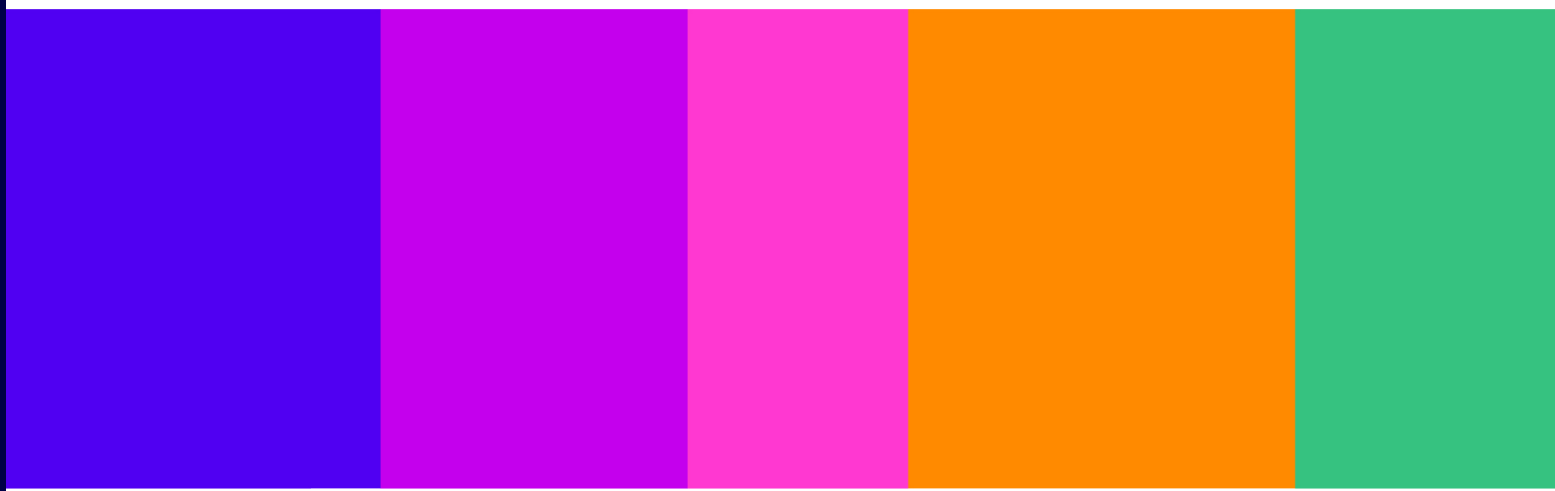


Statement of Programme Policy and Statement of Media Content Policy Draft Guidance

Draft guidance

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Contents

Section

1. Introduction.....	3
2. Statements of Programme Policy.....	4
3. C4C's combined statements.....	17

Annex

A1. Legal framework relevant to SoPPs.....	19
A2. Legal framework relevant to SMCPs	24

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 Statements of Programme Policy ('SoPPs') are an important way in which the licensed public service broadcasters ('licensed PSBs') - Channel 3 licensees, Channel 4 Television Corporation ('C4C') and the Channel 5 licensee - set out how they intend to fulfil their regulatory obligations for the following year, including their contribution to the "public service remit for UK television"¹ ('the overall PSB remit'). SoPPs therefore provide transparency and accountability about the delivery of PSBs' regulatory obligations. We use this information to monitor how the licensed PSBs are delivering against their remits. We also use this information to enable (and maintain) designation of their TV apps.
- 1.3 The purpose of this guidance is to assist the licensed PSBs² in preparing SoPPs. We also provide guidance on C4C's Statement of Media Content Policy ('SMCP'), which is how it reports on the delivery of its media content duties. C4C can fulfil its SoPP and SMCP requirements together through combined statements.
- 1.4 The remainder of our guidance is structured as follows:
 - a) In Section 2 we set out a summary of the legal framework for SoPPs before providing our guidance for how PSBs can fulfil their reporting requirements for their SoPP Plans and SoPP Reviews.
 - b) In Section 3 we set out a summary of the legal framework for C4C, before setting out our guidance and reporting requirements for its combined SoPP and SMCP Plan and combined SoPP and SMCP Review; and
 - c) We also set out details of the legal framework: Annex 1 in relation to SoPPs; and Annex 2 in relation to C4C's SMCP.

¹ Section 264(4) of the Communications Act 2003 ('the Act').

² S4C is also required to prepare a SoPP annually and to have regard to this guidance when doing so (Paragraph 4, Part 2 of Schedule 12 of the Act. 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 (Section 339 of the Act). The BBC has separate SoPP Planning and reporting requirements under the BBC Charter and Framework Agreement, and is not required to produce a SoPP.

2. Statements of Programme Policy

- 2.1 In this section we set out a summary of the regulatory framework. We then set out our guidance on how the licensed PSBs can fulfil their duties relating to SoPPs.

The role of SoPPs in the regulatory framework

- 2.2 SoPPs, which the licensed PSBs are required to produce annually, have the following purposes: to demonstrate how a licensed PSB plans to meet its regulatory obligations, to review how it has performed in meeting them, and to enable (and maintain) designation of their TV apps.

Reporting on PSBs' delivery of their regulatory obligations

- 2.3 The licensed PSBs each have an individual remit which they are required to deliver.³ They must also make an '*adequate contribution*' to the fulfilment of the overall PSB remit, the requirements of which are set out in statute.⁴ Further details about the legal framework are set out in Annex 1.
- 2.4 The licensed PSBs have additional regulatory obligations relating to programme quotas, commissioning, and, for the Channel 3 licensees, networking arrangements.
- 2.5 SoPPs consist of two parts.⁵ 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'.

Enabling designation of PSBs' TV apps

- 2.6 The licensed PSBs and S4C have each developed TV apps, formally referred to in the Act as internet programme services ('IPS'), offering content which can be accessed on a wide range of connected TV platforms.⁶
- 2.7 Licensed PSBs, S4C, or a person associated with them can apply to Ofcom for designation of their IPS to secure its availability and prominence on connected TV platforms. We must be satisfied that certain conditions are met in order to make a designation.⁷ These conditions include whether the IPS makes - or is capable of making - a '*significant contribution*' to the

³ The individual remits for Channel 3 services, Channel 4, Channel 5 and S4C are set out in Annex 1. See also Section 265 and, for S4C, Paragraph 3(2), Schedule 12 to the Act.

⁴ Section 264(4) – (6) of the Act.

⁵ Section 266(1) and, for S4C, Paragraph 4(1), Schedule 12 to the Act.

⁶ Part 3A of the Act.

⁷ Section 362AA(2) of the Act.

fulfilment of a PSB's individual remit, and whether programmes included in the IPS for this purpose (referred to as 'public service remit content' or 'PSR content'⁸) are '*readily discoverable*' and '*promoted*' by the IPS. We discuss these conditions in more detail in paragraphs 2.43-48 below.

- 2.8 Once designated, IPS providers will have to make their IPS available to designated connected TV platforms (referred to as 'regulated television selection services' or 'RTSS') and those RTSS providers will have to ensure that PSBs' designated IPS, and their public service content, are made available and prominent on their RTSS.
- 2.9 SoPPs play an important role in this process. In assessing whether to designate an IPS, we must take account of the proposals in a PSB's SoPP Plan as to the contribution that the IPS will make towards its individual remit.⁹ In addition, SoPP Reviews are relevant since we must also consider how effective and efficient the PSB's monitoring of its performance is as regards the fulfilment of its individual remit.¹⁰

Guidance on SoPP Plans

- 2.10 In this section, we set out our guidance as to what a SoPP Plan is likely to include, in relation to licensed PSBs' plans for the following year to secure the purposes set out above.
- 2.11 In the following paragraphs, we give guidance on the information that the licensed PSB may include in its SoPP including in relation to:
- a) its individual remit and contribution to the overall PSB remit;
 - b) information about its IPS, if it is designated (or it is seeking to have it designated);
 - c) media literacy; and
 - d) other regulatory obligations, such as regional programming and production quotas, and the provision of news and current affairs programmes.

Overall plans for the following year

- 2.12 SoPP Plans should include a clear explanation as to how a licensed PSB's proposals are intended to contribute towards the fulfilment of its individual remit and the overall PSB remit. This could be supported by the evidence which a licensed PSB has used to develop its policy, such as audience research and stakeholder engagement.
- 2.13 A SoPP Plan which demonstrates how the licensed PSB will fulfil its remit should set out:
- a) A list of each of the relevant services the PSB intends to use to contribute to its individual remit and the overall PSB remit ('relevant services')¹¹, including details about whether these relevant services are provided by the PSB or by a third party.¹² Where the relevant service is provided by a third party, the SoPP Plan should include an outline of the PSB's arrangements with the third party in question for that to happen.

⁸ Section 362AA(12) of the Act.

⁹ Section 362AA(7)(a) of the Act.

¹⁰ Section 362AA(7)(c) of the Act.

¹¹ The criteria for what may constitute a relevant service are explained in Annex 1.

¹² Section 264(13) of the Act.

- b) The PSB's overarching goals for the following year across all its relevant services for how it will fulfil its individual remit and make an adequate contribution to the overall PSB remit. The term 'adequate contribution' is not defined in legislation; in practice what might be adequate for one PSB may not be adequate for another. Factors that may be relevant in considering whether a PSB has made an adequate contribution to the overall PSB remit include the requirements of its individual remit as well as the respective size and intended audience of the PSB. For example, C4C's adequate contribution will reflect the fact that its individual remit includes producing a broad range of content that demonstrates innovation, experiment and creativity in the form and content of programmes, a requirement which does not apply to the other licensed PSBs.
- 2.14 The overall PSB remit requires the PSBs collectively to meet the needs and satisfy the interests of as many different audiences as possible, in terms of how they make content available and the nature of the content they provide and the subject matters covered. It is for the licensed PSBs to decide how they do this in relation their respective contribution. Information that PSBs may wish to include in their SoPP Plans for these purposes include:
- a) An explanation of any audience targets the licensed PSB is trying to reach overall, such as specific demographic groups, and how their choice of relevant services will help the PSB reach a variety of audiences;
 - b) An explanation of how a range of high-quality and diverse programmes, including the range of genres across all relevant services and details of any programming themes and priorities, will be delivered in the following year;
 - c) Details of any other specific key goals or objectives for the licensed PSB overall, and initiatives to address them; and
 - d) Details of how performance will be measured and evaluated (e.g. key metrics or performance indicators).

How relevant services contribute to the overall PSB remit

- 2.15 As the overall PSB remit is for the PSBs to meet collectively, each PSB, and therefore each relevant service, is not required to contribute towards every part of that remit.
- 2.16 In its SoPP Plan, the licensed PSB should set out details of how programmes made available on each relevant service will contribute to the PSB's individual remit and the overall PSB remit in the following year ('the programme policy'). In doing so, PSBs could set out a description of the character of each relevant service. The description could reflect the contribution which the licensed PSB intends the relevant service to make towards one or more requirements of the overall PSB remit, its target audiences, and its main themes.
- 2.17 The licensed PSB could use case-studies of individual programmes throughout its SoPP Plan as appropriate. As the performance of the policies outlined in each SoPP Plan will be assessed by PSBs in the SoPP Review, a SoPP Plan may include quantitative targets for how each relevant service will contribute to the overall PSB remit.
- 2.18 In the following paragraphs, we give guidance on information that the licensed PSBs might provide in their SoPP Plan in relation to various aspects of the overall PSB remit. When

setting out the programme policy for each relevant service¹³ in its SoPP Plan, a PSB may wish to provide information by reference to these headings and any other aspect of the overall PSB remit which it considers to be relevant. We discuss the headings in turn.

Meeting the needs of as many audiences as possible

- 2.19 The PSBs are required to make available a broad range of programmes which “meets the needs and satisfies the interests of as many different available audiences as practicable”.¹⁴
- 2.20 To demonstrate a contribution to this requirement, a SoPP Plan could contain a description of the target audiences for each relevant service, and how the overall nature of its programmes and the subject matters they cover will cater to those audiences in the round. Case studies may be helpful in this regard, explaining how individual programming is intended to serve particular audiences.

Availability

- 2.21 To deliver the overall PSB remit, PSBs collectively must make available a broad range of programmes which *“taking into account when and how their relevant services are received or accessed, is likely to meet the needs and satisfy the interests of as many different audiences as practicable.”*¹⁵
- 2.22 A licensed PSB can explain how they will contribute to this requirement by including in their SoPP Plan details of how each relevant service is received or accessed (this may include reference to the variety of platforms or devices it is available on), and how this will contribute to ensuring that its programmes can viewed by as much of the PSB’s intended audience as possible.

Accessibility

- 2.23 A PSB may only use a relevant service to fulfil its remit if it *“may be received or accessed in intelligible form and free of charge”*¹⁶ *“by so much of the broadcaster’s intended audience as is reasonably practicable”*.¹⁷
- 2.24 In addition to information about how their relevant services are made available to audiences across the UK, a licensed PSB may wish to set out in their SoPP Plan details of how relevant services can be accessed by audiences with access needs (including disabled audiences), how the relevant service will be used to meet relevant accessibility requirements, and how the relevant service will take account of relevant accessibility guidelines.¹⁸

¹³ Where the same programming is available on multiple relevant services, such as all the content on a TV channel also being available on the IPS, or a ‘+1’ TV channel, then there is no need for the SoPP Plan to duplicate shared programme policies. In these instances, the PSB should clearly identify when programme policies are shared by multiple relevant services.

¹⁴ Section 264(4) of the Act.

¹⁵ Section 264(4)(a) of the Act.

¹⁶ Section 264(8) of the Act.

¹⁷ Section 264(7) of the Act.

¹⁸ Such as the [Guidelines on Providing Television and On-Demand Access Services](#)

- 2.25 A licensed PSB could include a discussion of their approach to accessibility on each relevant service, including any targets for the provision of programmes which are subtitled, audio described, and/or signed (in British Sign Language and/or Irish Sign Language). Additionally, a SoPP Plan can set out details of measures that are in place to provide accessible means of viewing of unscheduled emergency broadcasts or news alerts.
- 2.26 Regarding on-demand services, a SoPP Plan could include explanations of how the licensed PSB will ensure that the user interface is easily navigable for audiences with access needs, and details of how the PSB plans to fulfil the requirement under the Act to maintain and/or improve the quality of accessibility features, with a view to progressively making their services more accessible.¹⁹ If the PSB also uses other online services such as accounts on video-sharing platforms to deliver its remit, it could provide similar accessibility information in relation to such services in its SoPP Plan.

Comprehensive and authoritative news and current affairs

- 2.27 To fulfil the overall PSB remit, PSBs collectively must provide *“to the extent that is appropriate for facilitating civic understanding and fair and well-informed debate on news and current affairs, a comprehensive and authoritative coverage of news and current affairs (i) in, and in the different parts of, the United Kingdom, and (ii) from around the world.”*²⁰
- 2.28 Where the licensed PSB intends to use a relevant service to contribute to this requirement a SoPP Plan is likely to contain details of the PSB’s plans for news and current affairs programming on the service, for example whether it will include domestic and international content, and features which contribute to the quality of the coverage to be provided.
- 2.29 We encourage the licensed PSB to outline its arrangements for newsgathering throughout the nations and regions of the UK, and throughout the world, as well as the range and balance of national and international news and current affairs coverage.
- 2.30 In addition, the Channel 3 licensees should outline in their SoPP Plans the arrangements in place for the Channel 3 appointed news provider, in line with Section 280 of the Act.²¹

Information, education and entertainment

- 2.31 Another requirement of the overall PSB remit is that the programming provided by PSBs collectively *“comprises a public service for the dissemination of information and for the provision of education and entertainment”*.²²
- 2.32 A SoPP Plan should contain information about how the licensed PSB intends to use relevant services to contribute to this requirement of the overall PSB remit.²³ For these purposes, the PSB could include details of their plans for each relevant service for the provision of factual, educational, entertainment, comedy and drama programming, and films (as

¹⁹ Section 368C(2) of the Act.

²⁰ Section 264(5)(a) of the Act.

²¹ As at the date of publishing this guidance, the Secretary of State has not issued an order under Section 283 of the Act requiring Channel 5 news programmes to be provided by an appointed news provider. However, if such an order is made, Channel 5’s SoPP Plan should outline its arrangements for an appointed news provider.

²² Section 264(5)(b) of the Act.

²³ Section 264(5)(b) of the Act.

applicable). This may include the planned number of hours, and proportion, of each type of programming to be made available on the relevant service.

Programmes that reflect the lives and concerns of different communities and cultures across the UK

- 2.33 In providing a public service for information, education, and entertainment, the PSBs must also include *“a sufficient quantity of [programmes] that reflects the lives and concerns of different communities and cultural interests and traditions within the United Kingdom, and locally in different parts of the United Kingdom.”*²⁴
- 2.34 Where a relevant service will be used to contribute to the overall PSB remit requirement that programmes reflect the lives and concerns of different communities and cultures across the UK, a licensed PSB’s SoPP Plan should contain information about their plans in this area. This may include details about the representation of:
- a) the UK’s diversity of ethnicity, nationality, gender identity, sexual orientation, disability, religion, and/or social-economic backgrounds;
 - b) the lives and concerns of people from across the nations and regions of the UK; and
 - c) cultural interests across the UK, including, for example, sports, music, arts, and religion and ethics programming and the depiction of cultural life within other genres.

Recognised regional and minority languages

- 2.35 The public service for information, education and entertainment provided by the PSBs must also include *“a sufficient quantity of [programmes] that is in, or mainly in, a recognised regional or minority language.”*²⁵
- 2.36 Where a licensed PSB intends to use a relevant service to provide programming in the Welsh, Gaelic, Irish, Scots, Ulster Scots or Cornish languages with a view to contributing to this aspect of the overall PSB remit, the PSB should include in its SoPP Plan details of the language(s) in which content will be provided, on which of its relevant services, and the amount and nature of such programmes.

Educational programmes for children and young people

- 2.37 The PSBs are required collectively to make available programming which *“includes an appropriate range and quantity of audiovisual content, contained in original productions, that: (i) reflects the lives and concerns of children and young people in the United Kingdom, and (ii) is of an educational nature, and (iii) helps them to understand the world around them.”*²⁶
- 2.38 To demonstrate a contribution to this aspect of the overall PSB remit, a SoPP Plan should contain details of the way in which a relevant service will provide original educational productions aimed at children and young people. This may include information about

²⁴ Section 264(5)(b)(i) of the Act.

²⁵ Section 264(5)(b)(ii) of the Act.

²⁶ Section 264(5)(c) Act.

programmes within the pre-school education, schools, formal education, and children's factual sub-genres.²⁷

Range of independent, original, and 'Made Outside London' productions

- 2.39 As part of the overall PSB remit, the PSBs are required to provide:
- a) *"an appropriate range of independent productions with an appropriate combined duration,*
 - b) *an appropriate range of original productions with an appropriate combined duration, and*
 - c) *so far as the audiovisual content consists of programmes made in the United Kingdom, an appropriate range of programmes made outside the M25 area with an appropriate combined duration."*²⁸
- 2.40 To demonstrate how it is contributing to the overall PSB remit requirement of an 'appropriate range' of such productions, the licensed PSB could outline in its SoPP Plan, for each of its relevant services, the genres covered by independent productions, original productions and 'Made Outside London' programmes. PSBs could also include details in their SoPP Plans about the range of independent producers commissioned to make programmes and the range of places where programmes have been made.
- 2.41 The licensed PSBs are required to include in their SoPPs information about how they will fulfil their quotas, including quotas in relation to independent productions, original productions and Made Outside London productions, which must be shown on their main TV channel and/or designated IPS.²⁹ If a licensed PSB is planning to provide this type of programming on another relevant service or to exceed its quotas on its main TV channel and/or designated IPS, it may include information about this, including the planned duration of such programming, in its SoPP Plan.³⁰
- 2.42 C4C should set out additional information relating to its approach to commissioning programmes outside of England, as per paragraph 3.11 of this guidance.

IPS designation

- 2.43 Where a licensed PSB uses an IPS to fulfil its individual remit, its SoPP Plan should contain information about it, in line with the guidance above, as one of the PSB's relevant services.
- 2.44 Where a licensed PSB, S4C or a person associated with them is seeking a designation for the IPS, the relevant PSB may consider also including information in its SoPP Plan which

²⁷ In developing their programme policies, licensed PSBs should take account of any criteria published by Ofcom relating to the provision of children's programmes under Section 289A of the Act.

²⁸ Section 264(5)(d) of the Act. Programmes made outside the M25 area are known as 'Made Outside London' productions.

²⁹ See paragraphs 2.58-59 below.

³⁰ This remit requirement is separate to the quotas relating to independent, original, and 'Made Outside London' productions required by sections 277, 278 and 286 respectively of the Act. Whilst the quota requirements can only be fulfilled by programmes on the PSB's main channel or designated IPS, all relevant services may contribute to the remit requirement relating to a range of productions.

explains why the IPS qualifies for designation.³¹ In particular, this may include an explanation as to: (i) why the IPS makes, or is capable of making, a significant contribution to the relevant PSB's individual remit; and (ii) whether the public service remit ('PSR') content included in the IPS is readily discoverable and promoted by the service.

- 2.45 This reflects the two designation conditions that must be satisfied before Ofcom can designate an IPS.³² We refer to them as 'Condition 1' and 'Condition 2'. We set out the information that the PSBs may wish to provide in their SoPP Plans in respect of these conditions below.³³

Condition 1: Does the IPS make, or is it capable of making, a significant contribution to the licensed PSB's or S4C's individual remit?

- 2.46 As explained in paragraphs A1.18-21 of our Draft Statement of methods for IPS designation, in determining whether Condition 1 is satisfied, Ofcom will consider significance in the context of each PSB's individual remit and will have particular regard to the extent to which the content on all the relevant services that the PSB has identified in its SoPP (other than the IPS) will be included in the IPS. Therefore, the PSB may wish to confirm in its SoPP Plan whether the IPS will include all such content on the IPS and if not, provide an explanation for this.
- 2.47 Ofcom may designate a second or further IPS provided by a PSB (or a person associated with that PSB) if, in addition to meeting the designation criteria in the Act³⁴, Ofcom considers that the proposed contribution that the second or further IPS would make towards fulfilling that PSB's individual remit is capable of satisfying the needs and interests of a specific audience.³⁵ As part of this, we will consider whether the content on the PSB's relevant services which is intended for the specific audience is available on the IPS in question. Where the PSB has or intends to have a second or further designated IPS, it could identify in its SoPP Plan:
- a) the specific audience which it is intended to serve;
 - b) confirm whether all of the content which the PSB provides for this audience across its relevant services is available on the IPS; and, if it is not
 - c) include an explanation for this.

Condition 2: Is the public service remit content included in the service readily discoverable and promoted by the IPS?

- 2.48 As explained in paragraphs A1.22-26 of our Draft Statement of methods for IPS designation, in determining whether Condition 2 is satisfied, Ofcom will have regard to information

³¹ If a PSB decides to provide this information in its SoPP Plan for the purposes of the IPS designation process, this information is not covered by the obligation in section 266(3) of the Act for a SoPP to contain a performance review of the proposals contained in the PSB's previous SoPP.

³² 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).

³³ If PSBs do not provide this information regarding Condition 1 and Condition 2 in their SoPP Plans, an IPS provider applying for designation of its IPS will need to provide this information to Ofcom by another means.

³⁴ Section 362AA(2) of the Act.

³⁵ Section 362AA(7)(b)(i) of the Act.

provided by IPS providers explaining: (i) how PSR content will be made readily discoverable on the IPS; and (ii) how PSR content will be promoted by the IPS. The PSBs may therefore provide the following information for the purposes of this determination in their SoPP Plans:

- a) An explanation of how PSR content is/will be positioned in the high traffic areas³⁶ of the homepage as well as other high traffic areas and features of the IPS so the audiences' attention to this content is likely increased relative to non-PSR content. This could include case study examples for how this has been/will be achieved, for example:
 - i) Promotion on the 'hero banner' of the homepage;
 - ii) Inclusion in themed rails on the homepage;
 - iii) Recommendation in the search function;
 - iv) Inclusion in curated category tabs;
 - v) Auto-playing programmes;
 - vi) Recommendation at the beginning or end of programmes; and
 - vii) Inclusion in campaigns around specific themes.
- b) An explanation of how the IPS provider's approach to curation³⁷ (editorially led and/or algorithmic) helps/will help to promote and ensure the ready discoverability of PSR content.
- c) Evidence of how a diverse range of PSR content that informs, educates, and entertains is/will be promoted and made readily discoverable in the high traffic areas of the homepage as well as other high traffic areas and features of the IPS. This could include case study examples for how this has been/will be achieved (see examples above).
- d) Evidence of how news and current affairs is/will be promoted and made readily discoverable in the high traffic areas of the homepage, as well as other high traffic areas and features of the IPS. This could include case study examples for how this has been/will be achieved (see examples above).
- e) In cases where an IPS provider intends to make non-PSR content available within the IPS, an explanation of how the IPS provider will ensure that:
 - i) the promotion and ready discoverability of PSR content will not be adversely affected; and
 - ii) the high traffic areas of the homepage as well as other high traffic areas and features of the IPS will predominantly consist of PSR content.

Significant changes

- 2.49 The licensed PSBs must consult us when preparing their SoPPs if they are proposing to make a '*significant change*'. A significant change is a change which would cause a relevant service to be "*materially different in character from in previous years*".³⁸ A gradual change over up to three years may constitute a significant change.

³⁶ A '*high traffic area*' refers to an area of the IPS which is viewed and/or accessed by a significant volume of people when they use the IPS.

³⁷ 'Curation' means the selection, organisation and presentation of content within the IPS.

³⁸ Section 267(4) of the Act.

- 2.50 If a PSB is proposing to make a significant change to one or more of its relevant services, it should explain this in their SoPP Plan together with the impact that the change may have on the fulfilment of their individual remit and their contribution to fulfilment of the overall PSB remit. The PSB must consult Ofcom about its proposals for a significant change and take account of any views from us in the SoPP Plan it produces, for example by revising or abandoning its plans for a significant change or by reflecting our views in its explanation of the change in the SoPP Plan.
- 2.51 Licensed PSBs must assess a significant change by reference to their description of the character of the relevant service in recent SoPP Plans (as per paragraph 2.16 of this guidance). PSBs should also consider any changes made in the preceding three years which, when taken together with the most recent proposed change, would constitute a significant change.
- 2.52 In terms of what proposals may constitute a significant change, we consider that these may include changes to the way in which a relevant service contributes to the licensed PSB's individual remit, such as (but not limited to) the following:
- a) a material change to a relevant service's target audience;
 - b) a relevant service no longer contributing to a specific element(s) of the PSB's individual remit and/or the overall PSB remit, depending on the nature of the element(s) affected and the extent of the changes proposed; or
 - c) a material reduction in the range of genres provided on a relevant service.
- 2.53 Proposals to introduce a new relevant service or a proposal to stop using an existing relevant service are scenarios which could be significant changes. In such scenarios, licensed PSBs will need to consider whether the proposal(s) may result in a significant change to other relevant services.
- 2.54 We encourage licensed PSBs to engage with us as early as possible about a potential significant change. Where we consider it appropriate to do so, we may engage with the PSB and other relevant parties, depending on the nature of the proposed change. When considering whether to provide comments on a proposed change, factors we are likely to take into account include:
- a) the impact on audiences;
 - b) the market context, including any relevant budgetary information provided to us by the PSB;
 - c) the PSB's proposals in relation to how its other relevant services are proposed to contribute to the individual remit and the overall PSB remit; and
 - d) how other PSBs' relevant services contribute to the overall PSB remit.

Media literacy

- 2.55 Section 11 of the Act imposes a duty on Ofcom to encourage others to promote media literacy. In line with our media literacy duties, we encourage licensed PSBs to use their SoPP Plan to outline how their programming and wider activities contribute to the promotion of the media literacy of their audiences, in particular in relation to mitigation of the impact of misinformation and disinformation. Examples of how the PSB may choose to contribute to media literacy include, but are not limited to:
- a) specific programmes (including storylines or on-screen discussions within programmes);

- b) outreach activity;
 - c) campaigns;
 - d) partnerships;
 - e) social media content; or
 - f) online resources.
- 2.56 PSBs may also wish to include the following information about their media literacy activity in their SoPP Plan:
- a) details of the PSBs' budget for media literacy initiatives;
 - b) duration of media literacy strategies;
 - c) the number of people reached by media literacy activities;
 - d) the audiences these activities were focused on and where they were delivered;
 - e) the rationale behind the activities and whether they met their objectives;
 - f) whether the PSB has plans to extend and/or repeat activities; and
 - g) any relevant evaluative work the PSB has conducted.
- 2.57 PSBs may wish to consider relevant Ofcom guidelines³⁹ if developing their own media literacy strategy.

Other reporting requirements

Quotas

- 2.58 Under their licences, the licensed PSBs are required to fulfil various quota requirements relating to independent and original productions, Made Outside London productions, and news and current affairs programmes.⁴⁰ The Channel 3 licensees also each have regional programming quotas in respect of programmes made, and of particular interest to audiences in their respective licence areas. PSBs can only use their main TV channel and designated IPS for the purposes of quota fulfilment.⁴¹
- 2.59 To the extent that this information is not covered already, the SoPP Plan should outline how the licensed PSB intends to meet its quota requirements relating to these quota requirements (as applicable).

Commissioning

- 2.60 The licensed PSBs are required to have in place a commissioning Code of Practice.⁴²
- 2.61 The licensed PSB should confirm in its SoPP Plan that it has in place a commissioning Code of Practice, and that this reflects Ofcom's guidance for PSBs when commissioning from independent producers. The Code of Practice sets out the principles the PSB will follow when agreeing terms for commissioning independent productions.

³⁹ Such as [Ofcom's Media Literacy Strategy](#).

⁴⁰ Sections 277-279, 286 - 288 of the Act.

⁴¹ Sections 277-278 of the Act.

⁴² Section 285 of the Act.

Channel 3 networking arrangements

- 2.62 It is a condition of the Channel 3 licences that the licensees have approved networking arrangements in place.⁴³
- 2.63 Channel 3 licensees should confirm that there are approved networking arrangements in place.⁴⁴ If the Channel 3 licensees have agreed to make licence modifications, details of these should be provided in their SoPP Plans.

Guidance on SoPP Reviews

- 2.64 The licensed PSBs are required to “to monitor [their] own performance in the carrying out of the proposals contained in” their SoPP Plan.⁴⁵ In this section, we set out our guidance about how the licensed PSBs should do so and the monitoring information they could include in the SoPP Review.
- 2.65 In its SoPP Review, the licensed PSB should assess its delivery of its SoPP Plan for the previous year including if and how, across all its relevant services, the PSB has fulfilled its individual remit, and in doing so made an adequate contribution to the overall PSB remit. It would be helpful for the PSBs to follow the same, or similar, structure to its SoPP Plan to enable comparisons. PSBs may wish to cross-refer to data already provided to us for different purposes throughout its SoPP Review.
- 2.66 A SoPP Review which demonstrates how the licensed PSB is fulfilling its remit could contain:
- a) A qualitative assessment of the performance of each relevant service supported by a quantitative assessment based on targets, where relevant⁴⁶.
 - b) Data on audience figures, even if for commercial reasons PSBs have not provided specific audience target figures in their SoPP Plan.
 - c) An evaluation of the reasons for why objectives or targets have not been met, if relevant, and how this will inform their future programme policies. The PSB can also set out any changes that were made to its programme policy since the publication of its SoPP Plan including the reason(s) for those changes.
 - d) An assessment of the PSB’s performance against the relevant objectives for quotas, commissioning and, for the Channel 3 licensees, networking arrangements.

⁴³ Section 290(1) of the Act.

⁴⁴ Section 290 of the Act.

⁴⁵ Section 266(1)(b) of the Act.

⁴⁶ Sources of information might include audience figures, Ofcom’s PSM Tracker, News Consumption Survey, or other audience research. PSBs may also wish to cross-refer to data already provided to Ofcom as part of other aspects of the PSB regulatory framework.

Publication requirements

- 2.67 The licensed PSBs are required to publish SoPPs annually⁴⁷ and they “*must be published by the provider of the channel in question as soon as practicable after its preparation is complete*”.⁴⁸
- 2.68 SoPPs should ideally cover calendar years with the arrangements for publication as follows:
- a) **SoPP Plan:** should be published prior to the start of the year to which they relate (i.e. by 31 December for the plans for the following calendar year);
 - b) **SoPP Review:** should be published no later than six months after the year to which they relate (i.e. by 30 June for reviews covering the prior calendar year).
- 2.69 SoPP documents (i.e. SoPP Plans and SoPP Reviews) should be published on easily accessible sections of licensed PSBs’ websites, in an accessible format and we request that PSBs inform us when they do so. The Channel 3 licensee based in Wales, C4C and Channel 5 may publish their SoPPs in Welsh and English.
- 2.70 The obligation to produce a SoPP applies to each Channel 3 licensee separately in relation to their respective licensed services. We recognise that, in practice, it may be appropriate for some Channel 3 licensees to produce a combined SoPP documents for their Channel 3 services. If producing combined documents, it must be clearly stated which Channel 3 services they relate to.

⁴⁷ Section 266(1)(a) of the Act.

⁴⁸ Section 266(4)(d) of the Act.

3. C4C's combined statements

- 3.1 This section consists of our guidance for C4C in its production of its combined SoPP Plan and SMCP Plan ('Combined Plan'), and combined SoPP Review and SMCP Review ('Combined Review'), including details of the regulatory framework, our guidance and reporting requirements.

Requirement to produce and publish a SMCP

- 3.2 C4C has statutory functions in relation to '*media content*', in addition to its individual remit and its contribution to the overall PSB remit.⁴⁹ C4C is required to produce an annual SMCP,⁵⁰ which sets out its proposals for fulfilling these media content duties in the following year, and a SoPP Review for the previous year.⁵¹
- 3.3 The SMCP must be prepared at the same time as C4C's SoPP, and C4C must have regard to our guidance and consult us when preparing it. Further details of the legal framework are set out in Annex 2.
- 3.4 C4C may fulfil its SoPP and SMCP reporting requirements through a Combined Plan and Combined Review if it wishes. This guidance addresses C4C's SMCP duties in the context of such combined statements.

Guidance on C4C's Combined Plan

- 3.5 C4C's Combined Plan must fulfil all of the requirements for SoPP Plans, and therefore C4C must have full regard to Section 2 of this guidance. C4C's Combined Plan should also cover its individual remit requirements, its media content policy, and additional reporting requirements relating to commissioning, which we discuss in this section.

C4C's individual remit

- 3.6 Throughout its discussion of its Combined Plan, C4C should outline how, in contributing to the overall PSB remit, it will fulfil its specific individual remit requirements to:
- a) demonstrate innovation, experiment and creativity in the form and content of programmes;
 - b) appeal to the tastes and interests of a culturally diverse society;
 - c) include a significant quantity and range of programmes of an educational nature and other programmes of educative value; and
 - d) exhibit a distinctive character.

⁴⁹ Section 198A of the Act. These are in addition to its remit and its contribution to the overall PSB remit.

⁵⁰ Section 198B(1) of the Act.

⁵¹ Section 198B of the Act.

Statement of Media Content Policy

- 3.7 C4C's Combined Plan must set out its proposals for performing its media content duties during the following year. C4C's media content duties are detailed in Annex 2 of this guidance.
- 3.8 '*Media content*', which is relevant to the performance of most – but not all – of the media content duties, includes programmes, as well as other online media content such as podcasts, internet radio, audio or music streams, websites, or games. C4C may therefore use programmes on its relevant services, and which are being used to contribute towards remit fulfilment, to contribute to the performance of some of its media content duties.
- 3.9 Therefore, although C4C's media content duties and its remit requirements are separate statutory duties, we recognise that there may be some overlap between them in practice.
- 3.10 To the extent that C4C proposes to use any of its programmes on relevant services to perform any of its media content duties, this should be clearly explained within the Combined Plan. In addition, C4C should set out if and how online media content other than programmes will be used to perform its media content duties. C4C should also set out its proposals for performing its media content duties in respect of films.

Outside of England commissioning

- 3.11 In addition to the commissioning reporting requirements at paragraphs 2.60-61, C4C should set out:
- a) how its approach to commissioning outside of England supports and stimulates the TV production sector in the nations, including how it enables access to commissioners;
 - b) its strategy for commissioning in each individual nation over the next year; and
 - c) its plans to engage with stakeholders and audiences in the nations in the next year.

Guidance on C4C's Combined Review

- 3.12 The SoPP Review guidance (paragraphs 2.64-66 of this document) applies to C4C in relation to its review of its remit delivery, and delivery of its quota and commissioning requirements.
- 3.13 C4C's Combined Review should also address its performance in relation to the delivery of all of the policies and goals set out in its Combined Plan, including its media content duties and outside of England commissioning.

Publication of C4C's Combined Plan and Combined Review

- 3.14 The guidance for the publication of SoPPs (paragraphs 2.67-69 of this document) applies to C4C's Combined Plan and Combined Review.
- 3.15 We will engage with C4C on an ongoing basis as it drafts its Combined Plan and Combined Review, in recognition of C4C's statutory duty to consult with us when preparing its SMCP. This may include agreeing metrics C4C will use to assess its performance against its media content duties and remit requirements.

A1. Legal framework relevant to SoPPs

- A1.1 In this annex, we summarise the statutory provisions which are relevant to the preparation of SoPPs by the licensed PSBs. This Annex is only a summary of the relevant provisions, it is not a substitute for reference to the statute.
- A1.2 We first set out the respective individual remits of the licensed PSBs and S4C, the requirements of the overall PSB remit that the PSBs taken together must fulfil, and the provisions about the different audiovisual services that they can use to do so. We then set out the duty of the licensed PSBs to produce SoPPs and outline certain functions of Ofcom to which SoPPs are relevant.

Individual PSB remits

- A1.3 Each licensed PSB has an individual remit which they are required to fulfil.
- A1.4 The individual remit for Channel 3 services and Channel 5 is to make available a range of high quality and diverse programmes.⁵²
- A1.5 The individual remit for C4C is to make available a broad range of high quality and diverse programmes.⁵³ These programmes must, in particular:
- a) demonstrate innovation, experimentation, and creativity;
 - b) appeal to the tastes and interests of a culturally diverse society;
 - c) include a significant amount of educational content; and
 - d) have a distinctive character.
- A1.6 In addition, the individual remit for each licensed PSB requires that all the programmes which the PSB makes available to fulfil its individual remits should be capable of being taken into account for the purposes of assessing the extent to which the overall PSB remit is fulfilled, and when considered together should constitute an adequate contribution to the fulfilment of the overall PSB remit.

The overall PSB remit

- A1.7 The overall PSB remit is fulfilled when the PSBs (the BBC, the licensed PSBs and S4C), taken together, make available a broad range of audiovisual content which meets the needs and satisfies the interests of as many different audiences as possible, considering when and how the programmes are accessed, as well as the nature of the programmes and the

⁵² Section 265(2) of the Act.

⁵³ Section 265(3) of the Act.

subject matters covered by them.⁵⁴ The content that PSB make available must, as a whole, meet the following requirements:⁵⁵

- a) content which provides comprehensive and authoritative news and current affairs coverage, both within the UK (and different parts of the UK) and globally, as appropriate to facilitate civic understanding and fair and well-informed debate;
- b) a public service for information, education, and entertainment, and includes:
 - i) a sufficient quantity of audiovisual content which reflects the lives and concerns of different UK communities and cultural interests and traditions; and
 - ii) a sufficient quantity of audiovisual content in, or mainly in the Welsh, Gaelic, Irish, Scots, Ulster Scots, or Cornish languages;
- c) an appropriate range and quantity of content in original productions that reflects the lives and concerns of children and young people in the UK, is educational, and helps them understand the world;
- d) an appropriate range and amount of independent productions, original productions, and programmes made outside the M25;
- e) content which constitutes an appropriate range of genres.⁵⁶

A1.8 The overall PSB remit is therefore a collective obligation on all the PSBs which must be fulfilled by them together through the audiovisual content that they make available. Each licensed PSB must make an adequate contribution to the overall PSB remit, but they have flexibility about how they do so.

Relevant audiovisual services

A1.9 Following the enactment of the Media Act 2024, the licensed PSBs are able to use relevant audiovisual services alongside their main TV channel to contribute to the fulfilment of their remits, including:

- a) other TV channels;
- b) on-demand programme services, including a PSB's own on-demand player, also known as an IPS; and
- c) online services, or sections of online services meeting the criteria described below.⁵⁷

A1.10 Whilst any number of relevant audiovisual services may be used for remit fulfilment, only the main TV channel and designated IPS (if applicable) of each licenced PSB may be used for the purposes of quota fulfilment.

A1.11 Relevant audiovisual services must either be provided by the PSB or provided by another person under arrangements between the PSB and that person.⁵⁸

A1.12 To be able to be considered for the purposes of contributing to the overall PSB remit, the licensed PSBs must ensure that their programmes and relevant audiovisual services are

⁵⁴ Section 264(4) of the Act.

⁵⁵ Section 264(4)-(6) of the Act.

⁵⁶ Section 264(5) – (6) of the Act.

⁵⁷ Section 264(11) of the Act.

⁵⁸ Section 264(13) of the Act.

accessible in intelligible form and free of charge to as much of the intended audience as is reasonably practicable.⁵⁹

- A1.13 With the exception of the coverage of news and sporting events, programmes made available by on-demand programme services can only count towards fulfilment of the overall PSB remit if they have been made available for at least 30 continuous days.⁶⁰

Online services

- A1.14 Certain criteria must be satisfied for an online service or a section of an online service (such as an account or a channel within an online platform) to qualify as a relevant audiovisual service. In particular:
- a) the principal purpose of the online service must be the provision of programmes;
 - b) there must be a person who has general control over which programmes are included in the service (whether or not that person has control of the content of individual programmes or the distribution of the service);⁶¹ and
 - c) the online service must be available for use by the public in all or part of the UK (this includes free subscription services made available to members of the public).⁶²
- A1.15 When determining whether the ‘*general control*’ condition is satisfied, we will consider, amongst other things, whether there is someone – which could be the PSB or another person – who decides which programmes are available, how those programmes are organised, and for how long they will be available to be viewed.

Reporting requirements

- A1.16 Licensed PSBs and are required to produce SoPPs on an annual basis.⁶³ A SoPP must:
- a) set out how the PSB’s individual remit, which includes making an adequate contribution to the overall PSB remit, will be fulfilled in the following year;
 - b) set out how its requirements relating to programme quotas, news provision, regional programme-making, and commissioning will be fulfilled;⁶⁴
 - c) state which relevant audiovisual services will be used to contribute to the fulfilment of the PSB’s individual remit, and if so, how; and
 - d) contain a performance review for the previous year.
- A1.17 In preparing SoPPs, the licensed PSBs must have regard to Ofcom guidance, take account of Ofcom annual factual and statistical reports and PSM reviews, and special account of the most recent ones. They must publish the SoPP as soon as possible after it is complete, having regard to Ofcom guidance about the manner of publication.

⁵⁹ Section 264(8) of the Act.

⁶⁰ Section 264(8B) of the Act.

⁶¹ Section 264(11A) of the Act.

⁶² Section 264(11B) of the Act.

⁶³ Section 266(1) of the Act.

⁶⁴ The requirements are set out in in Sections 277 - 296 of the Act.

A1.18 S4C is also required to prepare a SoPP on an annual basis and to have regard to Ofcom’s guidance when doing so.⁶⁵ 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 reviewing S4C’s performance and the fulfilment of its individual remit.⁶⁶ If the Secretary of State concludes that S4C has failed in any respect to perform its duty to fulfil its individual remit, it can direct S4C to take remedial action.⁶⁷

Ofcom’s role

A1.19 SoPPs play an important role in relation to several of Ofcom’s functions. In carrying out our functions below, we have acted in accordance with our statutory duties including our general duties set out under Section 3 of the Act. Our functions include:

PSM reviews

A1.20 SoPPs are used to inform Ofcom’s PSM reviews (to be conducted at least once every five years) which consider how PSBs have delivered for UK audiences and fulfilled the overall PSB remit.⁶⁸ These reviews also explore the future challenges to the provision of public service broadcasting, with a view to maintaining and strengthening its quality.

Remit enforcement

A1.21 Ofcom may determine that a licensed PSB has failed in any respect to full its individual remit, in a manner not excused by economic or market conditions. When making this determination, Ofcom must consider the PSB’s SoPP along with other relevant factors. If Ofcom determines that a serious failure has occurred, Ofcom has the authority to direct the PSB to take corrective actions, including revising its SoPP.⁶⁹ As noted in paragraph A1.18 above, it is the role of the Secretary of State, not Ofcom, to review S4C’s performance and the fulfilment of its individual remit.

Significant changes

A1.22 Ofcom must be consulted, before licensed PSBs prepare their SoPPs, on any proposals for a ‘significant change’. A ‘significant change’ is a change which would result in the character of the relevant audiovisual service being materially different from in previous years.⁷⁰ An accumulation of changes, or a gradual change over up to three years may also constitute a significant change. Licensed PSBs must have regard to Ofcom’s guidance in determining whether a change is a significant change and must also take account of any opinions

⁶⁵ Paragraph 4, Part 2 of Schedule 12 of the Act.

⁶⁶ Section 339 of the Act.

⁶⁷ Section 340 of the Act.

⁶⁸ Section 264(9)(a) of the Act.

⁶⁹ Section 270 of the Act.

⁷⁰ Section 267 of the Act.

expressed by Ofcom in relation to any proposals for a significant change when preparing their SoPPs.⁷¹

IPS designation and monitoring

- A1.23 SoPPs also play an important role in the availability and prominence regime in Part 3A of the Act, particularly the designation process for IPS provided by a licensed PSB or S4C, or a person associated with a licensed PSB or S4C.⁷² This is because Ofcom must be satisfied that certain conditions are met before it can designate an IPS. These include that the IPS makes, or is capable of making, a significant contribution to the fulfilment of that PSB's individual remit and that programmes included in the IPS to contribute towards the remit are readily discoverable and promoted by the service. In making our assessment, we must take account of the proposals in a PSB's SoPP as to the contribution that the IPS will make towards fulfilling the PSB's individual remit. We must also consider how effective and efficient the PSB's monitoring of its performance is as regards the fulfilment of its individual remit.⁷³

Accessibility

- A1.24 Ofcom has a duty to encourage providers of on-demand programme services to develop accessibility action plans with a view to continuously and progressively making such services more accessible to people with disabilities.⁷⁴ This is included within this guidance.

Children's content

- A1.25 Separately to our remit enforcement powers, Ofcom has the power to publish criteria to be applied to the licensed PSBs' provision of children's programmes.⁷⁵ SoPPs may be taken into account when we decide whether to introduce, review or revise such criteria.

Media literacy

- A1.26 Ofcom's media literacy duties include duties to encourage others to bring about improved media literacy.⁷⁶ In discharging Ofcom's functions on media literacy, we have included the PSBs' media literacy activity in this guidance.

⁷¹ Section 267(2)(b) of the Act.

⁷² Part 3A of the Act.

⁷³ Section 362AA(7)(c) of the Act.

⁷⁴ Section 368C(2) of the Act.

⁷⁵ Section 289A of the Act.

⁷⁶ Section 11(1) of the Act.

A2. Legal framework relevant to SMCPs

C4C's media content duties

- A2.1 In addition to its individual remit requirements, C4C has a series of duties relating to '*relevant media content*'. This is defined as material, other than advertisements, which is included in TV channels, on-demand services, or internet services where there is a person – which could be C4C or another person – who exercises editorial control over the material included in the service.⁷⁷
- A2.2 C4C's duties are to '*participate in*':⁷⁸
- a) the making of a broad range of relevant media content of high quality that, taken as a whole, appeals to the tastes and interests of a culturally diverse society;
 - b) the making of high-quality films intended to be shown to the general public at the cinema in the United Kingdom;
 - c) the broadcasting and distribution of such content and films;
 - d) the making of relevant media content that consists of news and current affairs;
 - e) the making of relevant media content that appeals to the tastes and interests of older children and young adults;
 - f) the broadcasting or distribution by means of electronic communications networks of feature films that reflect cultural activity in the UK (including third party films)⁷⁹; and
 - g) the broadcasting or distribution of relevant media content by means of a range of different types of electronic communications networks.
- A2.3 In performing these duties, C4C must:
- a) promote measures intended to ensure people are well-informed and motivated to participate in society in a variety of ways;
 - b) contribute towards the fulfilment of the overall PSB remit requirements set out in section 264(5) of the Act;
 - c) support the development of people with creative talent, in particular people at the beginning of their careers in relevant media content or films, and people involved in the making of innovative content and films;
 - d) support and stimulate well-informed debate on a wide range of issues, including by providing access to information and views from around the world and by challenging established views;

⁷⁷ Section 198A(5) of the Act.

⁷⁸ '*Participate in*' is defined as invest in or otherwise procure by Section 198A(6) of the Act.

⁷⁹ A '*third party film*' is defined as a film C4C did not participate in making by Section 198A(6) of the Act.

- e) promote alternative views and new perspectives; and
 - f) provide access to material that is intended to inspire people to make changes in their lives.
- A2.4 C4C must also have regard to the desirability of working with cultural organisations; encouraging innovation in the means of broadcast or distribution of relevant media content; and promoting access to and awareness of its services provided in digital form.⁸⁰

Reporting requirements

- A2.5 C4C is required to produce an annual SMCP, which must set out its proposals for fulfilling its media content duties in the following year, and a performance review for the previous year.⁸¹ The SMCP must be prepared at the same time as C4C's SoPP, and C4C must have regard to Ofcom guidance and consult Ofcom when preparing it.⁸² C4C must publish the SMCP as soon as possible after it is complete, having regard to Ofcom guidance about the manner of publication.

Ofcom's role

- A2.6 Similarly to our remit enforcement powers, Ofcom may determine that C4C has failed to perform one or more of its media content duties. In doing so, we must consider C4C's SMCP (in practice, this may be its combined statement) along with other relevant factors. If we determine that C4C fails to perform any of its duties, we have the authority to direct C4C to take corrective actions, including revising its SMCP.⁸³
- A2.7 In carrying out our functions, we have acted in accordance with our statutory duties including our general duties set out under Section 3 of the Act.

⁸⁰ Section 198A(5) of the Act.

⁸¹ Section 198B of the Act.

⁸² C4C's duty to consult Ofcom does not apply to other licensed PSBs, which are only required to consult us in relation to significant changes.

⁸³ Section 198D of the Act.