

*Championing
excellence and diversity
in broadcasting*

Founded in 1983 by Jocelyn Hay CBE



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RESPONSE BY THE VOICE OF THE LISTENER & VIEWER TO CONSULTATION ON THE BBC EDITORIAL GUIDELINES

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INFORMATION ABOUT THE VLV

The Voice of the Listener & Viewer Limited (VLV) represents the citizen and consumer interests in broadcasting and speaks for listeners and viewers on the full range of broadcasting issues. It uses its independent expertise to champion quality and diversity in public service broadcasting, to respond to consultations, to produce policy briefings and to conduct research. VLV has no political, commercial or sectarian affiliations and is concerned with the issues, structures, institutions and regulations that underpin the British broadcasting system. VLV supports the principles of public service in broadcasting. It is a charitable company limited by guarantee (registered in England and Wales No 4407712 - Charity No 1152136).

Introduction

1. VLV welcomes the opportunity to respond to this consultation on the BBC Editorial Guidelines.
2. We fully support the principle of the BBC setting Editorial Guidelines, many of which are more wide-ranging, detailed and stringent than those in the Ofcom Broadcasting Code. We agree with the BBC that this is appropriate because the public expects the BBC to set the 'gold standard' in editorial standards¹.
3. VLV considers the Editorial Guidelines to be a manual for staff and independent producers and a reference point for complaints.

Question 1: Are the draft Guidelines clear and straightforward?

4. In its response to the BBC Trust's consultation on the 2010 Editorial Guidelines VLV questioned the value of the Guidelines document because it was too long to be practically useful. We note that the draft of the Guidelines under consideration is 221 pages, slightly longer than the 2010 version.
5. VLV notes and welcomes the BBC's attempts to make the Guidelines more accessible by introducing mobile apps and including extensive cross-referencing in the online version of the Guidelines.
6. While we acknowledge the value of an extensive set of Editorial Guidelines which provide detail on the different issues involved in editorial decision-making, we question the value of a document of this length as a practical tool for producers.
7. VLV understands that it is a contractual obligation of everyone who makes content for the BBC to abide by the Guidelines². We consider the guidelines to be too detailed and complex in their current form for day-to-day use by producers. The fact that they do not appear to be a useful tool for producers is VLV's main concern in responding to this consultation.

¹ The BBC's Editorial Guidelines Consultation Document, 4 October 2018, p. 1.

² The BBC's Editorial Guidelines Consultation Document, 4 October 2018, para 2.2.1 'everyone who makes BBC content is contractually required to familiarise themselves with them and abide by them.'

8. We recognise it is a significant challenge to provide Guidelines which are detailed but also practical to guide staff editorially when they produce content, but we do not believe it is realistic to expect every producer of content to be aware of the full Guidelines in their current form or even with the sections most relevant to their work.
9. VLV recommends that the Editorial Guidelines document should be retained as a reference document and referred to by senior Editorial staff and those in the Editorial Policy Unit when they advise producers, but it should not be expected that producers should be required to be fully conversant with all the detail in the document in their day-to-day work. We note that ‘referrals lie at the heart of the BBC’s editorial process and are a source of its strength’³ and that the referral process should result in less need for producers to have remembered the detail of the full Editorial Guidelines document.
10. VLV recommends that a separate set of Guidelines should be published for producers in which the emphasis is shifted towards an understanding of the ethical principles which are at the heart of the Editorial Guidelines. This set of producers’ guidelines should be shorter, less abstract, with more concrete examples which bring the principles of the Editorial Guidelines ‘to life’ and which highlight the principles and ethics of the BBC. In this way, we believe that producers will find it easier to keep the principles of the Editorial Guidelines at the front of their minds in their everyday work.
11. Additionally, a key issue which concerns VLV is how the Editorial Guidelines are implemented. Publishing the Guidelines is only the first step in ensuring that the ambition of the BBC to achieve the ‘gold standard’ in editorial standards is fulfilled. We would hope that as a consequence of training and work experience, the appropriate standards and content of public service broadcasting would be part of the “culture” of the BBC. In practice this means all producers should receive appropriate regular training to ensure that they are aware of the scope and content of the Editorial Guidelines.

Question 2: Do they set out appropriate editorial standards for those making BBC programmes and content?

12. VLV focuses its response to this question on accuracy and impartiality. We have read the full Editorial Guidelines document and support the amendments to all other sections. VLV especially welcomes the revision of guidelines in Section 10, Politics, Public Policy and Polls, so that they add more caution to reporting of Opinion Polls, especially paragraph 10.3.30. The influence of high profile reporting of opinion polls during the EU Referendum was of particular concern to a number of our members.
13. Accuracy, balance and due impartiality are fundamental principles which underlie broadcast news and current affairs in the UK. VLV considers balance to be the provision of a range of views on the issue under consideration. Impartiality, however, requires more judgement on the part of editors and journalists: *‘It requires a journalist to actively seek out and weigh up the relevant arguments on any issue and to present them appropriately without preconceptions or bias.’*⁴

³ The BBC’s Editorial Guidelines Consultation Document, 4 October 2018, para 2.2.4 *Referrals lie at the heart of the BBC’s editorial process and are a source of its strength.*

⁴ <http://www.bbc.co.uk/academy/journalism/article/art20130702112133788>

Section 3: Accuracy

14. VLV welcomes the BBC's commitment to achieve due accuracy in all its output.⁵
15. We acknowledge that the rules regarding accuracy should be applied to varying degrees according to the nature of the content under consideration, i.e. accuracy in news and current affairs is essential whereas in drama it may be considered less necessary depending on audience expectations and that therefore the phrase 'due accuracy' should be used.
16. We agree with the Guidelines covering the gathering of material. We welcome the inclusion of new material on reporting statistics, user generated content and content derived from social media sites.
17. However, VLV members are concerned about the impact of contributors' opinions which include unverified facts. In an effort to provide balanced and impartial news and current affairs content, where a range of points of view are presented, there is always a risk that news producers may give air time to those who express opinion as fact or express an opinion and back it up with unverified facts.
18. This issue is only partly covered by paragraph 4.3.6: *'When dealing with 'controversial subjects', we must ensure a wide range of significant views and perspectives are given due weight and prominence, particularly when the controversy is active. Opinion should be clearly distinguished from fact.'* This clause doesn't address the problem of contributors expressing an opinion and supporting it with unverified facts.
19. VLV recognises it is a significant challenge in a live programme for a presenter to be able to verify facts presented by a contributor as they speak, however every effort should be made to do so through thorough research before the interview to establish what the interviewee may say in advance.
20. Lord Puttnam highlighted the risk of opinion masquerading as fact in the 2017 Jocelyn Hay VLV Lecture: *'So what happens is, you have this extraordinary situation where someone can make a claim - the claim has got no credibility whatsoever - but the other newsfeeds pick it up and it's fact. This is very, very dangerous. I think this is the ultimate... slippery slope.'*⁶

Section 4: Impartiality

21. VLV members are very concerned about BBC News and Current Affairs coverage of the Brexit referendum and the negotiation process which has followed on from it. We are aware that the Guidelines for Politics, Public Policy and Polls are included in Section 10, therefore our comments should be considered in response to Section 4 (impartiality) as well as Section 10, when relevant.
22. In its response to the BBC Trust Consultation on the BBC's Editorial Guidelines in 2009, VLV said , *'It is...vital that they should be clear, simple and easy for the most junior programme researcher as much as the most senior news correspondent to understand and implement. Yet a lengthy section 4 is none of those things. Instead it is opaque, repetitious and consequently*

⁵ The BBC's Editorial Guidelines Consultation Document, 4 October 2018, para 3.1

⁶ <http://www.vlv.org.uk/information/report-on-events.html>

*inadequate.*⁷ VLV considers that the section on impartiality in the draft Guidelines currently being considered is still inadequate for the same reasons we cited in 2009.

23. VLV believes that the BBC's approach to the implementation of the Editorial Guidelines needs to be reconsidered, as suggested above, so that they are a more practical guide for producers carrying out their day-to-day duties. This may help producers better understand the BBC's approach to impartiality and follow the Guidelines more effectively.

24. We note that in the pre-appointment evidence session before the Digital, Culture, Media and Sport Committee in January 2017, Sir David Clementi suggested that analysis of BBC impartiality could become more scientific in future:

'My message to Tony Hall and to James Harding and the BBC ... would be that I am absolutely determined that we should meet this particular requirement for the BBC at every time, and to stand back and question itself as to whether there is some implicit bias. I do not think it is necessarily explicit and I am not sure it is intended, but does it happen anyway? I want to see some more numerical, scientific review of how the BBC has done.'⁸

25. VLV would welcome more scientific analysis of BBC impartiality and believes it would be in the public's interest if the BBC conducted and published such an analysis. It is not possible as a listener or viewer to fully assess the BBC's impartiality across all its output and VLV believes that if this research were published it might allay public concerns about BBC impartiality.

26. VLV welcomes the inclusion in the Guidelines of paragraph 4.3.12. This paragraph says '*it should be made as clear as relevant clear to the audience what affiliations or particular viewpoints contributors and their organisations have.*' This sentence needs to be rewritten because it doesn't make sense. VLV believes that the affiliations of all contributors in interviews when they are speaking on a controversial subject should be made clear.

27. With reference to impartiality over a series or strand which deals with controversial subjects, as defined in the Guidelines, VLV believes it is essential that audiences are made aware that other programmes in the series or strand may add to their understanding of an issue and provide alternative views. Many viewers may only watch individual episodes of a series so it is crucial that they are made aware other programmes in the series provide alternative views. This should be stressed more strongly within the Editorial Guidelines than it is currently and each individual programme in a series or strand should highlight this point.

Question 3: Do they properly address the BBC Charter duty to form partnerships with external organisations to produce content?

28. VLV considers that the draft Guidelines address the BBC Charter duty to form partnerships with external organisations to produce content, however we are concerned that content produced as a result of partnerships should be constantly subject to review.

29. We are concerned that the Local News Partnership might undermine BBC credibility unless Local Democracy Reporters, employed as a result of the Partnership, are properly trained to

⁷ VLV submission to BBC Trust Consultation on the BBC Editorial Guidelines, 24 December 2009

⁸ <https://www.parliament.uk/business/committees/committees-a-z/commons-select/culture-media-and-sport-committee/inquiries/parliament-2015/bbc-board-chair-pre-appointment-16-17/>

be aware of the BBC Editorial Guidelines because the regulation of print journalism sets standards which do not align with those in the BBC Editorial Guidelines.

Question 4: Do they sufficiently reflect the changes in the media landscape since the last review in 2010?

30. While we recognise there are new guidelines relating to social media, the wearing of body-worn cameras by third parties, and the expansion of online distribution VLV feels unable to respond to this question.

Question 5: How well do they reflect audience expectations of the BBC?

31. In general terms, VLV considers that the ambitions set out in the Editorial Guidelines are commendable and reflect audience expectations of the BBC which are that it should set the 'gold standard' in editorial standards.
32. However, as stated above, VLV does not consider the document to be a useful tool in influencing and supporting BBC production staff in their everyday work so that they can provide the highest quality content which fulfils the ambitions of the BBC. VLV considers that improving and maintaining the quality of output should be the goal of the Editorial Policy Unit in publishing the Editorial Guidelines and therefore in this regard the Editorial Guidelines are not effective.
33. As suggested above, VLV considers that the draft Guidelines can be used as a reference point for Editorial Policy advisors and senior editorial staff to advise more junior staff, but in addition a simpler, clearer and shorter version should be published for production staff. This shorter document would reinforce clear guiding principles and encourage editorial responsibility and common sense in their application.