

**PUBLICATION MINUTES OF THE ONE HUNDRED AND EIGHTY-THIRD MEETING OF  
THE CONTENT BOARD HELD ON 4 JULY 2023  
CONNECTED MEETING HELD AT RIVERSIDE HOUSE AND VIA MICROSOFT TEAMS**

**Present**

Maggie Carver	Chair
Dekan Apajee	Member
Jonathan Baker	Member
Rachel Coldicutt	Member
Maggie Cunningham	Member for Scotland
Bob Downes	Member
Peter Horrocks	Member
Tobin Ireland	Member (via Teams)
Ali Marsden	Executive Member
Maria McCann	Member for Northern Ireland
Ruth McElroy	Member for Wales
Stephen Nuttall	Member
Monisha Shah	Member
Kim Shillinglaw	Member

**In attendance**

Siobhan Walsh	Interim Group Director, Broadcasting and Media Group
Adam Baxter	Director, Standards and Audience Protection
David Edwards	Committee Secretary
Katie Ford	Next Gen NEDs observer
Other Ofcom colleagues attending for specific items in person or via Teams	

**Item 1: Welcome and introduction – oral**

1. The Chair welcomed all present to the meeting. This would be the last meeting for Jonathan Baker and Monisha Shah. The Chair thanked them both warmly for their valuable contributions to the work of the Content Board and to Ofcom. Monisha was the Content Board member for England and Dekan Apajee had agreed to assume that role.
2. At its meeting in May, the Ofcom Board approved the appointment of a new Content Board Member with editorial expertise. The appointment would be announced shortly. At its meeting in June, the Ofcom Board had approved the re-appointment of Dekan Apajee, Rachel Coldicutt, Peter Horrocks and Kim Shillinglaw.
3. Today’s meeting would not include the usual debate item, in its place the main item would be on research covering both broadcast and online themes. Debate items would resume at the next meeting in October and Members had received a list of proposed discussion topics for the next six months.
4. An offline session for Members was in the diary for later in July, to go through the findings of Ofcom’s annual News Consumption survey report (an information paper had been provided for today’s meeting). Another offline session was planned for late September/ early October to allow Members to discuss Generative AI.

**Item 2: Members’ interests – oral**

5. There were no interests to declare.

**Item 3: Minutes of the meeting held on 2 May 2023 and matters arising – Content Board minutes 182(23) and note of action points**

6. The minutes of the Content Board meeting held on 2 May 2023 were **APPROVED** for signature by the Chair as an accurate record.
7. A summary of progress against action points had been circulated.

**Item 4: Chair's update - oral**

8. The Chair noted public interest on the issues of due impartiality and politicians as presenters and that the Content Board would discuss Ofcom's recently commissioned research later in the year. The Ofcom Board had taken part in a workshop on Generative AI, to be re-purposed for the Content Board's offline session (noted earlier).
9. April and May Ofcom Board minutes had been circulated to Members for information. It was noted that the April meeting had included an item comparing key provisions of the Online Safety Bill and the EU Digital Services Act and further details would be provided to the Content Board. Ofcom's three-year plan had been discussed by the Ofcom Board in May. The future of TV distribution had also been a talking point, in particular the transition from digital terrestrial television (DTT) to IP-based distribution. The future for public service media and DTT were topics included in the list of proposed topics for the October Content Board meeting.
10. The Content Board **NOTED** the report from the Chair.

**Item 5: Broadcasting and Media Group and Online Safety Group Executive Update – Paper CB 10(23)**

11. Members had received an update paper on key policy and project areas in the Broadcasting and Media Group and in the Online Safety Group. The paper was taken as read.
12. A number of points were highlighted/ discussed by Members:
  - Due impartiality: An article by Ofcom's Chief Executive had appeared that morning in the Daily Telegraph, on the importance of upholding standards of due impartiality and due accuracy to preserve the integrity of news and current affairs in a changing media landscape.
  - It was noted that the previous day Ofcom had announced investigations into a programme on GB News under Ofcom's rule which prevent politicians acting as newsreaders in news programmes; and a programme on Talk TV, under Ofcom's due impartiality rules.
  - BBC: BBC plans to transfer more of its audio and radio production to BBC Studios. Related issues for Ofcom were the need to maintain a focus on whether the BBC was serving audiences and to ensure that commissioning continued to have regard to the indie sector.
  - As part of its mid-term review DCMS had held workshops with the BBC and Ofcom, with potential changes to the BBC First complaints process being part of those discussions, so as to bolster public confidence in that process. Members noted also that DCMS ministers and priorities had changed since the launch of the review.
  - Other issues: A general perception that there was low public awareness of Ofcom's work to regulate Video Sharing Platforms; disquiet across the indie sector and an issue to be aware of when Ofcom responds to Channel 4's Statement of Media Content Policy; potential due impartiality requirements for VOD in the draft Media Bill; and the benefits of taking a cross-platform approach when conducting audience research.
13. Members **NOTED** paper CB 14(23) and additional oral updates provided.

**Item 6: Spotlight on Audience and User Research – Paper CB 15(23)**

14. The Content Board was taken through the findings of two qualitative research projects, one on attitudes to violence and sexual content on linear TV and the other exploring audience expectations of linear and on demand services. Both research reports were expected to be published in the Autumn. Members were also briefed on the extensive research, carried out and planned, to help Ofcom prepare for its new online safety (OS) duties.

15. A number of points were highlighted/ discussed which the Team would take into account when drafting the final research reports.

16. Members **NOTED** paper CB 15(23).

**Item 7: OS strategy and consultation document update – Papers CB 16(23)A & B**

17. Members were briefed on Ofcom's updated OS strategy and approach to the OS illegal harms consultation to operationalise the OS regime, both discussed by the Ofcom Board at its meeting in June. The Board had approved the approach to the consultation.

18. The strategy would be iterative and set out the high-level direction of travel, Ofcom's vision and target outcomes for the first three years of the OS regime, and explain how it would use its functions and powers to achieve those outcomes.

19. The consultation was in the final stages of preparation. It would be followed by a second consultation on protection of children and a third on extra duties for categorised services. The phase one consultation was a starting point to establish a first iteration of key guidance documents and Codes of Practice to support services in understanding and meeting their illegal safety duties.

20. A number of points were highlighted/ discussed:

- The potential for ongoing change in the consumer, technological and political landscape. It would be important to prioritise elements of the regime where there was clear evidence of harm to UK internet users while retaining flexibility to respond to new evidence as it emerges.
- In addition, there were challenges regarding the potential impact of regulation and the need to manage expectations. It was noted that an effective triage function would be a key tool in enabling Ofcom to rapidly assess, understand and respond to new and emerging OS issues. It would be useful to include horizon scanning as part of triage.
- Lay-offs at some of the larger platforms had had implications for their approach to online safety and their capacity to engage with regulation.
- The importance of putting the user/ consumer at the centre of the strategy and linking back to a safer life online, an Ofcom priority.
- The proposed focus on outcomes would be helpful, as would determining metrics early on in the regime. The latter could be difficult, since platforms would have their own OS measures and it could be a challenge to make comparisons. While neither Ofcom nor platforms would be able to fully control the magnitude of harms online, it would be important to be able to track change over time.
- Trust in the regulatory regime, amongst all stakeholders, would be essential to its success.

21. Members **NOTED** papers CB 16(23)A & B.

**Item 8: Media Nations – Paper CB 17(23)**

22. Media Nations is one of Ofcom's key annual research and data publications, covering audience and industry trends across the TV, video, radio and audio sectors. This year's report

was due to be published in early August. The Content Board was taken through findings, covering data for 2022. It was flagged that broadcast TV viewing had continued to decline across all age groups and for the first time among over-65s versus their pre-pandemic level; there had been a plateauing of subscription services; and, overall, audiences continued to be broadly satisfied with public service broadcasting.

23. A number of points were highlighted/ discussed:

- With regard to positioning the report, the outlook for the PSBs appeared less gloomy than expected, with the growth of US-owned SVOD services plateauing, and PSBs' BVOD strategies appearing to be working, with viewing steady or increasing – although not offsetting the decline in linear TV viewing.
- Total AV advertising expenditure had increased, mainly due to digital platforms such as Facebook and Google, but spend appeared to be benefiting a wider range of the creative sector, e.g. out-of-home, cinema, and podcasts. However, this was partly due to a favourable comparison versus a pandemic-disrupted 2021.
- The main report would be accompanied by separate Scotland, Wales and Northern Ireland reports (and some data would be added to the CMR's interactive report) but data was less granular and some only available from a UK perspective. For Northern Ireland, as an example, Barb data did not include viewing of services like RTÉ.

24. Members **NOTED** paper CB 17(23).

**Item 9: Content Board work programme 1 October 2023 to 31 March 2024 – Papers CB 18(28)**

25. An important milestone for the work of Ofcom and the Content Board had been the splitting of the Broadcast and Online Content Group into two new groups: the Broadcast and Media Group and the Online Safety Group. To take account of this development and in place of its usual annual work programme, at its January 2023 meeting the Content Board had approved a work programme for the period 1 April to 30 September 2023 (which was approved by the Ofcom Board at its February 2023 meeting) whilst the two new groups, and in particular the Online Safety Group, established themselves. It was now proposed that the Content Board approve its work programme for the period 1 October 2023 to 31 March 2024, in advance of Ofcom Board approval later in July.

26. A number of points were highlighted/ discussed:

- Although OS made up only one of the six work areas in the proposed work programme, it was noted that the work areas were not of equal magnitude and the OS work area encompassed a substantial amount of work.
- The Chair noted the Content Board's role in contributing to Ofcom's work on OS.
- Meanwhile there was encouragement for the Content Board to consider issues across the board, broadcasting and online, wherever possible and the OS Group would be proposing deep dive/ discussion items going forward.

27. Members **APPROVED** the work programme set out in paper CB 18(23), the Executive taking on board the comments made.

**Item 10: Key themes and lessons from Content Board's editorial standards work – Paper CB 19(23)**

28. The Content Board reviewed the paper on key themes and lessons from the Content Board's editorial standards work, for onward transmission to the Ofcom Board. Commenting briefly, it was suggested that some additional data could be useful.

29. Members **NOTED** paper CB 19(23).

**Item 11: Information Items**

30. The Content Board **NOTED** the following information items:
- 2023 News Consumption survey report – CB 20(23)
  - Minutes of the Ofcom Board (meetings held on 19 April and 17 May 2023)
  - Minutes of the Communications Consumer Panel (meetings held on 20 April and 18 May 2023)

**Item 12: Any Other Business**

31. There was no other business.

**Item 13: Date of the Next Meeting**

32. The next scheduled Content Board meeting would be held on 3 October 2023.