

Guidance for Community Radio Stations when involved in the All The Voices campaign

Background

The CMA and community radio stations around the country are supporting a campaign for an improved financial settlement for the sector including an increased Community Radio Fund.

Please see:

<http://petitions.number10.gov.uk/allthevoices> and
<http://allthevoices.commedia.org.uk>

The campaign is gaining coverage in other media and community stations are naturally keen to publicise it.

Community radio stations can play an important role in democratic debate and they also have an obligation to facilitate discussion and expression of opinion on behalf of their communities and the public in general.

The campaign itself and funding for community radio may be of interest to your listeners and therefore deserves coverage in news and other programmes.

But there can be dangers and you have to be aware of them...

Community radio stations have legal obligations with respect to:

- **being accurate and impartial in news reporting** and
- **ensuring that no undue prominence is given in programmes to views and opinions of particular persons and bodies, where these are on matters of political or industrial controversy and matters relating to current public policy.**

These are set out in the [Ofcom Broadcasting Code](#) and are based on the [Communications Act 2003](#).

This guidance is intended to assist you in fulfilling your role in promoting local democratic discussion while respecting the rules of the Broadcasting Code.

It has been prepared with the assistance of independent legal advice.

This guidance does not substitute for the terms of the Broadcasting Code or the Communications Act 2003.

Stations should obtain their own legal advice if in any doubt on any of these matters.

So far, so legal and dusty...

What should you do in practice?

News reporting

If the community radio fund campaign is considered to be of editorial interest then, of course, you can cover it in news programming such as bulletins and Current Affairs output.

As with all news programmes the requirements of due accuracy and due impartiality ([Rule 5.1 of the Broadcasting Code](#)) will apply.

[Rule 5.4](#) of the Code also requires that “programmes (on community radio services) must exclude all expressions of the views and opinions of the person providing the service on matters of political and industrial controversy and matters relating to current public policy (unless that person is speaking in a legislative forum or in a court of law).”

However, **views and opinions relating to the provision of programme services** are excluded from this requirement.

This **allows your station manager or trustees to comment on the campaign** (in other areas of controversy this is not allowed).

For example, without such an exemption, the Director General of the BBC could not give his view on calls to top-slice the BBC licence fee.

In order to make sure you **provide balance** and are **impartial about the campaign in news output**, you might consider asking other community broadcasters, commercial radio stations or their support group, the [Radio Centre](#), about their views on the subject.

It may, additionally, be advisable for stations to seek the government point of view or the views of other stakeholders, such as your funders.

Even if such requests are declined or not answered, the perspective of other bodies must still be reflected in news programmes either by finding out what they have said publicly in the past and quoting that or by making it clear that they declined to contribute.

Things you can do in news output:

- **Write a balanced and impartial news bulletin about the campaign**
- **Broadcast a feature or debate in a Current Affairs programme**

As part of the above you can:

- **Interview your station manager and/or trustees,**
- **Interview your station’s volunteers,**
- **Ask your MP and/or local councillors what they think,**
- **Ask the station managers of other radio stations in your area what they think (even if you don’t like the answers!),**
- **Ask government or opposition ministers what they think,**
- **Ask for opinions from your funders,**
- **Gather vox pops from the general public/members of your community**

and include this audio in your news content.

Programming other than news

For community radio stations, the rules on due accuracy and due impartiality do not apply in programming which is not news-based, however [Rule 5.13](#) says broadcasters should not give ‘undue prominence’ to the views and opinions of particular persons or bodies on matters of political or industrial controversy and matters relating to current public policy in all the programmes included in any service taken as a whole.

There would therefore be a significant danger that a station manager or trustee who is actively campaigning on-air on a matter of political or industrial policy or relating to current political would be in breach of the Code.

The undue prominence rule applies when particular persons or bodies speak out in their own voices.

Since [Rule 5.13](#) applies to the radio station “taken as a whole”, and so **this should not prevent an individual presenter expressing their own personal point of view on such a matter during their own show, provided that across the schedule as a whole there are other views and opinions expressed.**

The Code explains that this rule means that **there should not be a “significant imbalance” of views on the matter.**

This might be achieved by, for example, carrying interviews and clips with the people and organisations outlined above for news output, inviting listeners views and opinions on a phone-in programme, or organising a round table discussion on air with participants representing different views and opinions.

Things you can do in non-news programmes

- Volunteer programme makers and teams can express their own views on the subject in their programmes,
- Ask other programme makers what it is they are doing for the campaign,
- Be careful about asking your station manager or trustees to contribute to non-news output- it may get them in trouble,
- If you have an editorial role in your station (e.g. programming committee) you must make sure you are fully aware of what everyone is doing,
- You must also try to include other the views from people who are not directly involved in your station (such as those outlined above in the guidance for news output), perhaps by playing clips of interviews or creating a space for debate between a range of different people,
- Don’t go overboard on the campaign across your schedule- channel your passion and opinions into well-written and well-planned sections of your shows,
- You might want to call a meeting between all volunteers who want to contribute to the campaign and come up with a plan of action,
- Remember- less is more and balance is everything!

Spot announcements

This section applies to discreet pre-recorded items or announcements **which are not** commercial advertisements.

The rules on undue prominence also apply to such pre-recorded spot items and therefore particular care should be taken in producing them for broadcast across the schedule to **ensure these do not lead to a significant imbalance of views (or bias).**

Spots which only promote your station, its opportunities or activities and make no mention of the campaign are unlikely to be affected by this.

For example:

“Community radio stations are run for community benefit, and not-for profit. Find out how you can support your local community radio by going to mytownradio.org”

Spots which draw attention to the campaign without expressing a particular view or opinion, or which simply encourage listeners to express their own views, are also unlikely to cause bias.

For example:

“Some people think petitions are a waste of time, others consider them a vital part of our democratic culture. There is one running now about community radio which you can read at allthevoices.org. Let us know what you think.”

On the other hand, **flooding your schedule with spot announcements that promote the point of view of your station manager or trustees on the campaign or on issues of funding for community radio are likely to result in significant imbalance or bias and so risk being in breach of the Code and may lead to complaints.**

One approach to reduce this risk, while still facilitating discussion and expression of opinion, would be to carry a variety of spots that, taken as a whole, which air the views and opinions of a variety of different persons.

For example, these might include local politicians, local personalities, other stakeholders, or a representative mix of public opinion collected as vox pops

The CMA has produced a spot for stations to use which can be found here for download:

<http://allthevoices.commedia.org.uk>

but you should not rely on using this one alone.

This is a national campaign but one which is trying to gather support from each station's community and listener base; make some time to create your own which give a perspective on where you live and operate!

Further guidance

This guidance note is not intended to be exhaustive, but rather to promote awareness, understanding and debate on these issues.

Responsibility for complying with the Broadcasting Code and other terms of licence rests, of course, with the licence holder.

The CMA would be interested to receive comments on this guidance, to hear how individual community radio stations are treating this matter and to be alerted to any difficulties.

Programme makers who require further advice should, in the first instance talk to those editorially responsible for the programme and to the broadcaster's compliance and legal officers such as your station manager, trustees or programming committee.

Ofcom can also offer general guidance on the interpretation of the Code.

<http://www.ofcom.org.uk>

Broadcasters should seek their own legal advice on any compliance issues arising in relation to the Broadcasting Code and other terms of licence.

The CMA will not be liable for any loss or damage arising from reliance on this or other informal guidance that we may provide.

Community Media Association

<http://www.commedia.org.uk>

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