

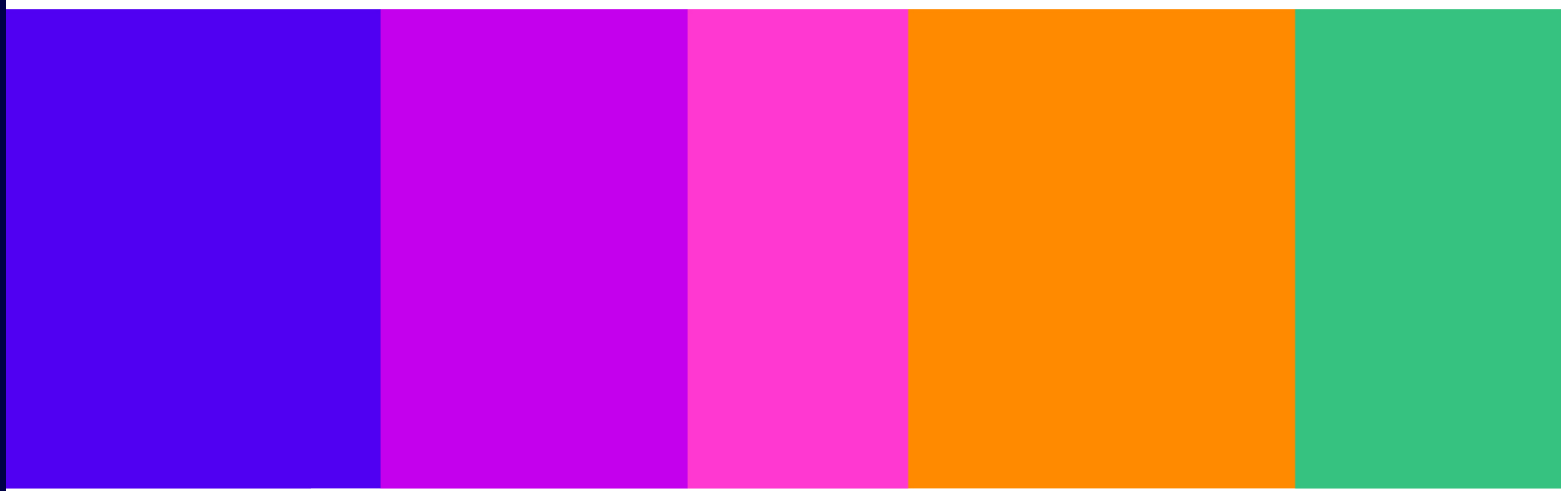
Consultation: Statement of Programme Policy and Statement of Media Content Policy guidance

Implementing the Media Act

Consultation

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1. Overview

- 1.1 The public service broadcasters ('PSBs') hold a unique place in UK society. Their role includes providing a wide range of informative and entertaining programmes that reflect the diversity of the nations and regions of the UK and are freely available to all.
- 1.2 The regulatory framework underpinning public service broadcasting for the past two decades is set out in the [Communications Act 2003](#) ('the Act'). Although that approach, which focussed on live TV channels, has served audiences well for a generation, it risks falling out of step with UK viewers who increasingly expect greater control as to how they access news, information, and entertainment than a scheduled broadcast television service is able to offer alone.
- 1.3 The [Media Act 2024](#) ('the Media Act') has amended this framework, updating the public service remit and requirements on PSBs. The Media Act gives the PSBs more flexibility and freedom in the services they can use to meet their obligations in a way which serves audience interests, including for the first time on-demand and other online services. To ensure continued transparency and accountability, the changes introduced by the Media Act require PSBs to identify the contribution each service they plan to use will make to meeting their obligations.
- 1.4 One of the effects of these changes has been to broaden the role played by the Statements of Programme Policy ('SoPPs') through which the Channel 3 licensees, Channel 4 Television Corporation ('C4C') and Channel 5 (collectively the 'licensed PSBs') each set out how they intend to fulfil their regulatory obligations. In particular, SoPPs will now play a key part in the process introduced by the Media Act to allow PSBs to make their content available, prominent, and easily accessible on a range of connected TV platforms.¹
- 1.5 These changes require us to update our guidance to licensed PSBs about the range of information they provide in their SoPPs. In this consultation, we set out details of how we propose to do so.
- 1.6 The remainder of this consultation document is structured as follows:
 - a) Section 2 provides background and sets out how the Media Act has changed the remit and requirements on PSBs;
 - b) Section 3 explains how we have approached our draft guidance and the rationale for our proposals;
 - c) Annex 1 sets out our relevant legal duties;
 - d) Annex 2 includes our assessment of the impact of our proposals; and
 - e) Annexes 3-5 provide details on how to respond to this consultation.
- 1.7 The draft guidance is available [here](#).
- 1.8 We invite views from stakeholders on our consultation by 25 March 2025. Once we have considered responses, we will publish a finalised statement and our final guidance in Summer 2025.

¹ Alongside this publication we have separately published our [proposals](#) to implement the designation process for the PSBs' internet programme services.

What we are proposing – in brief

Given changes introduced by the Media Act, we must update our guidance for licensed PSBs about the preparation of their Statements of Programme Policy ('SoPPs') – the document through which they explain how they will fulfil their public service remit and the audiovisual services they will use to do so. Our proposed guidance takes account of the greater flexibility and freedom the PSBs now have and updates the information a SoPP could include to reflect these changes.

Our proposed guidance also covers how C4C can fulfil its SoPP and Statement of Media Content Policy ('SMCP') requirements through combined statements. The new guidance will replace both our current SoPP guidance, and the combined SoPP and SMCP guidance for C4C.

The overview section in this document is a simplified high-level summary only. The proposed guidance we are consulting on is [here](#) and our reasoning is set out in the full document.

2. Background

The Media Act updates the remits for PSBs and includes online services for the first time

- 2.1 The past decade has been a period of radical change in the way we access news, information, and entertainment. Although live broadcast TV services continue to be widely used and valued, the expanded level of choice enabled by technological change and embraced by audiences has gone hand in hand with declines in linear viewing and listening.²
- 2.2 After several decades where their services were structured around linear distribution, broadcasters, including the UK's PSBs,³ have been adapting to today's audience expectations. The PSBs have each developed TV apps offering original content, as well as some exclusive programming, which can be accessed on a range of devices including smartphones, tablets, laptops, and smart TVs.
- 2.3 However, while audience habits have changed, and adaptations have been made to broadcasters' offerings, the regulatory framework for PSBs has not. The rules in place until this year largely reflect the technology and usage patterns of the 1990s and early 2000s. With the exception of the BBC, the PSBs' TV apps have not to date been considered part of PSBs' delivery of public service content.
- 2.4 For the first time, the licensed PSBs will be able to use portfolio TV channels, TV apps and other online services in addition to their main TV channels to meet their requirements.
- 2.5 This consultation forms part of our programme of work to implement the Media Act.⁴ In this consultation, we set out how we intend to take forward the changes the Media Act makes in relation to SoPPs and consequential changes to our guidance for C4C's SMCP.

Implementation of the new regime

- 2.6 In this section we summarise key changes made by the Media Act to the regulatory framework in relation to SoPPs. In our draft [guidance](#), we discuss the new framework in more detail.⁵
- 2.7 The licensed PSBs each have individual public service remits⁶ ('individual remits'), and, together with the BBC and S4C, must collectively fulfil the public service remit for UK television⁷ ('the overall PSB remit'). The Media Act has changed the individual remits of the licensed PSBs to incorporate a requirement to make an '*adequate contribution*' to the overall PSB remit.⁸

² Ofcom, 2024, [Review of public service media. Terms of reference](#); and Ofcom, 2024, [Media Nations UK 2024](#).

³ The PSBs are the BBC, the Channel 3 licensees, C4C, the Channel 5 licensee and S4C.

⁴ For a detailed timeline of our implementation process see: Ofcom, 2024, [Media Act Implementation](#).

⁵ See paragraph 2.3 and Annexes 1 and 2 of our draft guidance.

⁶ [Section 265\(2\)-\(3\)](#) of the Act.

⁷ [Section 264\(4\)-\(6\)](#) of the Act.

⁸ Section 265(2) – (3) of the Act.

- 2.8 The Media Act also updated the overall PSB remit to make it less prescriptive, with the aim of giving PSBs greater flexibility in how they choose to meet their obligations in a way which serves audience needs and interests.⁹
- 2.9 As noted, the new regime allows the licensed PSBs to use other TV channels and online services to fulfil their remits in addition to their main broadcast channel.
- 2.10 Separately to the updated remit requirements, the licensed PSBs and S4C remain subject to programme quota requirements, which they will now also be able to meet via designated TV apps in addition to their main broadcast channel. We will set out our proposals to implement the changes to quotas from the Media Act in spring 2025.

Statements of Programme Policy

- 2.11 The licensed PSBs are required to publish annual SoPPs,¹⁰ having regard to Ofcom guidance. S4C is also required to prepare a SoPP annually and to have regard to Ofcom guidance when doing so.¹¹ However, in contrast to the licensed PSBs, Ofcom does not have a role in enforcing S4C's individual remit. That role belongs to the Secretary of State, who is responsible for overseeing S4C's performance and the fulfilment of its individual remit.¹² The BBC has separate annual planning and reporting requirements under the BBC Charter and Framework Agreement and is not required to produce a SoPP.
- 2.12 Currently, the licensed PSBs are required to prepare and publish an annual SoPP setting out proposals for how their main broadcast channels will fulfil their respective remits and regulatory obligations, and assessing their performance in doing so. However, the Media Act has updated this so that a SoPP must also:
- a) state whether two or more relevant audiovisual services (which we refer to as 'relevant services') including the main broadcast channel, will be used to contribute to the fulfilment of the PSB's remit; and
 - b) if so, identify, in relation to each of the relevant services, their proposed contribution to the fulfilment of the PSB's remit.
- 2.13 Given the Media Act allows the licensed PSBs more flexibility in meeting their remit, SoPPs take on a renewed importance as a means by which PSBs collate their plans and performance across all their relevant services.

Role of SoPPs in the availability and prominence regime

- 2.14 Currently the main PSB TV channels are made available and given prominence on electronic programme guides. The Media Act will enable the PSBs to secure availability and prominence for their TV apps on connected TVs. If a licensed PSB, S4C, or a person associated with them wishes to benefit from the new availability and prominence regime for their TV app – formally known as an 'internet programme service' ('IPS') under the Media Act – they must apply to Ofcom for designation of their IPS. To make a designation, Ofcom must be satisfied that certain conditions are met and, in making that assessment, we

⁹ Section 264(4) of the Act.

¹⁰ [Section 266](#) of the Act.

¹¹ Paragraph 4, Part 2 of [Schedule 12](#) of the Act.

¹² [Section 339](#) of the Act.

must take account of the proposals in a PSB's SoPP, including the contribution that the IPS will make towards fulfilling the PSB's remit.

- 2.15 The two designation conditions¹³ - which we refer to as Condition 1 and Condition 2 – that must be satisfied are that the IPS makes, or is capable of making, a significant contribution to the relevant PSB's individual remit, and that programmes included in the IPS for this purpose (referred to as 'public service remit content' or 'PSR content'¹⁴) are '*readily discoverable*' and '*promoted*' by the IPS. Our draft SoPPs guidance sets out the information that we are proposing could be included in a SoPP produced by one of the licensed PSBs or S4C for the purposes of our determination of whether Condition 1 and Condition 2 are satisfied. Alongside this publication we have separately published our [Draft Statement of methods for IPS designation](#) which sets out the methods we will apply in determining whether to designate an IPS.

C4C's Statements of Media Content Policy

- 2.16 In addition to its remit requirements, C4C must perform its media content duties as set out in the Act.¹⁵ C4C is required to report on its delivery of these duties through an annual SMCP, which it must prepare at the same time as its SoPP. In preparing the SMCP, C4C must have regard to guidance given by Ofcom and must also consult Ofcom. The media content duties and SMCP reporting requirements were not amended by the Media Act. However, we are proposing that the new SoPP guidance will include how C4C can fulfil its SMCP requirements,¹⁶ and replace the [current combined SoPP and SMCP guidance for C4C](#).

Ofcom's role

- 2.17 In our public service media ('PSM') reviews, we consider how PSBs have delivered for UK audiences and fulfilled the UK TV public service remit, and in doing so must take account of SoPPs.¹⁷ In formulating our draft guidance, we have acted in accordance with the duties set out in Annex 1, including our general duties under section 3 of the Act. As we implement the changes required by the Media Act by updating our guidance, we are also considering how we monitor SoPPs on an ongoing basis.

¹³ The two designation conditions are set out in [Sections 362AA\(3\) and \(4\)](#) of the Act. In addition to these conditions, Ofcom must also consider that it is appropriate to designate the IPS (Section 362AA(2)(b) of the Act).

¹⁴ Section 362AA(12) of the Act.

¹⁵ [Section 198A](#) of the Act.

¹⁶ As explained further in paragraph 3.33 below.

¹⁷ C4C's combined statements must also be used to inform our review of C4C's media content duties, which takes place at the same time as our PSM reviews.

3. Proposed new guidance

Introduction

- 3.1 The regulatory framework for SoPPs, as updated by the Media Act, is summarised in Annex 1 to the draft guidance. Our proposals reflect changes to the individual remits of the licensed PSBs, and the overall PSB remit, and will apply to all of the licensed PSBs.
- 3.2 Broadly, the roles which SoPPs play have not changed following the Media Act; there are still two parts of SoPPs. The first part of the SoPP is forward looking and requires the licensed PSB to set out on an annual basis its programme policy for the following year. We refer to this as the 'SoPP Plan'. The second part of the SoPP is a review of the licensed PSB's performance in carrying out the proposals set out in the SoPP Plan for the previous year. We refer to this as the 'SoPP Review'. Under the new availability and prominence regime, we will use information relating to designation of PSB's TV apps to enable (and maintain) designation of their TV apps.
- 3.3 In approaching our analysis, we have considered the type of information likely to be included in a SoPP to provide an appropriate degree of transparency and enable us to carry out our role effectively, including how SoPPs will inform our annual monitoring and PSM reviews. In setting out the information a SoPP should and could contain, we recognise that licensed PSBs can use and cross-refer to information already provided for other purposes, so as to avoid unnecessary duplication. PSBs can provide other sorts of information than that which we set out, depending on what is available to them. In preparing our guidance, we have also taken account of the different size and remits of the licensed PSBs.
- 3.4 To help us develop our thinking on these matters, we have met with each of the licensed PSBs and S4C to gather their initial views. Broadly, these stakeholders acknowledge the role played by SoPPs but are keen to avoid extensive additional reporting. We welcome views on our proposals from PSBs as well as other interested stakeholders as we take forward our thinking.
- 3.5 In the remainder of this section, we set out details of our proposals, including the main changes we propose to make to our guidance in relation to SoPPs.¹⁸ We then set out details of our proposed guidance on C4C's combined statements.

Guidance on SoPP Plans

- 3.6 The SoPP Plan is where a licensed PSB sets out its proposals for the following year for fulfilling its remit, including how it will make an adequate contribution to the overall PSB remit, and its other regulatory obligations.
- 3.7 As a result of the Media Act changes, the SoPP Plan must identify each relevant service that the licensed PSB intends to use to fulfil its remit and explain the contribution each service must make. In our draft guidance, we propose that the licensed PSB should provide context

¹⁸ Given the substantive nature of the changes to the overall PSB remit made by the Media Act including the variety of services over which the remit can now be delivered, our draft guidance is set out as a 'new' document (rather than a markup against the current guidance).

for this information by setting out its overarching goals for the following year across all its relevant services, how it will fulfil its individual remit and how it will make an adequate contribution to the overall PSB remit.

- 3.8 We set out in the draft guidance¹⁹ factors that we propose are relevant to an assessment of whether the licensed PSB is making an adequate contribution²⁰ to the overall PSB remit. We recognise that what might be adequate for one PSB may be different from another, due to differences in their individual remits as well as their respective sizes and intended audiences.
- 3.9 We also propose that the SoPP Plan could include an explanation of any audience targets the PSB is trying to reach overall, such as specific demographic groups, and how their choice of relevant services will help PSBs reach a variety of audiences.²¹

How relevant services will contribute to the remit

- 3.10 In our draft guidance we set out information that a SoPP Plan should and could include in relation to each relevant service that the licensed PSB intends to use. This includes the programme policy for each relevant service, in order to comply with the new requirement introduced by the Media Act.²² To avoid unnecessary duplication, we recognise in our draft guidance that where programming is shared between services, there is no need for the SoPP Plan to detail the same programme policy each time.
- 3.11 We propose that the licensed PSB may define the “*character*” of each of their relevant services in the SoPP Plan.²³ The character of a service is relevant to determining whether a SoPP contains proposals for a “*significant change*” about which the PSB must consult Ofcom.²⁴ Our proposal therefore allows for greater transparency in determining whether a service has changed or is changing over time, for example in terms of the audiences it is seeking to serve or the range of content it provides.
- 3.12 The overall PSB remit sets out various requirements which the PSBs must deliver collectively. Our draft guidance discusses each of these, and the information that the licensed PSB should and could include in its SoPP Plan in relation to each, including the programme genres relevant to each area. PSBs and their relevant services are not required to contribute to every requirement of the overall PSB remit. Therefore, in order to provide licensed PSBs with as much flexibility as possible when preparing their SoPP Plans, we propose²⁵ that the PSBs cover only the remit requirements which are relevant to its programming proposals for each relevant service.

¹⁹ 2.13(b) of our draft guidance.

²⁰ The individual remits of each of the licensed PSBs requires that (i) the content they make available is all capable of being taken into account when determining the extent to which the overall PSB remit has been fulfilled and (ii) taken together, constitutes an adequate contribution to fulfilment of that overall remit. See section 265 of the Act.

²¹ 2.14 of our draft guidance.

²² Section 266(2A)(b) of the Communications Act 2003, as amended by the Media Act 2024, requires that SoPP must report on the proposed contribution that each relevant audiovisual service will make to the fulfilment of the remit, not just the PSB’s output as a whole.

²³ 2.16 of our draft guidance.

²⁴ [Section 267](#) of the Act.

²⁵ 2.18 of our draft guidance.

- 3.13 We have proposed the type of information licensed PSBs may use to set discrete quantitative targets. The inclusion of appropriate information will enable PSBs, and us, to judge the performance of their remit delivery, and provide accountability.
- 3.14 In our draft guidance, we set out the overall PSB remit requirements and the information licensed PSBs should and could include in their SoPP Plans in relation to them. Briefly, we discuss these in turn below:
- a) Meeting the needs of as many audiences as possible²⁶;
 - b) Availability²⁷;
 - c) Accessibility²⁸;
 - i) This includes guidance for the licensed PSB about the information it may include about the measures it has in place for audiences with access needs, including the provision of subtitled, audio described, and signed programming.
 - ii) We also reference our [Guidelines on Providing Television and On-Demand Access Services](#), which may apply to some relevant services included within the SoPP Plan.
 - d) Comprehensive and authoritative news and current affairs²⁹;
 - i) We propose that Channel 3 licensees should set out details of how they plan to fulfil their additional obligations in relation to an appointed news provider in this section.³⁰
 - e) Information, education, and entertainment³¹;
 - i) We propose that in relation to this remit requirement, PSBs could set out programme policies relating to relevant genres, such as factual, educational, entertainment, comedy, and drama programming, and films.
 - f) Programmes that reflect the lives and concerns of different communities and cultures across the UK³²;
 - i) We propose that ‘different communities’ could include the diversity of ethnicity, nationality, gender identity, sexual orientation, disability, religion, and/or social-economic backgrounds in UK communities, and the UK’s nations and regions.
 - ii) To provide clarity to PSBs about what is meant by ‘cultural interests’, we have provided a suggested list of relevant programme genres, such as sports, music, arts, and religion and ethics.
 - g) Recognised regional and minority languages³³;
 - h) Educational programmes for children and young people³⁴; and
 - i) We propose relevant programme sub-genres to the new overall PSB remit requirement for to children and young people’s educational programming.
 - ii) This section of the guidance also includes reference to Ofcom’s powers to set criteria for PSBs’ children’s programming, which we propose should be taken into

²⁶ 2.19-20 of our draft guidance.

²⁷ 2.21-22 of our draft guidance.

²⁸ 2.23-26 of our draft guidance.

²⁹ 2.27-29 of our draft guidance.

³⁰ 2.30 of our draft guidance.

³¹ 2.31-32 of our draft guidance.

³² 2.33-34 of our draft guidance.

³³ 2.35-36 of our draft guidance.

³⁴ 2.37-38 of our draft guidance.

account by PSBs when developing their programme policies, so as to ensure that PSBs take account of all parts of Ofcom's regulatory role in this area.

- i) Range of independent, original, and 'Made Outside London' productions.³⁵
 - i) Our draft guidance references the production quota requirements and clarifies how they are related but separate to this remit requirement.
 - ii) We propose³⁶ that C4C should set out additional information relating to its approach to commissioning programmes outside of England.

IPS designation

- 3.15 To obtain and retain a designation for the purposes of availability and prominence on connected TVs, an IPS used by a PSB to fulfil its remit will have to satisfy two designation conditions that are set out in the Act³⁷. As described in paragraph 2.15 above, the first of these conditions – Condition 1 – is that the IPS makes, or is capable of making, a significant contribution to the fulfilment of the PSB's individual remit. The second condition – Condition 2 – is that public service remit content included in the IPS is readily discoverable and promoted by the IPS.
- 3.16 We expect that as a relevant service the licensed PSB will be providing information in its SoPP Plan about how the IPS will contribute to fulfilment of its remit, in terms of the content it will make available and the audiences that it will reach. For convenience and transparency, we suggest that the licensed PSB may wish to augment this with information relevant to our determination of whether Condition 1 and Condition 2 are satisfied in the IPS section of their SoPP Plan. Therefore, our draft guidance³⁸ includes a description of the information that could be provided about an IPS in SoPP Plans, for the purposes of our determination of whether Condition 1 and Condition 2 are satisfied by the IPS.

Significant changes

- 3.17 The licensed PSB must consult Ofcom before preparing its SoPP Plan if it is proposing to make a significant change to any relevant service which it is using to fulfil its remit and take account of our views.³⁹ A significant change is defined as a change which would result in the channel or the relevant service being "*materially different in character from in previous years*"⁴⁰, and may include a gradual change over up to three years. The licensed PSBs should have regard to Ofcom's guidance in determining whether a change is a significant change.
- 3.18 Our draft guidance⁴¹ addresses the question of when a significant change might arise. We encourage early engagement if a licensed PSB is proposing to make a significant change to any of the relevant services which it uses to fulfil its remit and propose⁴² factors that we may take into consideration if commenting on such a proposal.

³⁵ 2.39-41 of our draft guidance.

³⁶ 2.42 of the draft guidance.

³⁷ Section 362AA(2)(a) of the Act. In addition to these conditions, Ofcom must also consider that it is appropriate to designate the IPS (Section 362AA(2)(b) of the Act).

³⁸ 2.43-8 of our draft guidance.

³⁹ Section 267(2) of the Act.

⁴⁰ Section 267(4) of the Act.

⁴¹ 2.51-53 of our draft guidance.

⁴² 2.54 of our draft guidance.

Media literacy

- 3.19 Section 11 of the Communications Act 2003 imposes a duty on Ofcom to encourage others to promote media literacy. In line with that duty, we propose⁴³ that the licensed PSBs can provide information to us in their SoPP Plans about any media literacy plans and activities they may have, in particular in relation to the mitigation of misinformation and disinformation. We have highlighted that the licensed PSBs may consider relevant Ofcom guidelines and refer to our latest media literacy strategy. We have also provided some examples of the type of information that a licensed PSB could include in its SoPP in relation to its media literacy work.

Other reporting requirements: Quotas, commissioning, and Channel 3 networking arrangements

- 3.20 The licensed PSBs are also required to include in their SoPP Plans their proposals for how they will comply with quota requirements, their obligations in relation to commissioning from independent producers,⁴⁴ and for Channel 3 licensees to outline their networking arrangements. Our draft guidance also covers these obligations.⁴⁵

Guidance on SoPP Reviews

- 3.21 The SoPP Review part of the SoPP is where a licensed PSB demonstrates how it has performed against the previous year's SoPP Plan. We propose⁴⁶ guidance for how licensed PSBs approach their SoPP Review, which is required by the Act.⁴⁷ This includes guidance on both the qualitative and quantitative aspects of the SoPP Review.
- 3.22 We propose⁴⁸ that licensed PSBs may include additional information as they see fit, as we recognise that different PSBs may have access to different kinds of internal data, or externally commissioned research. To avoid unnecessary duplication, we propose that licensed PSBs can also cross-refer to data already provided to Ofcom as part of other aspects of the PSB regulatory framework, such as their annual returns.
- 3.23 We acknowledge⁴⁹ that for commercial reasons, licensed PSBs may choose not to provide specific information such as audience target figures in their SoPP Plan, but we encourage them to include actual data on audience figures within the SoPP Review.

Publication requirements

- 3.24 The licensed PSBs are required to publish a SoPP annually and as soon as practicable after its preparation is complete.
- 3.25 As part of our stakeholder engagement with licensed PSBs we have sought to understand how their reporting cycles currently work in order to inform our thinking on the period the

⁴³ 2.55-57 of our draft guidance.

⁴⁴ We are separately consulting on changes to our Commissioning Codes of Practice guidance, [available here](#).

⁴⁵ 2.58-63 of our draft guidance.

⁴⁶ 2.64-66 of our draft guidance.

⁴⁷ Section 266(1)(b) of the Act.

⁴⁸ 2.66(a) of our draft guidance.

⁴⁹ 2.66(b) of our draft guidance.

SoPPs should cover. Typically, SoPPs have covered calendar years. This remains our preference, to align with current practice and secure consistency across the licensed PSBs.

- 3.26 Our current guidance is for the licensed PSBs to produce the SoPP Plan and SoPP Review as two separate documents, published at the same time. However, this has led to SoPP Plans being published many months into the year about which they relate. If SoPP Plans are published ahead of the year to which they relate, this would preclude the simultaneous publication of SoPP Reviews, as it would not allow time to quality-assure data and some data would be unavailable.
- 3.27 In line with the statutory requirement that SoPP Plans should be published for the following year, we propose⁵⁰ that the licensed PSBs should publish their SoPP Plan and SoPP Review as separate documents and on separate dates. The separation of deadlines will ensure that:
- a) licensed PSBs' SoPP Plans are published ahead of the year to which they relate, in accordance with the statutory framework; and
 - b) the SoPP Review is published after the end of the year to which it relates, enabling relevant information to be collected, analysed, and quality-assured. We propose that SoPP Reviews may be published up to six months after the end of the year which they cover.
- 3.28 This change will result in the licensed PSBs publishing the two documents potentially several months apart. For example, a SoPP Plan for 2027 would be published before 31 December 2026, and the SoPP Review for 2026 would be published before 30 June 2027.
- 3.29 Given licensed PSBs are already required to produce separate documents for the SoPP Plan and SoPP Review, we expect any additional administrative burden associated with this proposal to be negligible. It does not represent an increase to the statutory SoPP reporting requirements, but may extend the period over which they may be carried out. At the same time, we expect the proposal to increase the utility of the documents being produced.
- 3.30 For the purposes of achieving transparency and accountability, we propose⁵¹ that licensed PSBs publish their SoPP documents online, and in an accessible format.
- 3.31 We also propose in the draft guidance that⁵² the Channel 3 licensees have the option of producing combined SoPP Plans and SoPP Reviews in respect of two or more of their services. This aligns with the current approach adopted by ITV licensees, although it is not currently formalised within guidance. We consider this proposal to be proportionate as this should avoid unnecessary duplication, as all Channel 3 licensees provide networked programming in addition to the regional programming they provide individually under each of their respective licences. Our guidance states that, for clarity, any such combined SoPPs should clearly state which Channel 3 services it relates to.

Our draft guidance on C4C's combined statements

- 3.32 In this section, we set out details of our proposal to incorporate our guidance for C4C into the draft guidance and the changes we are proposing. These include updating our

⁵⁰ 2.68 of our draft guidance.

⁵¹ 2.69 of our draft guidance.

⁵² 2.70 of our draft guidance.

description of media content. We have also included new guidance for C4C on reporting on commissioning outside England, in line with our Channel 4 licence renewal statement.⁵³

Requirement to produce and publish a SMCP

- 3.33 In the interests of consistency and efficiency, we propose⁵⁴ that C4C can continue to fulfil its obligations to produce to a SoPP and a SMCP through combined statements, should it wish to do so. We outline the areas C4C must report on in addition to the matters the licensed PSBs (including C4C) must report on in their SoPPs.

Guidance on C4C's Combined Plan

- 3.34 We highlight⁵⁵ the parts of C4C's individual remit which differ from those of the other licensed PSBs, and which C4C must therefore take into account when outlining its programme policy for its relevant services. This approach is consistent our existing combined statement guidance.
- 3.35 We propose to continue to give C4C flexibility in how it reports its media content policy within its combined statements.⁵⁶ This is to recognise that due to the overlap between remit requirements and media content duties in some areas, C4C may wish to integrate its reporting of its programme and media content policies. This approach is consistent with the existing combined statement guidance.
- 3.36 We also set out the specific forms of online media content which are not programmes, and therefore could not be integrated with the reporting of C4C's programme policy. C4C's media content policy relating to these types of online media content must therefore be reported on separately by C4C.⁵⁷
- 3.37 We also set out specific information relating to commissioning outside of England which C4C must include in its combined statements in addition to the information required of all of the licensed PSBs.⁵⁸ This information reflects the decisions we made in our relicensing statement following consultation.⁵⁹ The wording of this has been changed slightly from the wording in the relicensing statement to reflect the fact that C4C's review of its performance in relation to outside of England commissioning will now be included in its Combined Review, rather than its Combined Plan.

Guidance on C4C's Combined Review

- 3.38 For consistency, we propose⁶⁰ that C4C follows the same guidance as the other licensed PSBs in relation to its Combined Review.

⁵³ This is set out in paragraph 5.234 of our [Channel 4 licence renewal statement](#).

⁵⁴ 3.4 of our draft guidance.

⁵⁵ 3.6 of our draft guidance.

⁵⁶ 3.7-10 of our draft guidance.

⁵⁷ 3.8 of our draft guidance.

⁵⁸ 3.11 of our draft guidance.

⁵⁹ This is set out in paragraph 5.234 of our [Channel 4 licence renewal statement](#).

⁶⁰ 3.12 of our draft guidance.

- 3.39 For clarity, our draft guidance states⁶¹ that C4C's Combined Review must cover the delivery of all of the policies set out in its Annual Plan, including its media content duties and outside of England commissioning.

Publication of C4C's combined statements

- 3.40 We propose⁶² that C4C follows the same timings as the other licensed PSBs in the publication of their combined statement. Our draft guidance also highlights C4C's duty to consult us throughout the preparation of their SMCP, or combined statements.
- 3.41 We say in our draft guidance that as part of the process of engagement between us and C4C, we may agree a set of additional metrics with them for inclusion in their combined statement.⁶³ This is a reflection of the current arrangements we have in place with C4C, but which we are proposing to include within guidance, in the interests of transparency.

Next steps

- 3.42 We welcome any views stakeholders have on our proposals and welcome further engagement with interested parties ahead of making our decisions.

Consultation questions

Question 1: Do you have any comments on our approach and proposed draft guidance?

Question 2: Do you have any comments on our impact assessments underpinning our proposals, as set out in Annex 2?

Implementation timeline

- 3.43 We set out indicative next steps and implementation timings for the period up to 1 January 2027 to show how we expect the first year under the revised regime to work:
- a) 25 March 2025: Deadline for responses to our consultation and draft guidance.
 - b) Summer 2025: Ofcom issues statement and final guidance, following analysis of responses and stakeholder engagement.
 - c) Autumn 2025: Ofcom issues necessary variations to licence conditions to reflect the final guidance.
 - d) By early 2026: Final guidance takes effect.
 - e) By early 2026: Licensed PSBs publish their first SoPP Plan which contains their proposals for 2026.
 - f) By 30 June 2026: PSBs publish SoPP Reviews for the 2025 calendar year. The SoPP Reviews will only relate to the licensed PSBs' main channels, as they cover the final year before the licences are varied to implement the Media Act changes allowing licenced PSBs to use multiple relevant services to contribute to the remit.
 - g) By 31 December 2026: Licensed PSBs publish their SoPP Plans for 2027.

⁶¹ 3.13 of our draft guidance.

⁶² 3.14 of our draft guidance.

⁶³ 3.15 of our draft guidance.

A1. Legal framework: relevant duties

- A1.1 Ofcom has general duties in carrying out its functions, in particular to further the interests of citizens in relation to communications matters and consumers in relevant markets, where appropriate, by promoting competition. In doing so, Ofcom must have regard to a number of matters including the desirability of promoting the fulfilment of the purposes of public service television broadcasting in the UK, the desirability of encouraging investment and innovation in relevant markets, and the needs of persons with disabilities.
- A1.2 In performing its general duties, Ofcom must have regard to the principles under which regulatory activities should be transparent, accountable, proportionate, consistent, and targeted only at cases in which action is needed, and any other principles appearing to Ofcom to represent the best regulatory practice.
- A1.3 In addition to Ofcom's general duties, the following statutory duties are relevant.

A1.1 Economic growth duty

- A1.4 [Section 108 of the Deregulation Act 2015](#) sets out Ofcom's duty to have regard to the desirability of promoting economic growth when exercising its regulatory functions. In order to consider the promotion of economic growth, Ofcom will exercise its regulatory functions in a way that ensures that:
- a) regulatory action is taken only when it is needed; and
 - b) any action taken is proportionate.⁶⁴
- A1.5 The government's statutory guidance on this duty recognises drivers of economic growth to include innovation and competition.

A1.2 Public sector equality duty

- A1.6 [Section 149 of the Equality Act 2010](#) (the 2010 Act) imposes a duty on Ofcom, when carrying out its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct related to the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The 2010 Act also requires Ofcom to have due regard to the need to advance equality of opportunity and foster good relations between persons who share specified protected characteristics and persons who do not.
- A1.7 [Section 75 of the Northern Ireland Act 1998](#) (the 1998 Act) also imposes a duty on Ofcom, when carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity and have regard to the desirability of promoting good relations across a range of categories outlined in the 1998 Act. Ofcom's Revised Northern Ireland Equality Scheme explains how we comply with our statutory duties under the 1998 Act.

⁶⁴ Section 108(2)(b) of the Deregulation Act 2015.

A1.3 Welsh language duty

- A1.8 [The Welsh Language \(Wales\) Measure 2011](#) established a legal framework to impose duties on certain organisations to comply with standards in relation to the Welsh language. The standards issued to Ofcom are listed in Ofcom's compliance notice⁶⁵ effective from 25 January 2017.
- A1.9 The Welsh Language Policy Making Standards require Ofcom to assess (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language, when formulating a new policy or reviewing or revising an existing policy.

⁶⁵ Ofcom's [Compliance Notice](#), issued on 25 July 2016.

A2. Assessing the impact of our proposals

Impact assessment

- A2.1 [Section 7 of the Communications Act 2003](#) requires us to carry out and publish an impact assessment of a proposal which would be likely to have a significant impact on businesses or the general public, or when there is a major change in Ofcom's activities. Impact assessments help us to understand the policy decisions we have decided to take and why we consider those decisions best fulfil our applicable duties and objectives in the least intrusive way.
- A2.2 We are required to update our guidance as part of our work to implement the Media Act. Whilst the requirement for the licensed PSBs to produce SoPPs (and a SMCP in the case of C4C) is not new, the changes to the remit and how it can be delivered will mean that SoPPs (and the combined statements) will involve changes to the information which must be included within SoPPs, including new remit requirements and new remit-contributing audiovisual services.
- A2.3 As detailed throughout Section 3 of this consultation document, we have considered the administrative burden of our proposals on licensed PSBs and have provided flexibility where possible in our draft guidance about the PSBs should comply with their obligation to produce a SoPP and, in the case of C4C, a SMCP. We consider that our proposals are proportionate and, in particular, go no further than is necessary for the licensed PSBs to fulfil their regulatory obligations and for Ofcom to discharge its regulatory functions.
- A2.4 In particular, we propose that the licensed PSBs may cross-refer to data already provided to us, in order to avoid duplication, and to minimise the administrative burden of potentially providing information in their SoPPs which they already report, or provide to Ofcom, via other means.⁶⁶ Furthermore, our proposals allow for licensed PSBs to identify where relevant services have shared programme policies, to avoid unnecessary duplication within their SoPPs.⁶⁷ Our proposals also give specific flexibility to C4C, allowing it to produce combined statements, in order to avoid the administrative burden of producing separate SoPP and SMCP documents.⁶⁸
- A2.5 Our proposals for the publication of the SoPP Plan and SoPP Review to be split between two different dates in the year will ensure the utility of each document. This change to our guidance should have a negligible administrative burden on the licensed PSBs, given that the current guidance already requires the publication of two separate documents, albeit at the same time annually.⁶⁹

⁶⁶ As outlined in paragraph 3.3 of this document.

⁶⁷ As outlined in paragraph 3.10 of this document.

⁶⁸ As outlined in paragraph 3.33 of this document.

⁶⁹ As outlined in paragraph 3.29 of this document.

Equality impact assessment

- A2.6 We have given careful consideration to whether the proposals in this document will have a particular impact on persons sharing protected characteristics (including race, age, disability, sex, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership, and religion or belief in the UK and also dependents and political opinion in Northern Ireland), and in particular whether they may discriminate against such persons or impact on equality of opportunity or good relations. This assessment helps us comply with our duties under the Equality Act 2010 and the Northern Ireland Act 1998.
- A2.7 We consider that some of our proposals are likely to have a positive impact on certain groups - specifically, groups with accessibility requirements. This is because we propose to require that SoPP documents to be in an accessible format and published on an easily accessible part of the licensed PSB's website. We consider that our other proposals are likely to have a neutral impact in respect of persons sharing other protected characteristics.

Welsh language impact assessment

- A2.8 The Welsh language has official status in Wales. To give effect to this, certain public bodies, including Ofcom, are required to comply with Welsh language standards.⁷⁰ Accordingly, we have considered:
- a) the potential impact of our policy proposals on opportunities for persons to use the Welsh language; and
 - b) the potential impact of our policy proposals on treating the Welsh language no less favourably than the English language; and how our proposals could be formulated so as to have, or increase, a positive impact; or not to have adverse effects or to decrease any adverse effects.
- A2.9 Ofcom's powers and duties in relation to the implementation of Part 1 of the Media Act are contained in the Media Act and in the Communications Act 2003 and must be exercised in accordance with our general duties under [section 3 of the Communications Act 2003](#). In formulating our proposals for the updated SoPP and SMCP guidance, where relevant and to the extent we have discretion to do so in the exercise of our functions, we have considered the potential impacts on opportunities to use Welsh and treating Welsh no less favourably than English. For example, our proposed guidance states that SoPP documents may be published in Welsh in addition to English by those licensed PSBs which are present in Wales. To this extent, we consider our proposals are likely to have positive effects or increased positive effects on opportunities to use Welsh and treating Welsh no less favourably than English.

⁷⁰ The Welsh language standards with which Ofcom is required to comply are available [on our website](#).

A3. Responding to this consultation

How to respond

- A3.1 Ofcom would like to receive views and comments on the issues raised in this document, by 5pm on 25 March 2025.
- A3.2 You can download a response form from <https://www.ofcom.org.uk/tv-radio-and-on-demand/public-service-broadcasting/consultation-statement-of-programme-policy-and-statement-of-media-content-policy-guidance/>. You can return this by email or post to the address provided in the response form.
- A3.3 If your response is a large file, or has supporting charts, tables or other data, please email it to mediaact.part1a@ofcom.org.uk, as an attachment in Microsoft Word format, together with the cover sheet.
- A3.4 Responses may alternatively be posted to the address below, marked with the title of the consultation:
- Content Policy Team
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA
- A3.5 We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:
- > send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, wmv or QuickTime files; or
 - > upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A3.6 We will publish a transcript of any audio or video responses we receive (unless your response is confidential)
- A3.7 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt of a response submitted to us by email.
- A3.8 It would help if your response could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.
- A3.9 If you want to discuss the issues and questions raised in this consultation, please contact the team by email to mediaact.part1a@ofcom.org.uk.

Confidentiality

- A3.10 Consultations are more effective if we publish the responses before the consultation period closes. This can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish responses on the Ofcom website at regular intervals during and after the consultation period.
- A3.11 If you think your response should be kept confidential, please specify which part(s) this applies to and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.
- A3.12 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A3.13 To fulfil our pre-disclosure duty, we may share a copy of your response with the relevant government department before we publish it on our website.
- A3.14 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further in our Terms of Use.

Next steps

- A3.15 Following this consultation period, Ofcom plans to publish a statement in summer 2025.
- A3.16 If you wish, you can register to receive mail updates alerting you to new Ofcom publications.

Ofcom's consultation processes

- A3.17 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex 3.
- A3.18 If you have any comments or suggestions on how we manage our consultations, please email us at consult@ofcom.org.uk. We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.
- A3.19 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact the corporation secretary:

Corporation Secretary
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA
Email: corporationsecretary@ofcom.org.uk

A4. Ofcom's consultation principles

Ofcom has seven principles that it follows for every public written consultation:

Before the consultation

- A4.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

During the consultation

- A4.2 We will be clear about whom we are consulting, why, on what questions and for how long.
- A4.3 We will make the consultation document as short and simple as possible, with an overview of no more than two pages. We will try to make it as easy as possible for people to give us a written response.
- A4.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.
- A4.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.
- A4.6 If we are not able to follow any of these seven principles, we will explain why.

After the consultation

- A4.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish the responses on our website at regular intervals during and after the consultation period. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

A5. Consultation coversheet

Basic details

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

Confidentiality

Please tick below what part of your response you consider is confidential, giving your reasons why

- | | |
|----------------------------------|--------------------------|
| > Nothing | <input type="checkbox"/> |
| > Name/contact details/job title | <input type="checkbox"/> |
| > Whole response | <input type="checkbox"/> |
| > Organisation | <input type="checkbox"/> |
| > Part of the response | <input type="checkbox"/> |

If you selected 'Part of the response', please specify which parts:

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

Yes ☐ No ☐

Declaration

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom aims to publish responses at regular intervals during and after the consultation period. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)
