provided;
- the ability to input as much or as little detail as required;
- the relative ease with which the form can be updated, i.e. using simple cut and paste;
- acknowledgement of on-the-job training;
- the focus on compliance; and
- reflection of best practice.

The elements deemed to be not so good were:

- the failure to cover freelancers in great enough detail;
- the irrelevance of the TV section (D) for radio broadcasters;
- the somewhat repetitive nature of the sections; and
- the perceived inability to track year-on-year changes in performance or behaviour.

### **Practicalities of completing the self-evaluation form**

From a practical point of view, the self-evaluation form was perceived to be comprehensive and fairly user-friendly. For some, the level of detail made the form somewhat overwhelming, and less clear.

Some minor issues were raised with regard to the format of the current form:

- difficulty in inputting all the information required;
- the challenge of providing an electronic signature;
- difficulty in saving information, resulting in the need to input all the information in one session, which was considered to be unhelpful.

### **Validation process**

The practice of validating broadcaster returns was well-received by all, and the assurance that the forms were completed correctly and honestly was seen as beneficial for the BTSR. Many welcomed the impartiality of an external agency in this role. However, some felt that this was just yet another “tick-box” exercise and questioned the need to incur the expense of an external agency which had no apparent expertise in the broadcasting sector.

Approximately half of the broadcaster sample interviewed had been visited by PWC to have their returns validated, and their views on the visit were somewhat mixed.

The following positive views were expressed;

- PWC provided good, helpful and constructive feedback;
- PWC appeared to be knowledgeable and very professional;

- PWC in some instances indicated that the provision was higher than initially inputted; and
- PWC challenged the claims being made, which demonstrated their dedication and commitment to the task in hand.

Less positive opinions were:

- a time consuming process which used half a day of a valuable resource, with little by way of feedback;
- just another tick box, bureaucratic exercise; and
- PWC did not seem to understand the industry in the sense that they did not appear to be clear on what was relevant or practical from a broadcaster's perspective.



## Section 6

# Stakeholder suggestions for improvement

### Overview

On the whole, while participants felt that the introduction of co-regulation was a step in the right direction, there was a general feeling that there was still some room for improvement of the current system, before it could be extended to other areas such as equal opportunities or diversity. These are some of the suggestions made by participants on areas where they felt improvement was needed:

### Clarify BTSR role and visibility

- Increase awareness of the BTSR by advertising in key industry publications, and clarify role and responsibilities e.g. the co-existence with Skillset and how the two organisations complement each other.
- Provide clear feedback and actions required, derived from the self-evaluation and validation processes.
- Maintain an up-to-date contact list.
- Provide regular updates on industry standards.
- Create and encourage links between broadcasters in the industry via forums, which should include freelancers.

### Creation of best-practice guidelines

- Introduce industry-wide best practice guidelines.
- Consult more with broadcasters, both large and small, with a particular emphasis on helping to define and set training standards.

### Expanding services to industry

- Identify key areas for development and provision of guidance on how to improve.
- Ensure compliance from all broadcasters eligible to be assessed.
- Recognise and reward good practice.
- Provide help and guidance for freelancers, specifically on how broadcasters can ensure information gets filtered down to them.

- Sponsor educational institutions.
- Support the introduction of apprentice schemes or new entrant training.
- Investigate the potential to introduce a “kite-mark” or “standard” to allow organisations to demonstrate their training competence to prospective employees.

### **Resourcing**

- Employ more staff to facilitate action plans, which will give the impression that the organisation is serious about training.
- Collect funds from all broadcasters to invest back into the industry.