

OFCOM REVIEW OF PROMINENCE RULES FOR PSBs AND LOCAL TV

RESPONSE BY SCOTTISH GOVERNMENT

- **The Scottish Government supports the UK public service broadcasting model which we believe can deliver valuable cultural and social outcomes for people in Scotland and the other nations of the British Isles. However, we believe broadcasting policy should be devolved to Scotland to ensure that proportionate decisions can be taken which recognise the requirements of viewers and listeners in Scotland.**
- **We remain committed in either case to ensuring the sustainability of the PSB system in the digital age by protecting and, where necessary, extending its discoverability and prominence on all the devices, platforms and services audiences now use.**
- **We therefore strongly support the principles underlying the approach taken by Ofcom in this consultation and call on the UK Government to focus on this pressing issue and legislate soon to give Ofcom the powers to act as necessary.**
- **We welcome these proposals however Ofcom should research viewers' opinions on the prominence of the BBC Scotland channel as it has done for other channels.**
- **The prominence of BBC Four for viewers in Scotland may be significantly affected for an extended period and we would urge that to minimise this, the BBC and other parties seek to implement the changes proposed by Ofcom as speedily as possible.**

We wish to comment further on three areas of the consultation.

1 - BBC Scottish Channel (BBC SC) and BBC Alba on EPGs for viewers in Scotland (Q8)

The new channel is essentially a development of the current BBC Two Scotland service whose main function is to deliver, in the new format, the BBC's 4th public purpose to "...serve the diverse communities of the UK nations". The budget for the Scottish opts (£12m) is being transferred to the new channel (see BBC Proposal, page 15, Box 1).

We suggest that this content should therefore retain its prominence alongside BBC Two among the top five/six slots on EPGs for viewers in Scotland. This would be comparable to the position of S4C in Wales, the criteria for which should also be applicable to the new Scottish channel that will also have "an important role facilitating national and cultural identity" (Annex 7 - A7.6).

However we accept that there are legitimate historical and other factors in play and note that Ofcom expects BBC SC to be placed at slot 116 on Sky Scotland, slot 9 on Freeview and 110 on Freesat Scotland. It may be that there is an audience expectation, however, that the new BBC channel should be located higher on the EPG.

We note that in accord with its principle to “have regard to the interests of citizens and the expectations of consumers in considering whether a particular approach to listing designated channels constituted appropriate prominence”, Ofcom researched viewers’ opinions on the discoverability of channels in 2018. It would not have been appropriate to undertake such research in relation to BBC SC before Ofcom had made a final decision on the BBC’s proposal. However it could be done now so that a more evidence-based assessment of audience needs in Scotland may be made, and we would urge Ofcom to undertake this.

We welcome Ofcom’s proposal with regard to BBC Alba on Sky Scotland which would move the channel from page 6 of the EPG to at least the bottom of page 3.

2 - BBC Four on EPGs for viewers in Scotland (Q3)

We agree that BBC Four should be guaranteed a slot within the top three pages of any EPG however we understand that this will not be effective immediately on launch of BBC SC.

Nonetheless, we would urge that to minimise disruption for viewers of BBC Four in Scotland, the BBC and other parties seek to implement the changes proposed by Ofcom as speedily as possible.

3 - Wider prominence regime (Qs 13-19)

We support Ofcom’s proposals regarding the future of the wider prominence regime, especially that it be extended to ensure that EPGs and PSB players can be easily found; and that personalisation and consumer preference should remain out of scope of prominence rules (Qs 14,15). We agree that all PSB players including the STV Player should be as discoverable as PSB channels (Q 16).

We support the suggestion that PSB prominence rules be extended to all user interfaces and online services. We suggest that Ofcom solicits proposals from the PSBs on what this should cover and how it may best be achieved (Qs18, 19).

The UK PSBs are a vital bulwark against the proliferation of misinformation across the media in recent years. Ensuring appropriate PSB prominence on all user interfaces and online services is essential and we urge the UK Government to legislate speedily to give Ofcom the powers to protect PSB prominence.

The growing distrust of media information is potentially damaging to trust in the PSBs themselves. Some sections of the audience have voiced concerns that PSBs have not always struck the right balance in some of the highly contested public debates of recent years. PSBs should take action to ensure that they retain and strengthen the trust of audiences. It is important for the future of our democracy that

the PSBs themselves re-evaluate audience expectations of impartiality, and recalibrate their editorial policies to ensure that trust in their coverage of key political and social questions is as high as possible.

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