BBC Online Material Code

Consolidated Guidance

Welsh version available

Guidance

Published 19 November 2026

Contents

Introduction 3

Overarching themes for online material 5

Section One: Protecting under-eighteens 8

Section Two: Harm and offence 12

Section Three: Crime, disorder, hatred and abuse 16

Section Four: Religion 19

Section Five: Due impartiality and due accuracy 21

Section Six: Elections and Referendums 33

Introduction

How to use the Guidance

1.1 This Guidance is provided to assist the BBC and its audiences in understanding how Ofcom will usually interpret and apply the BBC Online Material Code (the "Code").

1.2 There are six sections in the Code and each section has Guidance notes that refer to the relevant section and rules.

1.3 The Guidance is primarily focused on providing information and clarity for the BBC, as well as providing context for audiences on how the underlying standards reflected in the Code may be applied in the online environment.

1.4 The BBC is reminded of the legislative background that has informed the rules, of the principles that apply to each section, the meanings given by Ofcom and of the Guidance issued by Ofcom, all of which may be relevant in interpreting and applying the Code. No rule should be read in isolation but within the context of the whole Code and the Fairness Code including the headings, cross-references and other linking text.

1.5 Every complaint or case will be dealt with on a case-by-case basis according to their individual facts.

BBC Online Material Code Guidance and its relationship with the Broadcasting Code Guidance

1.6 As required under the updated BBC Framework Agreement (updated in 2025), the relevant standards objectives that underpin the Code are drawn from the broader set of standards objectives that are applied to the contents of programmes on television and radio services under the Broadcasting Code. In drawing up the Code, Ofcom is also required to have particular regard to the objective of setting standards that are consistent (as far as appropriate) with the equivalent standards reflected in the Broadcasting Code. As a result, the Code broadly mirrors the rules under the Broadcasting Code and there is therefore a clear read-across between the two.

1.7 For this reason, this Guidance indicates where we think it may be useful for the BBC to refer to the Guidance notes for the Broadcasting Code as background and wider context around the same standards objectives, with the proviso that the online environment is different from broadcasting and that the broadcasting rules are built around the concept of "programmes" in a linear and scheduled environment.

1.8 It is also important to note that this Code applies solely to the BBC, whereas the Broadcasting Code is designed to serve multiple licensed television and radio broadcasters of different types that are very diverse in their size, nature and audience.

Fairness and/or Privacy complaints (Sections Seven (Fairness) and Eight (Privacy) of the Broadcasting Code)

1.9 The BBC Framework Agreement provides that the BBC must observe the ''Fairness Code'', so far as it is relevant to online material. This Code is already in force through Section

Seven (Fairness) and Section Eight (Privacy) of the Broadcasting Code. Therefore, Ofcom has not included new sections in the Code relating to the "Fairness Code".

1.10 The BBC should refer to the above sections of the Broadcasting Code and the related guidance on these sections in relation to its responsibilities in these areas.

Overarching themes for online material

Online items and content presentation

2.1 The term "online item" is defined in the 'Introduction to the BBC Online Material Code' as follows:

> An **"online item"** is defined as an arrangement of online material presented to audiences as a single, identifiable item. This may include written text; still or moving images, with or without sound; sound-only online material; or any combination of these. An online item may be updated over time while remaining identifiable as the same item. An online item might include, for example, a text-based article with embedded links, images, audio or video; an individual video or audio item, including a livestreamed programme; or other standalone content.

2.2 Online material may be encountered in different forms and the way in which it appears or is presented may affect how audiences engage with it. For example, audiences may see an element or fragment of material, such as a headline, thumbnail image, caption, notification or social media post, but not necessarily engage with the complete online item.

2.3 Ofcom will consider a range of factors in assessing fragments that link to a main article. These may include the nature and significance of the information being presented, how this links to the broader content of which it forms part, the way it is presented and how this is signalled to audiences.

2.4 In applying the Code, we would expect the BBC to consider how a fragment of an online item may contribute to the risk of material becoming, for example, materially misleading, not duly accurate or impartial, or potentially unfair to individuals or organisations. This is particularly important in relation to headlines, images, notifications and social media posts where a user may not always follow a link through to understand the full context of the online item.

2.5 The way in which content is made available and presented to audiences will be a material consideration in determining how it should be assessed and whether it might be an online item in its own right.

Continued availability of online material

2.6 Although the window to complain to the BBC, and subsequently Ofcom, about specific online material is time-limited, we acknowledge that the real-world experience of content for most audiences will be shaped by the continued availability of online material.

2.7 Additional considerations may apply to BBC online material on its own services where its continued and enduring presence, and features such as search or re-promotion, can result in online items having renewed prominence. These will be relevant factors to consider in applying the Code. For example, reports on past incidents or traumatic stories may resurface and cause harm or upset.

2.8 The continued availability of online material is a key consideration throughout the Code. For example, in Section One, it is relevant to judging the appropriateness of measures when considering factors such as the nature of the content and the potential risk to under-eighteens, and the likelihood of under-eighteens accessing content and their likely age range.

2.9 The rules in Section One around the coverage of sexual and other offences in the UK involving under-eighteens place importance on the BBC not providing clues which could identify under-eighteens or pose risk to the vulnerable position of witnesses or victims before their personal details are shared online. The continued availability of this information online may materially aggravate the risk to under-eighteens, and the BBC should be mindful of this.

2.10 In Section Two, when applying generally accepted standards to online material to provide adequate protection to the public from material which may cause offence, one of the meanings of "context" is "the length of time for which the material is available". The continued availability of online material is thus a factor that would be relevant when assessing the time that has passed since the online material was first published.

2.11 These examples are of a non-exhaustive nature, and the continued availability of online material may be relevant to any rule or area of the Code.

Third-party links

2.12 We recognise that the BBC may include links to external online sites or services that are operated by third parties as part of its online material. We also acknowledge that this can be a legitimate way to provide additional information, sources and viewpoints. However, the inclusion of third-party links should be undertaken with care.

2.13 The inclusion of third-party links to external material by the BBC does not generally imply that the BBC assumes editorial responsibility for the content available on external websites or services. The BBC is not expected to have oversight of this where it does not have the relevant control.

2.14 However, the inclusion of third-party links on BBC online services is within the BBC's editorial control and as such is an editorial decision. Ofcom would expect the BBC to have regard, in such circumstances, to the nature and purpose of the link and to the type of material the audience may encounter when linking to external sites.

2.15 Our assessment would consider whether the BBC has given an appropriate level of consideration to elements such as the relative importance of a specific link, what external information is being relied on by the BBC through the link, and whether there are any foreseeable risks posed to the audience as a result of following the link to external material.

BBC content on social media platforms

2.16 The BBC is responsible for complying with the Code in relation to content on third party platforms over which it has editorial control. However, Ofcom recognises that the BBC is, in many cases, unlikely to have direct control over certain features that may determine how audiences engage with BBC online material on those platforms and what they engage with. We would not consider the BBC to be held accountable for content distribution outside of its control on third-party platforms.

2.17 Ofcom would ordinarily expect the following to be examples of such features outside of the BBC's control:

- community guidelines or terms of service;
- content moderation systems;
- recommendation and personalisation systems;
- age assurance arrangements; and/or
- onward sharing of BBC online material by users of a third-party platform.

2.18 If a platform's algorithm recommends BBC online material to users on its service, this does not mean that we think the BBC should bear responsibility for its wider dissemination across the platform. Similarly, specific design and functionality features of the platform that might impact audience experience (e.g. autoplay) would not be considered by Ofcom as an element that the BBC should be responsible for.

2.19 Therefore, we make a distinction between those elements that are within the BBC's reasonable control and those areas which are under the control of the third-party platform the BBC posts online material on.

2.20 While the BBC may not have full control over the policies, algorithms or design features of third- party platforms, we consider that the BBC does have editorial responsibility for the material that is published and is likely to have some control over how users engage with the content, for example, through moderating comments linked to BBC posts.

2.21 Ofcom would consider the following non-exhaustive list of factors to indicate a significant degree of editorial control for the BBC in relation to online social media accounts and material:

- the editorial choice to establish and operate an account;
- editorial decisions to publish posts and to repost content;
- the way in which the content is presented on social media (e.g. headline caption, choice of video/still images); and/or
- decisions over the moderation of comments in relation to a post.

2.22 It is expected that the BBC makes itself aware of the known risks posed by a particular platform on which it carries accounts and publishes its material. Where risks are reasonably foreseeable, it is expected that the BBC considers how it might best mitigate such risks when deciding to post online material on third-party platforms.

2.23 Relevant factors to consider for the BBC may include the nature of the material being posted or reposted (including its format, length or duration) and how the material is presented (e.g. clipped content).

Consistency across devices and platforms

2.24 We are aware that audiences access BBC online material on the BBC's online services via a wide range of devices, such as smart TVs, mobiles, tablets, browsers, with different users often accessing content in multiple ways within a household.

2.25 In applying the Code and delivering protections to its audiences, Ofcom would expect the BBC to ensure consistency across different devices and platforms carrying the same content.

Section One: Protecting under-eighteens

3.1 This section of the Guidance is provided to assist the BBC in interpreting and applying Section One ("Protecting under-eighteens") of the Code. Sections One and Two of the Code (and their accompanying Guidance) should be read together, as Section Two also acts to protect under-eighteens.

3.2 The relevant standards objective for this section is to ensure that people under eighteen are protected. This is reflected in two proposed overarching rules in Section One of the Code that require the BBC:

i) to protect under-eighteens from online material that might seriously impair their physical, mental or moral development; and
ii) to take all reasonable steps and appropriate measures to protect under-eighteens from unsuitable online material.

Rule 1.1 Material that might seriously impair the physical, mental, or moral development of persons under eighteen must not be included in BBC UK Public Online Material ("online material").

3.3 The BBC should note that, given the prohibitive effect of this rule, Rule 1.1 is aimed at the most egregious types of harmful material for under-eighteens (e.g. pornographic material). For other types of material that may be harmful to under-eighteens at different ages, Rule 1.2 (below) would normally apply.

Rule 1.2 In the provision of online material, the BBC must take all reasonable steps, including putting in place appropriate measures, to protect people under eighteen from material that is unsuitable for them.

3.4 This overarching rule provides protections based on the BBC taking an age-appropriate approach that protects under-eighteens.[1] This rule exists to require the BBC to use "all reasonable steps" (which includes its editorial judgment and curation) including "appropriate measures" (examples of which are set out in the Code).

3.5 Unlike in television or radio, the watershed and appropriate scheduling requirements do not apply to the online environment, which is non-linear and personalised for the audience. Therefore, the use of appropriate measures to protect under-eighteens in different age groups is the main tool available to the BBC to help ensure that material which may be unsuitable for under-eighteens is not encountered by them.

3.6 Ofcom expects the BBC to target appropriate measures proportionately across a range of different age groups to provide equivalent protection for under-eighteens online to the standards that Ofcom requires of the BBC's broadcast and on-demand services.

[1] Children are defined as under the age of fifteen in the Broadcasting Code and the 9pm TV watershed applies to protect them from unsuitable material through appropriate scheduling. However, unlike for broadcasting, there is no specific reference made to "children" in relation to the Code (see paragraph 1.40 above for reasoning for this). For online material, Ofcom instead refers to "people under eighteen" or "under-eighteens".

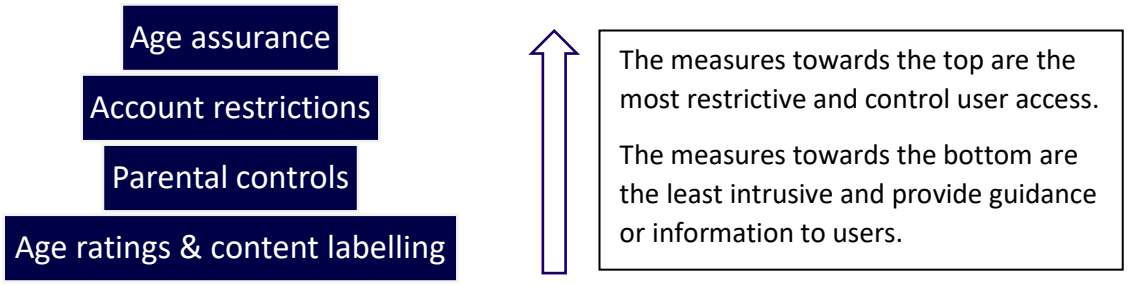
3.7 We consider the use of content labelling, warnings, guidance and ratings to be particularly important measures in the BBC online environment. There is no one-size-fits-all solution to protecting under-eighteens as they are not a homogenous group. The vulnerabilities, needs and expectations of under-eighteens at different stages of age development vary greatly and there is no single measure that can address the sensitivities of all people under-eighteen for all types of online content.

3.8 The risks to under-eighteens from potentially harmful material may be different depending on whether they are young children, adolescent or younger teenagers or older teenagers. Therefore, the BBC should be mindful that material that might be acceptable for a seventeen-year-old may require stronger measures for younger children.

3.9 The Code sets out a non-exhaustive list of factors to help the BBC judge the appropriateness of measures. In considering whether a particular measure is appropriate and can be applied proportionately to protect under eighteens, the BBC should consider the nature of the content and the risk it may pose.

3.10 To help with this, Figure 1 below illustrates a hierarchy of measures ranked in order of restrictiveness and intrusion.

Figure 1: Hierarchy of measures (non-exhaustive list)



3.11 We recognise that the appropriateness of the measures the BBC chooses to adopt, if any, will vary depending on the circumstances. Different considerations will apply depending on the nature of the content; for example, in relation to news and current affairs content which is covered below.

News and current affairs and the protection of under-eighteens

3.12 The principle that people under eighteen should be protected reflects the underlying standards objective, which applies regardless of any particular type of material. Therefore, the BBC should always have regard to the factors set out in the Code relating to the appropriateness of measures when making editorial decisions about news and current affairs. These include the nature of the material and potential risk to under-eighteens, the likely expectation of parents and carers, and the likely exposure to content in relation to the age range of likely users.

3.13 We expect the BBC to consider when and how to use labelling and/or other measures to support its online audience and to do so in an inclusive and appropriate manner, just as it does when making editorial decisions about the appropriateness of its broadcast news output across linear TV and radio schedules.

3.14 Nevertheless, Ofcom recognises that the provision of public interest news and current affairs is important to audiences of all ages. This is relevant context when considering the inclusion of distressing and challenging news content, and whether or not measures that may be appropriate in other contexts are necessary and proportionate for news and current affairs.

3.15 Whether or not a content warning to alert under-eighteens, or their parents or carers, would be appropriate in specific circumstances is therefore dependent on the relevant factors involved. Ofcom would take account of such factors when considering the nature of an individual case and its context.

Material unsuitable for under-eighteens

3.16 Different age groups across the under-eighteens have varying tolerance, attitudes and developmental needs across all the stages of age development. When considering whether material is suitable or not for under-eighteens, the BBC should adopt an approach that has regard to the age-appropriateness of material.

3.17 To help the BBC understand which types of issues in material might be considered unsuitable for under-eighteens in different age groups, below is a non-exhaustive list of examples of issue areas that might require particular safeguards:

Examples of material unsuitable for under-eighteens

- Sexual material and/or nudity
- Drugs, smoking and alcohol
- Violence, injury detail or dangerous behaviour
- Frightening or distressing material
- Offensive language
- Abusive or discriminatory language or behaviour
- Material focusing on vulnerabilities e.g. eating disorders, mental health conditions
- Any material that may be inappropriate for particular age groups, especially young children.

These examples should not be taken to imply that Ofcom considers that under-eighteens should not be able to encounter material containing these issues. In the application of Rule 1.2, Ofcom will assess whether the BBC has taken reasonable steps to consider the age-appropriateness of material based on its suitability for under-eighteens in different age groups.

Welfare, rights and dignity of under-eighteens

3.18 Rules 1.3 – 1.4 of the Code set out to safeguard the welfare and legal rights of under-eighteens in the coverage of sexual or other offences in the UK, particularly in relation to potential identification during court proceedings or pre-trial investigations.

3.19 When applying these rules, we would expect the BBC to consider the way in which online material is presented, the way in which the audience encounters that material and how these considerations may aggravate any potential risks to under-eighteens. This is particularly important in relation to information about under-eighteens that might exist across different BBC services and platforms carrying online material. Specific Guidance in this regard is set out earlier in this document under the section on Overarching themes for online material.

Rule 1.5 Due care must be taken over the welfare and the dignity of people under eighteen who take part or are otherwise involved in online material. This is irrespective of any consent given by the participant or by a parent, guardian or other person over the age of eighteen in loco parentis.

Rule 1.6 People under eighteen must not be caused unjustified distress or anxiety by their involvement in online material or by the publication of the online material.

3.20 Section One of the Broadcasting Code sets out equivalent rules (Rules 1.28 and 1.29) on the welfare and dignity of under-eighteen participants in broadcast material. Ofcom's guidance notes for the rules under Section One of the Broadcasting Code include relevant information on concepts such as 'due care' as well as practical recommendations on production processes involving under-eighteens. The BBC should refer to those guidance notes to assist it in applying these rules.

Rule 1.7 Prizes aimed at children must be appropriate to the age range of both the target audience and the participants.

3.21 When applying this rule, Ofcom would expect the BBC to be mindful of the appropriateness of prizes being offered to under-eighteens and whether the material is being encountered by under-eighteens who are signed in to platforms and services covered under the Code on age-based accounts or not.

Section Two: Harm and offence

4.1 This section of the Guidance is provided to assist the BBC in interpreting and applying Section Two ("Harm and Offence") of the Code.

Rule 2.1 Generally accepted standards must be applied to online material so as to provide adequate protection for members of the public from the inclusion of harmful and/or offensive material.

4.2 Rule 2.1 of the Code requires that generally accepted standards must be applied to online material so as to provide adequate protection to the public from harmful and/or offensive material. This is an overarching rule, and it acknowledges that the concept of generally accepted standards will change over time and depend on the context. This rule may apply to any potentially harmful and/offensive type of material, whether the type of material is referenced in a specific rule in the Code or not.

4.3 The use of measures to mitigate the risks of potentially harmful or offensive material is highly relevant in the online environment (see Section One: Protecting under-eighteens), particularly the proportionate use of content warnings or labelling to alert audiences to sensitive content.

Rule 2.2 Factual material or portrayals of factual matters must not materially mislead the audience. *(Note to Rule 2.2: News is regulated under Section Five of the Code)*

4.4 Rule 2.2 requires that factual material or portrayals of factual matters must not materially mislead the audience.

4.5 Although it is a fundamental requirement that audiences should not be misled in the portrayal of factual matters, Ofcom only regulates accuracy by itself in News content (see Section Five: Due Impartiality and Due Accuracy). Nevertheless, Ofcom is required to guard against harmful or offensive material, and it is possible that actual or potential harm and/or offence may be the result of misleading material in relation to the representation of factual issues. This rule is therefore designed to deal with content that **materially misleads the audience so as to cause harm or offence.**

4.6 Rule 2.2 is not designed to deal with issues of inaccuracy in non-news content. Complaints that relate solely to inaccuracy, rather than with harm or offence, will not be considered.

4.7 Whether a programme or item is "materially" misleading depends on a number of factors such as the context, the editorial approach taken, the nature of the misleading material and, above all, what the potential effect could be or what actual harm or offence has occurred. This rule does not apply to News, which is regulated under Section Five of the Code.

4.8 As the rule is framed around "factual material or portrayals of factual matters", this would capture an online item (e.g. a news article or a social media post), as well as broader related material or portrayal. We would likely expect the BBC to consider the way that content is encountered by the audience, as explained earlier in this document under the section on Overarching themes for online material.

4.9 Audiences who engage with BBC online material should, where appropriate, be able to benefit from appropriate information and labelling around content to understand its proper meaning and context. The measure may be particularly useful to contextualise

factual content with information that may mitigate the risk of materially misleading the audience and potentially cause harm and/or offence.

Rule 2.3 In applying generally accepted standards the BBC must ensure that material which may cause offence is justified by the context (see meaning of "context" below). Appropriate information should also be published where it would assist in avoiding or minimising offence.

4.10 Rule 2.3 sets out that in applying generally accepted standards the BBC must ensure that material which may cause offence is justified by the context. After providing examples of material which may cause offence, the Code sets out a non-exhaustive list of factors under the meaning of context.

4.11 These contextual factors will be relevant to ensuring that material which may cause offence is justified. These matters broadly cover the format, nature and type of online material. Amongst other things, this may include: journalistic articles, video clips, live blogs, notifications and alerts, headlines, podcasts, livestreams. It will also be important to consider the audience's experience of the material.

Meaning of context for generally accepted standards and offence for BBC online material

4.12 It is important that when the BBC is considering particular contextual factors its thinking is rooted in the specific nature of the online environment and the ways in which audiences engage with online material. This may be different to the ways in which audiences engage with programmes and linear schedules in the broadcasting environment.

4.13 The varied types of media that constitute online material include text, video, audio, clips, posts, live pages etc. Contextual factors should therefore include a multimodal content environment that enables a different user experience to that of traditional television or radio consumption.

4.14 Ofcom would expect the BBC to consider the nature of its online features and their impact on audiences. For example, elements such as search functions, social sharing, autoplay feeds, app interfaces, external linking, fragments such as clips, thumbnails, embedded clips, short form edits, social posts and/or platform specific adaptations may all influence the experience and the ways in which material impacts upon individual users.

4.15 In assessing compliance with this rule, Ofcom may also have regard to the fact that audience members may come across online material unexpectedly, and that online material may remain indefinitely accessible. The extent that the BBC has taken these factors into consideration when publishing the online material is likely to be particularly relevant.

4.16 Therefore, we think it will be important for the BBC to consider the full range of contextual factors that might be relevant to an analysis of harm or offence in the online environment.

4.17 In assessing the potential impact of material that is presented via the use of headlines and thumbnails, or supported with links to third-party external sites, the BBC should refer to the earlier section of this document on Overarching themes for online material for illustrative examples.

Violence, dangerous behaviour, suicide and self-harm

Rule 2.4 The BBC must not include material which, taking into account the context, condones or glamorises violent, dangerous or seriously antisocial behaviour and is likely to encourage others to copy such behaviour.

Rule 2.5 Methods of suicide and self-harm must not be included in online material except where they are editorially justified and are also justified by the context.

4.18 Rules 2.4 and 2.5 deal with violence and dangerous behaviour, and suicide and self-harm in online material, respectively.

4.19 The risk of harm in these areas to online audiences, particularly the most vulnerable users, is higher than for other areas of the Code. Therefore, the BBC should have particular regard to those aspects of the online experience which could aggravate the risk for audiences.

4.20 Rule 2.4 has a prohibitive effect, in that material that condones or glamourises violence or dangerous behaviour and carries risks of imitation must not feature in online material. This requires editorial judgment and where such material is found to exist, the BBC should act quickly to take it down.

4.21 Rule 2.5 has a similar intention. Where suicide and self-harm methods do not have contextual justification, they should not be included by the BBC in its online material. The difference with this rule is that there may be circumstances in which there is contextual justification for the inclusion of suicide and self-harm methods, e.g. a news article addressing suicide or self-harm issues. In such cases, Ofcom would expect the BBC to be very cautious with the type of language, images and sounds that are being used, avoiding the inclusion of novel or instructional information on methods that may aggravate the risk, as well as considering the use of appropriate warnings or information to alert audiences to the subject matter.

4.22 The fact that online material may be continuously available and thus re-discoverable by audiences is particularly significant in the context of suicide and self-harm content. As such, this will be an important factor for the BBC to consider in its approach to protecting audiences.

4.23 Particular care is also needed in relation to the content of third-party links, headlines, thumbnails, clipped content and social media posts. The BBC should refer to the earlier section of this document on Overarching themes for online material for specific guidance in this regard.

Other rules

Rule 2.6 The BBC must take precautions to maintain a low level of risk to viewers who have photosensitive epilepsy. Where services can demonstrate that the inclusion of flashing lights and/or patterns is editorially justified, viewers should be given adequate advance information about its inclusion.

4.24 This is a precautionary rule to help safeguard those with photosensitive epilepsy (“PSE”). Ofcom would expect that the BBC is mindful that, due to technological differences, the tests for flashing images that apply in broadcasting may not protect against PSE for those

engaging with online material across a range of different displays and viewing environments.

4.25 There are international standards around PSE specifically for online content[2] that might be helpful for the BBC to consider when seeking to apply this rule to online material.

Rule 2.7 Online competitions and voting must be conducted fairly.

Rule 2.8 The BBC must draw up rules for an online competition or vote. These rules must be clear and appropriately made known. In particular, significant conditions that may affect an audience members' decision to participate must be stated at the time an invitation to participate is offered.

4.26 These rules cover the need for online competitions and voting in BBC online material to be conducted fairly and in accordance with established rules. The BBC should ensure transparency and inclusivity in the manner that competitions and voting are operated and presented to its online audiences.

4.27 Ofcom would expect the BBC consider how any technologies or tools that allow online audiences to have interactive engagement with competitions or voting exercises support the aims of these rules.

4.28 Finally, we would expect that the BBC ensures, so far as possible, consistency in fairness and accessibility of competitions and voting across different devices and platforms.

[2] Worldwide Web Consortium (W3C) accessibility guidelines (Guideline 2.3 Seizures and Physical Reactions)

Section Three: Crime, disorder, hatred and abuse

5.1 This section of the Guidance is provided to assist the BBC in interpreting and applying Section Three ("Crime, disorder, hatred and abuse") of the Code.

5.2 This section of the Code does not prohibit particular people or organisations from being included in BBC online material just because their views or actions have the potential to cause offence. To do so would be a disproportionate restriction on the BBC's right to freedom of expression and the audience's right to receive information and ideas.

5.3 Ofcom considers that the BBC should be able to report online, particularly in its news content, on terrorist groups that pose potential threats internationally or domestically, as this is clearly in the public interest. However, it is also Ofcom's view that the BBC must always ensure that it complies with the Code by challenging and providing appropriate context in content featuring the views of any such groups.

Rule 3.1 Material likely to encourage or incite the commission of crime or to lead to disorder must not be included in online material.

5.4 The Guidance notes for Section 3 of the Broadcasting Code describe cases that engage the broadcasting equivalent to Rule 3.1 as carrying "a high risk of harm", and where a breach of the rule could lead to a statutory sanction being imposed.

5.5 The Guidance notes for Section 3 of the Broadcasting Code also explain that Rule 3.1 reflects the standards objective in statute to prohibit the broadcast of material likely to encourage or to incite the commission of crime or lead to disorder. The use of the word "likely" means that Ofcom is not required to identify any causal link between content and any specific acts of criminal behaviour or disorder.

5.6 As the same standards objective underpins Rule 3.1 of the Code, these overarching points apply equally in the context of BBC online material.

5.7 Under the meaning of "likely to encourage or to incite the commission of crime or to lead to disorder," the Code sets out a non-exhaustive list of contextual factors.

5.8 We acknowledge that concepts such as the editorial purpose, the status or position of anyone featured in material and the question of whether sufficient challenge is provided, might be contextual factors that can operate differently in practice for online material than in the broadcasting environment.

5.9 This variance may be more significant when applying Rule 3.1 to written articles, social media posts or reposts, and notifications and alerts, as audiences engage with such content in very different ways to how they engage with programmes. It is also relevant to understand the frequently updated, interconnected and personalised environment on which online material exists.

5.10 Therefore, when applying Rule 3.1, we expect the BBC to consider the ways in which online material is presented and encountered by audiences when it assesses these contextual factors. The BBC should refer to the earlier section of this document on Overarching themes for online material for specific guidance in this regard.

Rule 3.2 Material which contains hate speech must not be included in online material except where it is justified by the context.

Rule 3.3 Material which contains abusive or derogatory treatment of individuals, groups, religions or communities, must not be included in online material except where it is justified by the context. (See also Rule 4.2 in Section 4: Religion)

5.11 Rules 3.2 and 3.3 prohibit hate speech and/or abusive or derogatory treatment in BBC online material except where it is justified by the context. These rules reflect the standards objective set out in statute requiring the application of generally accepted standards to provide adequate protection for members of the public from the inclusion of offensive or harmful material.[3] The Code sets out a non-exhaustive list of key contextual factors for the BBC to consider when applying these rules.

5.12 Under "meaning of context" in relation to Rule 3.2 and Rule 3.3, the Code sets out that key contextual factors may include the genre and editorial content of the online item or items within which the material is included, or series of items taken as a whole, and the likely audience expectations. The Code makes specific reference to news and current affairs as an example of genre and editorial content where there is likely to be editorial justification for challenging or extreme views in keeping with audience expectations, provided there is sufficient context.

5.13 This recognises that the public interest and audience expectations around news and current affairs may require the inclusion of words or comments that could amount to hate speech or abusive or derogatory treatment in order to understand a story or issue. However, this does not mean that the manner in which the content appears, the degree or risk and potential harm or offence, or the way in which audiences may encounter it can be ignored. As the Code also sets out, the greater the risk for the material to cause harm or offence, the greater the need for more contextual justification.

5.14 The extent to which sufficient challenge is provided, and the nature of the status or position of anyone featured in the material, should be informed by the contextual factors described in paragraphs 5.9 and 5.10 under Rule 3.1.

5.15 These contextual factors may operate differently depending on whether they relate to written forms of online material such as articles, social media posts or reposts, and notifications and alerts, or audiovisual content that may be more programme-like in nature. We would expect the BBC to consider these elements when applying these rules.

5.16 When considering the nature of access to the content, we would expect the BBC to consider whether it is providing the full context in any online item that is being made available to the audience. For example, if the BBC is seeking to rely on contextual justification for hate speech, it would be reasonable to consider how easy or realistic it is for a user who may see apparent hate speech in a clip or push notification to access a full article or documentary for context.

5.17 The BBC offers a wide range of online services, and we would expect it to take account of likely audience expectations in relation to the material that a particular service is providing. The size and composition of the BBC's online audience for a general site or

[3] As set out in s319(2)(f) of the Communications Act 2003.

third-party account is, for example, likely to be larger than for a specialist service catering to more targeted interests or demographics.

5.18 Ofcom would expect the BBC to weigh up all of the relevant key contextual factors cited above as it exercises its editorial judgment, taking into account the circumstances of each case.

5.19 As stated under the guidance on Rule 3.1 and throughout this Guidance, the broad range of ways in which content is presented and encountered online mean that, in exercising its editorial judgment, it is important that the BBC considers not just the nature of the material itself, but also the experience of the online audience in how it encounters the material across different services, platforms and devices.

Rule 3.4 Descriptions or demonstrations of criminal techniques which contain essential details which could enable the commission of crime must not be included in online material unless editorially justified.

Rule 3.8 The BBC must use its best endeavours so as not to post material that could endanger lives or prejudice the success of attempts to deal with a hijack or kidnapping.

5.20 Rules 3.4 – 3.8 in the Code relate to portrayals of crime and criminal proceedings, and these rules mirror equivalent rules in Section Three of the Broadcasting Code.

5.21 Rule 3.4 and Rule 3.8 specifically relate to the potentially harmful effects of material leading to the commissioning of crime or the endangerment of lives.

5.22 Unlike traditional programmes, online material is universally accessible across multiple platforms and devices, thus widening its audience reach and increasing its potential for harm. Therefore, when applying these rules to online material, we expect the BBC to consider that, in cases where the continued availability of online material may be a relevant factor, this may potentially aggravate the risk of crime being commissioned or could endanger lives or prejudice the success of attempts to deal with a hijack or kidnapping. The BBC should refer to the earlier section of this document on Overarching themes for online material for specific guidance in this regard.

Rule 3.5 No payment, promise of payment, or payment in kind, may be made to convicted or confessed criminals whether directly or indirectly in connection with obtaining a contribution during the production of online material from the criminal (or any other person) relating to his/her crime/s. The only exception is where it is in the public interest.

Rule 3.6 While criminal proceedings are active, no payment or promise of payment may be made, directly or indirectly, to any witness or any person who may reasonably be expected to be called as a witness. Nor should any payment be suggested or made dependent on the outcome of the trial. Only actual expenditure or loss of earnings necessarily incurred in connection with obtaining a contribution during the production of online material may be reimbursed.

5.23 Rule 3.5 and Rule 3.6 deal with payments to convicted or confessed criminals and witnesses, respectively. As these rules for online material cover broadly similar issues relating to payments involved with the production of broadcast programmes, the BBC should refer to Ofcom's Broadcasting Code Guidance on Section Three. The Broadcasting Code Guidance notes are relevant and consistent for online material, as adapted in the Code.

Section Four: Religion

6.1 This section of the Guidance is provided to assist the BBC in interpreting and applying Section Four ("Religion") of the Code.

6.2 Rules 4.1, 4.2 and 4.3 require the BBC to exercise the proper degree of responsibility in religious material, to ensure that religious views and beliefs are not subject to abusive treatment and that the susceptibilities of audiences are not improperly exploited by such material.

6.3 As the BBC applies these rules, we underline that the Code defines that a "religious online item" is an online item which deals with matters of religion as the central subject, or as a significant part, of the item.

6.4 This means that this section of the Code does not merely apply to an online item wholly consisting of devotional material, an act of worship or prayerful reflection, but also applies to other types of material. This includes, for example, current affairs or history content where religion or belief is a significant part of the item.

6.5 These rules apply to any types of online item and cover abusive treatment and improper exploitation of audience susceptibilities.

6.6 As set out across the Guidance and in the earlier section on Overarching themes for online material, headlines and thumbnails, or other fragments of online material, may trigger offence or upset the sensibilities of a particular audience in a way that the fuller online item (e.g. article or video clip) may mitigate. Particular care should be taken with fragments of online items, as well as the accuracy and appropriateness of social media posts or reposts by the BBC that are religious online items and may have a wider reach than online material on the BBC's own sites and apps.

Rule 4.1 The BBC must exercise the proper degree of responsibility with respect to the content of online material that constitutes a religious online item.

Rule 4.2 The religious views and beliefs of those belonging to a particular religion or religious denomination must not be subject to abusive treatment.

6.7 In complying with Rule 4.2, the BBC should also be mindful of Rule 3.3 and the requirement that material which contains abusive or derogatory treatment of individuals, groups, religions or communities must not be included in online material except where it is justified by the context. Abusive treatment could include statements which revile, attack or vehemently express condemnation towards religious views and those belonging to a particular religion or religious denomination, without sufficient contextual justification.

6.8 The BBC will need to ensure that sufficient contextual justification is provided where such content is included in online material.

Rule 4.3 Religious online items must not improperly exploit any susceptibilities of the audience.

6.9 This rule addresses the improper exploitation of the susceptibilities of the audience. Ofcom's Broadcasting Code Guidance on Section Four is relevant to online material in this regard as it states that improper exploitation would, for example, include the abuse or

denigration of a person's belief in order to convince that person that they should change their beliefs and subscribe to the beliefs of the person challenging them, on the grounds that if they do not, some negative outcome might result.

6.10 Where there is a risk of the audience's susceptibilities being improperly exploited, Ofcom would expect the BBC to take particular care over the way a religious online item is presented and the ways in which the audience encounters it.

Section Five: Due impartiality and due accuracy

7.1 This section of the Guidance is provided to assist the BBC in interpreting and applying Section Five ("Due impartiality and due accuracy") of the Code.

7.2 This section of the Guidance should be read in conjunction with Section Six (Elections and Referendums) of the Code, and the accompanying Guidance to Section Six.

7.3 The Guidance notes for Section Five of the Broadcasting Code contain established explanations of key concepts relevant to Section Five of the Code. These include:

- due accuracy and due impartiality in news;
- the preservation of due impartiality;
- matters of political or industrial controversy and matters relating to current public policy;
- major matters of political or industrial controversy and major matters relating to current public policy;
- due weight and significant views; and
- personal view and authored content.

7.4 The BBC may therefore find it helpful to refer to the Guidance notes for Section Five of the Broadcasting Code when considering the application of Section Five of the Code generally. However, the application of the above concepts may differ in an online environment. The Code also introduces concepts that do not have direct equivalents in the Broadcasting Code, including "online items" and "series of editorially linked online items taken as a whole". It also adapts the meaning of due impartiality to recognise the concept of "focus", the format and type of online item and the ways in which content is presented and encountered.

7.5 Accordingly, this Guidance focuses primarily on the application of due accuracy and due impartiality principles in an online environment and, in particular, on:

- determining what constitutes an online item;
- determining what constitutes a series of editorially linked online items;
- preserving due impartiality within an online item and across a series of editorially linked online items taken as a whole;
- appropriate signalling of editorially linked online items;
- the significance of format, presentation and audience encounter; and
- other online-specific contextual factors relevant to the application of Section Five.

Meaning of due impartiality and due accuracy

"Due" is an important qualification to the concept of impartiality. Impartiality itself means not favouring one side over another. "Due" means adequate or appropriate to the subject and nature of the specific online material (see definition of "online item"). So "due impartiality" does not mean an equal division of time or focus has to be given to every view, or that every argument and every facet of every argument has to be represented. The approach to due impartiality may vary according to:

- the nature of the subject;
- the format and type of online item;
- the way in which the content is presented and encountered;
- the likely expectation of the audience as to the content; and
- the extent to which the content and approach is signalled to users.

7.6 The definition of due impartiality in the Code reflects the definition in the Broadcasting Code but includes limited adaptations to ensure it operates effectively in an online environment. As with broadcasting, it remains an editorial matter for the BBC how due impartiality is preserved, provided the requirements of the Code are complied with.

7.7 The inclusion of a reference to "focus", in addition to time, reflects the fact that editorial emphasis in online material may be conveyed in different ways from broadcasting. Online material may place emphasis on particular viewpoints or information through the structure, layout, prominence, format or presentation of the item. However, as with time in broadcasting, due impartiality does not require equal word count, screen space, duration or prominence to be afforded to every viewpoint. It remains that impartiality be adequate or appropriate to the subject and nature of the online material.

7.8 In assessing whether due impartiality has been preserved, Ofcom may also take into account the format of the online material, how it is presented and how audiences are likely to encounter it. These considerations reflect the range of online formats, services and platforms through which BBC online material is accessed. As a result, the prominence and presentation of viewpoints, and the context available to audiences, may be relevant to Ofcom's assessment of whether due impartiality has been preserved in a particular item or across a series of editorially linked items taken as a whole.

Rules relating to due impartiality and due accuracy in news

Rule 5.1 News, in whatever form, must be reported with due accuracy and presented with due impartiality.

7.9 The Guidance notes to Section Five of the Broadcasting Code may assist the BBC in understanding the established principles relating to due accuracy and due impartiality in news.

7.10 News has a special status and is afforded additional protections under the Code because of the vital role it plays in democratic society. The importance of due accuracy and due impartiality in news to the BBC's mission and public purposes was a significant driver behind extending Ofcom's regulatory responsibilities to BBC online material.[4] This was particularly so in light of the increasing convergence between the BBC's online and broadcast news services, as audiences increasingly access BBC News online. Particular

[4] See BBC Mid-Term Review 2024:

care should therefore be taken to preserve the due accuracy and due impartiality of news in whatever form it appears within BBC online material.

7.11 Given the fundamental importance of maintaining audience trust in news, and that genres and editorial techniques can change significantly over time, no definition of "news" is included in the Code. Parliament did not define "news" in the Communications Act 2003, and it was clear that it was intended to be wide ranging and to apply to "news in whatever form" (section 319(8)).

7.12 In considering whether news in whatever form is duly accurate we will take account of the fact that online news material may remain accessible after events have developed. This means that the age, persistence and the ability to update content, as well as the date on which it was first posted, may form part of the contextual assessment of due accuracy and due impartiality.

7.13 Considering whether news in whatever form is presented with due impartiality requires a full contextual assessment of the online item taking account of all relevant factors. As explained under Rule 5.5, an online item may comprise multiple constituent elements, including text, images, audio, video and embedded links. Such elements may be relevant contextual factors in Ofcom's assessment, particularly where they influence audience understanding of the material. However, they will generally be considered in the context of the online item to which they relate, rather than in isolation.

7.14 Due impartiality in news may, depending on the circumstances, be achieved either within an online item itself or across a series of editorially linked online items taken as a whole, as explained in the Guidance to Rule 5.5. Where the BBC relies on a series of editorially linked online items for this purpose, compliance with the signalling requirements in Rule 5.6 will also be relevant.

7.15 As with broadcasting, it remains an editorial matter for the BBC how due impartiality is preserved, provided the Code is complied with. Where appropriate, editorial techniques capable of assisting in the preservation of due impartiality in news may include:

- seeking alternative viewpoints from a range of sources;
- reflecting alternative viewpoints with due objectivity and in context within an online item or, where appropriate, across a series of editorially linked online items;
- making clear, with appropriate prominence, that the BBC has sought views from particular individuals, organisations or other relevant parties;
- appropriately reflecting refusals to comment;
- ensuring that viewpoints expressed within online material are appropriately challenged, tested or scrutinised where necessary; and/or
- providing users with relevant context, including through links to related content, where appropriate.

7.16 The BBC should not assume prior knowledge on the part of audiences of particular alternative views, viewpoints or relevant context.

Rule 5.2 Significant mistakes in news should normally be acknowledged and corrected quickly. Corrections should be appropriately signalled to users.

7.17 The purpose of Rule 5.2 is not only to ensure that significant mistakes are corrected, but also to promote transparency and accountability where such mistakes have occurred. In an online environment, where content may remain available to audiences for extended

periods, appropriate signalling may also assist users in understanding that an earlier version of the material contained a significant error. Routine updates and amendments made as a story develops should be distinguished from corrections made to address significant mistakes.

7.18 Relevant considerations relating to the continued availability of online material are discussed further in the earlier section on Overarching Themes for online material.

7.19 In considering compliance with Rule 5.2, Ofcom is likely to take account of factors including:

- the date on which the material was first posted;
- the extent to which the material remains available to audiences; and/or
- the timing of any acknowledgement or correction to the material.

7.20 It remains an editorial matter for the BBC to decide how corrections are signalled. However, in considering whether signalling is appropriate, Ofcom is likely to take account of a range of contextual factors including:

- the nature and significance of the mistake;
- the visibility and prominence of the correction; and/or
- the format and type of online item that included the mistake.

7.21 In an online environment, different forms of material may require different approaches to signalling. For example, what is appropriate for a news article, live page, social media post or short-form video may differ depending on how audiences are likely to have encountered the original material.

7.22 BBC news content may be distributed across a range of BBC services and third-party platforms. Where content has been distributed across multiple services or platforms, Ofcom may take account of the extent to which the BBC has taken appropriate steps to address a significant mistake in the various forms in which that material was made available. In considering such matters, the BBC may also find it helpful to refer to the Overarching themes in online material guidance.

Rule 5.3 No politician may be used as a newsreader, interviewer, reporter or author in any online item that constitutes news, unless, exceptionally, this is editorially justified. Where such use is justified, the individual's political allegiance must be made clear to the audience.

7.23 The Guidance notes to Section Five of the Broadcasting Code may assist the BBC in understanding the established principles that underpin Rule 5.3, including the rationale for restricting the use of politicians in the presentation of news.

7.24 Rule 5.3 has been adapted for the online environment by extending the restriction to authors of online material. This reflects the importance of text-based content within BBC online material and makes clear that politicians should not write news content for inclusion in BBC online material, unless the requirements of the rule are satisfied.

7.25 In considering whether an individual is acting as an author for the purposes of Rule 5.3, Ofcom is likely to have regard to the role performed by that individual in the creation and presentation of the relevant online item. This is likely to include, but is not necessarily limited to, individuals identified to audiences as the author of an online item, such as through a byline accompanying an article.

7.26 Whether an item of BBC online material constitutes news for the purposes of Rule 5.3 will depend on the particular circumstances of the case. The Guidance does not seek to provide factors equivalent to those used in broadcasting to suggest distinctions between news programmes and current affairs programmes, recognising that BBC online material is not generally structured around comparable categories.

7.27 The fact that material appears on a BBC News-branded service is likely to be a relevant consideration when assessing whether an item constitutes news for the purposes of Rule 5.3, as it indicates that the BBC has chosen to present the material within a news environment. However, that consideration will not necessarily be determinative. As recognised in the guidance to Rule 5.1, BBC News-branded services may include content that does not itself constitute news.

7.28 Where material is also made available as broadcast content, such as livestreamed news or current affairs output, the BBC may find it helpful to have regard to the Guidance Notes to Section Five of the Broadcasting Code concerning news and current affairs when considering whether an item of BBC online material constitutes news for the purposes of Rule 5.3.

7.29 The relevant Broadcasting Code guidance notes may also assist the BBC in understanding the application of the exception in Rule 5.3 and the circumstances in which the use of a politician may be editorially justified. As explained in that guidance, Ofcom would expect such circumstances to be rare and to be considered in light of the particular facts of the case.

Rules relating to special impartiality requirements: news and other content

Matters of political or industrial controversy and matters relating to current public policy

Meaning of "matters of political or industrial controversy and matters relating current public policy"

Matters of political or industrial controversy are political or industrial issues on which politicians, industry and/or the media are in debate. Matters relating to current public policy need not be the subject of debate but relate to a policy under discussion or already decided by a local, regional or national government or by bodies mandated by those public bodies to make policy on their behalf, for example non-governmental organisations, relevant international institutions, etc.

7.30 The Guidance notes for Section Five of the Broadcasting Code contain established explanations of the concepts of matters of political or industrial controversy and matters relating to current public policy. The BBC may find it helpful to refer to that guidance when considering the application of Rules 5.4 to 5.10 of the Code.

7.31 Whether an online item is dealing with a matter of political or industrial controversy or a matter relating to current public policy will depend on all the relevant circumstances. As with broadcasting, not every reference to a political issue, public policy matter or contentious subject will necessarily engage the special impartiality requirements in Section Five.

Rule 5.4 The BBC's online material must exclude all expressions of the views and opinions of the BBC on matters of political or industrial controversy and matters relating to current public policy (unless that person is speaking in a legislative forum or in a court of law). Views and opinions relating to the provision of the UK Public Services are excluded from this requirement.

7.32 Rule 5.4 requires the exclusion of expressions of the views and opinions of the BBC on matters of political or industrial controversy and matters relating to current public policy, subject to the exclusions set out in the rule. The rule is not directed at the expression of personal views by BBC contributors where those views are not attributable to the BBC itself. Rather, it is concerned with the expression of the views and opinions of the BBC as an organisation on matters of political or industrial controversy and matters relating to current public policy.

7.33 In applying Rule 5.4, Ofcom will consider the available evidence and all relevant circumstances when assessing whether a view or opinion is properly attributable to the BBC. Relevant considerations may include the role and responsibilities of the individual concerned, the nature of the material, and the extent to which the view or opinion may reasonably be regarded as representing the BBC's position rather than that of an individual contributor.

7.34 The exclusion relating to views and opinions concerning the provision of the UK Public Services applies across the BBC's broadcast and online UK Public Services. This ensures that the BBC is not prevented from reporting on, commenting upon or explaining matters relating to the BBC and the provision of its UK Public Services. Such material may include corporate statements, explanations of decisions relating to BBC services, and coverage where the BBC itself is the subject of reporting.

7.35 Where such material constitutes news, it remains subject to the due accuracy and due impartiality requirements set out elsewhere in Section Five. Similarly, where material deals with a matter of political or industrial controversy, or a matter relating to current public policy, the relevant requirements relating to due impartiality continue to apply.

Rule 5.5. Due impartiality on matters of political or industrial controversy and matters relating to current public policy must be preserved by the BBC in its online material. This may be achieved within an online item or over a series of editorially linked online items taken as a whole.

7.36 The Guidance Notes to Section Five of Broadcasting Code contain established explanations of the principles that underpin the preservation of due impartiality and may assist the BBC in understanding how Ofcom approaches these requirements generally. This Guidance focuses on the application of those principles in an online environment and, in particular, the concepts of an **online item** and a **series of editorially linked online items taken as a whole**, through which due impartiality may be preserved under Rule 5.5.

Meaning of "online item"

An "online item" is an arrangement of online material presented to audiences as a single, identifiable item. This may include written text; still or moving images, with or without sound; sound-only online material; or any combination of these. An online item may be updated over time while remaining identifiable as the same item. An online item might include, for example, a text-based article with embedded links, images, audio or video; an

individual video or audio item, including a livestreamed programme; or other standalone content.

7.37 In considering whether material constitutes a single online item, Ofcom is likely to have regard to the relationship between constituent elements of the item, the manner in which content is organised and presented, and the ways in which audiences are likely to encounter it.

7.38 The fact that an item contains multiple elements does not, of itself, mean that it constitutes a series of editorially linked online items. For example, a continuously updated live page would ordinarily be regarded as a single online item, notwithstanding that it may contain multiple updates, embedded material, or different formats of content.

7.39 The general principles applicable to fragments of online material are discussed in the earlier section on Overarching Themes for online material guidance under "Online items and content presentation". Where content constitutes a fragment, excerpt or adaptation of a wider online item, Ofcom is likely to consider the relationship between the fragment and the underlying online item when determining the appropriate online item for the purposes of its assessment. A clear link or other form of signposting to a wider identifiable online item will generally be a strong indicator that the relevant online item is the wider online item from which the fragment is derived. However, Ofcom will have regard to all the relevant circumstances, including the way in which the content is presented and the ways in which audiences are likely to encounter it. By contrast, where content is presented as a standalone piece of material without an identifiable connection to a wider item, Ofcom is more likely to regard that material as a separate online item in its own right.

7.40 Considering whether due impartiality has been preserved within an online item requires a full contextual assessment of the online item, taking account of all relevant factors. As noted above, an online item may comprise multiple constituent elements, including text, images, audio, video, and links. Such elements may be relevant contextual factors in Ofcom's assessment. However, they will ordinarily be considered in the context of the online item to which they relate, and the overall impression created by that item.

7.41 The manner in which due impartiality is achieved may differ according to the format and nature of the online item. For example, the approach taken in a text-based article, live page, video report, podcast, short-form video or social media post may differ, provided the requirements of the Code are met. Depending on the circumstances, due impartiality may be preserved within a single online item:

- by reflecting relevant viewpoints within the item itself;
- by summarising alternative viewpoints with due objectivity and in context;
- by appropriately reflecting responses from individuals, organisations or other parties that are criticised or are the subject of controversy;
- by making clear where relevant parties have declined to comment; and
- by appropriately scrutinising, testing or challenging viewpoints where necessary.

7.42 In an online environment, links and other forms of signposting may also form part of the wider editorial context available to audiences. Depending on the circumstances, links may provide access to additional information, source material, background context or alternative viewpoints. Where relevant, Ofcom may take account of such material when considering the context in which an online item is presented and encountered. However,

the existence of a link, embedded content or related material will not, of itself, determine whether due impartiality has been preserved within an online item. The general principles applicable to third-party links are discussed in the Overarching Themes guidance.

Meaning of "series of editorially linked online items taken as a whole"

"A series of editorially linked online items taken as a whole" refers to more than one editorially linked online items, dealing with the same or related issues within an appropriate period. A series can include, for example: a series of explicitly linked 'special' news articles which each separately focus on one particular viewpoint on a particular subject; a cluster of closely related articles on the same story published within a short period; or a package of news, analysis and explainer content dealing with the same story or development and presented as connected coverage.

These examples are illustrative and non-exhaustive.

7.43 A series of editorially linked online items should be distinguished from a single online item containing multiple constituent elements or updates. Whether online items properly form part of the same series will depend on all the relevant circumstances. The existence of a shared subject matter alone is unlikely to be sufficient. Equally, the fact that content appears on the same BBC social media account, platform, feed or topic page will not, by itself, be sufficient to establish a series of editorially linked online items.

7.44 In considering whether there is sufficient **editorial linkage** between online items, Ofcom is likely to consider whether there is a sufficient editorial relationship between them such that they can properly be treated together as part of the same series. Relevant factors are likely to include:

- whether the items relate to the same story or development rather than a broad topic area;
- whether there is a clear editorial relationship between them, for example through cross-referencing, consistent framing, or one item building on, updating or responding to another;
- whether the items are presented in a way that reflects a deliberate editorial connection rather than an incidental or thematic overlap; and
- whether the relationship between the items would be apparent from the way in which they are presented.

7.45 Links, cross-references and other navigational tools may assist audiences in identifying related material and accessing additional viewpoints or context and may be relevant to Ofcom's assessment. However, their presence or absence will not, of itself, determine whether a series exists or whether due impartiality has been preserved.

7.46 Whether items are published within an **appropriate period** will depend on the nature of the issue and the development of the coverage. Relevant factors are likely to include:

- whether the items relate to the same phase or development of a story;
- whether they are published within a timeframe in which the connection between them remains direct and apparent; and
- whether the passage of time would affect how audiences are likely to understand the relationship between the items.

7.47 Where items are separated by longer periods such that the connection becomes weaker or reflects distinct developments, they are less likely to be regarded as forming part of the same series.

7.48 A series may include but is not limited to pre-planned, branded or formally designated editorial projects. Examples of series may include:

- a clearly signposted editorial strand or special report comprising a number of related standalone articles;
- a cluster of closely related articles on the same story published within a short period;
- a package of news, analysis and explainer content dealing with the same story or development and presented as connected coverage;
- a sequence of videos published on a BBC social media account examining different aspects of the same story, issue or development over a short period; and
- a series of items examining different viewpoints, aspects or consequences of the same issue, where the items build upon one another as the coverage develops.

7.49 These examples are illustrative only. Whether online items may properly be treated as a series of editorially linked online items will depend on the overall editorial relationship between them, having regard to the factors discussed above.

Rule 5.6 Where the BBC intends to achieve due impartiality across a series of editorially linked online items taken as whole, this should normally be made clear to the audience by appropriate signalling.

7.50 Where the BBC relies on a series of editorially linked online items to preserve due impartiality, audiences should normally be given a sufficient indication that the relevant items are connected and intended to be considered together.

7.51 It remains an editorial matter for the BBC to decide how such signalling is achieved. In considering whether signalling is appropriate, Ofcom is likely to take account of: the type and format of the online items; the ways in which audiences are likely to encounter the material, and the extent to which audiences are likely to understand that the items are intended to be considered together. Examples may include:

- direct links between related online items;
- editorial strands or special reports;
- content collections or curated packages;
- common branding or labelling;
- references within the content itself; or
- other editorial techniques that make the relationship between related online items apparent to audiences.

7.52 Where content is published on social media or third-party platforms, signalling may be particularly important because audiences may encounter individual items separately and out of sequence. The fact that content appears on the same social media account, platform or feed will not, by itself, normally constitute appropriate signalling.

Rule 5.7 Views and facts must not be misrepresented in online material in a manner which would call into question the preservation of due impartiality. Views must also be presented with due weight over appropriate timeframes.

7.53 Rule 5.7 prohibits misrepresentation of facts or views as would undermine the preservation of due impartiality in relation to the matters dealt with in the online

material. Due accuracy is not a statutory requirement outside news. Rule 5.7 should therefore be distinguished from Rule 5.1, which applies to news, and Rule 2.2, which concerns factual material or portrayals of factual matters that materially mislead the audience.

7.54 The requirement to present views with due weight over appropriate timeframes forms an important part of the assessment under Rule 5.7 and may be relevant in determining whether, where there may have been misrepresentation, due impartiality has nevertheless been preserved. In understanding what is meant by "due weight", it may be helpful to refer to the earlier part of this section that covers the meaning of "due" in the context of due impartiality.

7.55 Where due weight is being considered across a series of editorially linked online items, the considerations relevant to "appropriate period" discussed in the Guidance to Rule 5.5 may also assist in understanding what may constitute appropriate timeframes for the purposes of Rule 5.7.

7.56 The BBC should take care to ensure that viewpoints are represented with due objectivity and in context. Online material should not present or portray views and facts in a manner that materially skews their meaning or significance so as to undermine the preservation of due impartiality.

Rule 5.8 Any personal interest of a reporter, presenter or author which would call into question the due impartiality of the online material must be made clear to the audience.

7.57 Ofcom would expect that, when dealing with matters covered by the special impartiality requirements, the BBC has put in place procedures so that reporters, authors and presenters are at least aware of this rule and have an opportunity to make a declaration to the broadcaster. If the BBC could not reasonably have known of such an interest, then Ofcom would take that into account in the event of a case or complaint. It is not expected that presenters, authors or reporters should make known personal and private medical matters to the public.

7.58 For the purposes of Rule 5.8, Ofcom will apply the approach set out in the guidance to Rule 5.3 concerning the meaning of "author".

Rule 5.9 Presenters and reporters (with the exception of news presenters and reporters in online material that constitutes news), presenters of "personal view" or "authored" online items and chairs of online items that are a discussion programme or livestream may express their own views on matters of political or industrial controversy or matters relating to current public policy. However, alternative viewpoints must be adequately represented either within the online item itself or in a series of editorially linked online items taken as a whole.

Additionally, presenters and reporters must not use the advantage of featuring regularly within BBC online material to promote their views in a way that compromises the requirement for due impartiality.

Meaning of "personal view" and "authored"

"Personal view" in relation to online items refers to an online item presenting a particular view or perspective.

Personal view online items can range from the outright expression of highly partial views, for example by a person who is a member of a lobby group and is campaigning on the subject, to "authored" opinions of a journalist, commentator or academic, with professional expertise or specialism in an area which enables them to express opinions which are not necessarily mainstream.

7.59 The Broadcasting Code Guidance may assist the BBC in understanding the established principles relating to personal view and authored content.

7.60 Rule 5.9 may apply across a range of BBC online material in which presenters, reporters or authors express their own views. The inclusion of analysis, interpretation or professional journalistic judgement will not, of itself, mean that an item constitutes personal view or authored content for the purposes of the Rule. Material is more likely to constitute personal view or authored content where its purpose is to present or advocate for or against a particular perspective, opinion or viewpoint.

7.61 In considering whether due impartiality has been preserved, Ofcom may assess the representation of alternative viewpoints within an individual online item or, where appropriate, across a series of editorially linked online items taken as a whole (see Rule 5.5).

7.62 Unlike the corresponding rule in the Broadcasting Code, Rule 5.9 does not contain a specific reference to presenter phone-ins. Ofcom understands that this format is not typically included by the BBC in its online material. However, should any such content be featured in BBC online material, due impartiality would still need to be preserved within it in accordance with Rule 5.5.

Rule 5.10 Any personal view or "authored" online item must be clearly signalled to the audience at the outset. This is a minimum requirement and may not be sufficient in all circumstances.

7.63 The signalling of online items as personal view and authored online items is an editorial matter for the BBC. However, the approach adopted should be sufficient to make the nature of the content clear to audiences, taking account of the format of the online item and the ways in which audiences are likely to encounter it.

7.64 Clear signalling of personal view or authored content does not, of itself, ensure compliance with the wider due impartiality requirements in Section Five. The relevant requirements relating to due impartiality continue to apply.

Matters of major political and industrial controversy and major matters relating to current public policy

Meaning of "major matters of political or industrial controversy and matters relating current public policy"

These will vary according to events but are generally matters of political or industrial controversy or matters of current public policy which are of national, and often international, importance, or are of similar significance within a smaller geographical area.

Rule 5.11 In addition to the rules above, due impartiality must be preserved on matters of major political or industrial controversy and major matters relating to current public policy

by the BBC in each online item or in a series of editorially linked online items taken as a whole.

Rule 5.12 In dealing with matters of major political or industrial controversy and major matters relating to current public policy an appropriately wide range of significant views must be included and given due weight in each online item or in a series of editorially linked online items taken as a whole. Views and facts must not be misrepresented.

7.65 The Guidance notes for Section Five of the Broadcasting Code contain established explanations of the concepts of major matters of political or industrial controversy and matters relating to current public policy, as well as related concepts such as significant views and due weight. The BBC may find it helpful to refer to that guidance when considering Rules 5.11 to 5.12 of the Code.

7.66 These additional rules are necessary because of the nature of the subject matter concerned: a matter of major political or industrial controversy or major matter relating to current public policy is of a significant level of importance and is likely to be of the moment. As in broadcasting, Ofcom will keep a high threshold for those heightened requirements.

Section Six: Elections and Referendums

8.1 This section of the Guidance is provided to assist the BBC in interpreting and applying Section Six of the Code.

8.2 The rules in Section Six substantially mirror the equivalent rules in the Broadcasting Code. Accordingly, this Guidance focuses on those areas where additional explanation is required in an online context. In particular, it addresses:

- the treatment of archive online material during election and referendum periods; and
- the concept of an author in relation to online material.

8.3 Where concepts and principles are materially unchanged, the BBC may find the Guidance notes to Section Six of the Broadcasting Code useful background context. These include established explanations of:

- due impartiality during election and referendum campaigns;
- due weight in election and referendum coverage;
- the treatment of parties, candidates and independent candidates during election periods; and
- designated organisations and permitted participants in referendums.

8.4 The Guidance to Section Five of this Code may also be relevant where election or referendum coverage engages the due impartiality requirements discussed in that Section.

Rule 6.1 The rules in Section Five, in particular the rules relating to matters of major political or industrial controversy and major matters relating to current public policy, apply to the coverage of elections and referendums.

8.5 Rule 6.1 makes clear that the rules in Section Five, and in particular Rules 5.11 and 5.12, apply to the coverage of elections and referendums. Rule 6.1 applies to the coverage of elections or referendums both inside and outside the UK.

8.6 Rules 6.2 to 6.7 of Section Six do not apply to Parish Council Elections in England and Community Council Elections in Scotland and Wales. However, the Rules in Section Five, and in particular Rules 5.11 and 5.12, apply to the coverage of these elections.

8.7 As with broadcasting, due impartiality can be achieved over a period, for example over the course of an election or referendum campaign. In an online environment, this may include due impartiality being preserved across a series of editorially linked online items taken as a whole, in accordance with Rules 5.5 and 5.6.

8.8 Due impartiality during election and referendum periods does not mean that balance is always required in a simple mathematical sense. In fulfilling its obligations to preserve due impartiality, the BBC should take a consistent approach to assessing the level of coverage afforded to parties, candidates and other participants. In doing so, the BBC may have regard to measurable and objective evidence of electoral support, together with the relevant political and electoral context, when determining the relative level of coverage given to different participants in the same election or referendum.

Rule 6.2 Due weight must be given to the coverage of parties and independent candidates during the election period. In determining the appropriate level of coverage to be given to parties and independent candidates the BBC must take into account evidence of past electoral support and/or current support. The BBC must also consider giving appropriate coverage to parties and independent candidates with significant views and perspectives.

Meaning of "election"

For the purpose of this section elections include a parliamentary general election, parliamentary by-election, local government election, mayoral election, Police and Crime Commissioner election, Scottish and Welsh Parliament elections and Northern Ireland and London Assembly elections.

Meaning of "election period"

For a parliamentary general election, this period begins with the dissolution of Parliament. For a parliamentary by-election, this period begins with the issuing of a writ or on such earlier date as is notified in the London Gazette. For the Scottish Parliament elections and Welsh Parliament elections, the period begins with the dissolution of the Scottish Parliament or the Welsh Parliament as appropriate or, in the case of a by-election, with the date of the occurrence of a vacancy. For the Northern Ireland Assembly, the London Assembly and for local government elections it is the last date for publication of notices of the election. In all cases the period ends with the close of the poll.

Meaning of "Candidate"

Candidate has the meaning given to it in section 93 of the Representation of the People Act 1983 (as amended) and means a candidate standing nominated at the election or included in a list of candidates submitted in connection with it.

8.9 The Guidance notes to Section Six of the Broadcasting Code may assist the BBC in understanding the established concept of due weight and its application during election periods.

8.10 It is an editorial matter for the BBC what constitutes appropriate coverage for the purposes of Rule 6.2. As with broadcasting, the concept of due weight is flexible, and its application will depend on the electoral context.

8.11 In applying Rule 6.2, the BBC must take account of evidence of past electoral support and/or current support, as required by the rule. The BBC must also consider giving appropriate coverage to parties and independent candidates with significant views and perspectives

Rule 6.3 Due weight must be given to designated organisations in coverage during the referendum period. The BBC must also consider giving appropriate coverage to other permitted participants with significant views and perspectives.

Meaning of "referendum"

For the purpose of this section a referendum is a statutory referendum (to which the Political Parties, Elections and Referendums Act 2000 ("PPERA") applies or to which section 127 of PPERA is applied) which includes a UK-wide, national or regional referendum held under the provisions of an Act of the UK Parliament or the Scottish Parliament, but does not extend to a local referendum.

Meaning of "designated organisation" and "permitted participants"

Designated organisations and permitted participants are those that are designated by the Electoral Commission.

Meaning of "referendum period"

For referendums different periods may apply. A referendum held under the Northern Ireland Act 1998 (as amended) begins when the draft of an Order is laid before Parliament for approval by each House. In the case of a referendum held under other Acts, the time at which a referendum period commences is given in the individual Acts. In the case of an Order before Parliament, the time will be given in that Order. In all cases the period ends with the close of the poll.

8.12 The Guidance notes to Section Six of the Broadcasting Code may assist the BBC in understanding the established concept of due weight and its application during referendum periods. As with broadcasting, due weight does not always require equal or mathematically equivalent levels of coverage and should be assessed in the context of the referendum concerned.

Rule 6.4 Discussion and analysis of election and referendum issues must finish when the poll opens. (This refers to the opening of actual polling stations. This rule does not apply to any poll conducted entirely by post.) The BBC is not required to remove archive online material for the period when the polls are open.

8.13 The purpose of Rule 6.4 is to ensure that coverage of elections and referendums in BBC online material does not directly affect voters' decisions whilst polls are open.

8.14 Unlike broadcasting, online material may remain available to audiences after publication. Rule 6.4 therefore recognises the continued nature of online content and does not require the BBC to remove archive online material while polls are open. However, the continued availability of archive material should be distinguished from the publication of new discussion or analysis during the polling period.

Rule 6.5 The BBC may not publish the results of any opinion poll on polling day itself until the election or referendum poll closes.

8.15 As with Rule 6.4, Rule 6.5 is intended to help ensure that coverage does not influence voters' decisions whilst polls are open. It also reflects the statutory prohibition on publishing polling data during this period, as set out in section 66A of the Representation of the People Act 1983.

Rule 6.6 Candidates in UK elections and representatives of permitted participants in UK referendums must not be used as news presenters, interviewers, presenters or authors in any type of online material during the election period. Previously published archive online material need not be removed for the election or referendum period.

8.16 Rule 6.6 is concerned not just with preventing electoral issues from being presented in a partial manner. The rule is intended to help secure the integrity of the democratic process, and public trust in that integrity, by preventing any unfair electoral advantage being afforded to a particular candidate or representative through their use as a presenter, interviewer, reporter or author during an election or referendum period.

8.17 The inclusion of "author" reflects the importance of text-based content within BBC online material. As with presenters, interviewers and reporters, authorship may give candidates and representatives a platform and visibility that is not available to other participants in the election or referendum.

8.18 The BBC may find it helpful to refer to the Guidance to Rule 5.3 in relation to the application of the term "author" in an online context.

8.19 Rule 6.6 also reflects the continued nature of online material. The rule does not require the BBC to remove archive online material published before the election or referendum period merely because an individual featured in the roles specified in the rule subsequently becomes a candidate or representative during that period.

Rule 6.7 Appearances or contributions by candidates (in UK elections) or representatives (of permitted participants in UK referendums) in non-political online material planned or scheduled before the election or referendum period may continue, but no new appearances or contributions should be arranged or published during the period. Previously published archive online material need not be removed for the election or referendum period.

8.20 Rule 6.7 recognises that online material may be commissioned, created, planned or published well in advance of its eventual publication. The rule is intended to permit the continuation of appearances or contributions by individuals who subsequently become candidates or representatives, where those appearances or contributions formed part of non-political online material that was planned or scheduled before the commencement of the election or referendum period.

8.21 Examples of non-political online material that may have been planned or scheduled before the election or referendum period might include educational, cultural, entertainment, lifestyle, arts, history, science or consumer-focused content, as well as other online items whose publication formed part of an established editorial plan prior to the commencement of the relevant election or referendum period. These examples are illustrative only.

8.22 As with Rule 6.6, Rule 6.7 reflects the continued nature of online material. Previously published archive online material need not be removed during the election or referendum period.