

Note to broadcasters

Providing a service in accordance with 'Key Commitments'

Community radio stations provide a voice for hundreds of local communities across the UK. Fuelled by the hard work and enthusiasm of volunteers, they reflect a diverse range of cultures and interests and provide a rich mix of mostly locally-produced content.

Community radio stations typically cover a small geographical area with a coverage radius of up to 5km, and are run on a not-for-profit basis. They can cater for local areas or for specific communities of interest - such as a particular ethnic group, age group or interest group. For example, some stations cater for dance or experimental music, while others are aimed at younger people, religious communities or the Armed Forces and their families. Community radio stations are also designed, and required, to deliver social gain to their target community, for example through training, access to facilities and the discussion of issues which are important to the community.

Key Commitments

Reflecting our duties to ensure a diverse range of local radio services, community radio licensees are required to provide the licensed service specified in their Key Commitments which are based on the commitments they made when they applied for the licence.

Each community radio licence's Key Commitments document contains a description of the community to be served and its 'character of the service' (i.e. a short description of the station's aims). In the case of analogue community radio stations, their Key Commitments also set out the content that the station must broadcast over the course of each week (i.e. the type of music and speech content, language(s) and the amount of original and locally-produced output). Both analogue and digital community radio station Key Commitments set out a range of on-air and off-air community benefits that the service must provide for its target community in the form of community participation and education and training opportunities for volunteers. There is also a requirement for licensees to be accountable to their target audiences and to have a studio in the licensed coverage area.

For the avoidance of doubt, when Ofcom is considering whether the output of a station meets its character of service, we consider the entirety of the Key Commitments document, not just the description that appears immediately under the 'Description of character of service' heading.

Definitions of original output and locally-produced output

In recent months, Ofcom has recorded an increased number of breaches of analogue community radio licences for failure to comply with Key Commitments. In several of these cases, we have noted that the licensee has misunderstood the meaning of 'original output' and/or 'locally-produced output' (that are

defined in the Key Commitments annex to the licence), which has contributed to the breaches of the licence. This note to broadcasters is intended to provide clarification on what content constitutes original output and locally-produced output.

Original output

Original output is content which is first produced for, and transmitted by, the station. By definition, it therefore excludes output that has been transmitted before, whether on the station itself or on another station. Original output does not necessarily have to be live (i.e. created and broadcast at the same time). Pre-recorded or voice-tracked output can also count as original output, provided it has not been broadcast before. This means any programme or programming which is repeated (i.e. broadcast more than once) only counts as original the first time it is broadcast.

Apart from where the Key Commitments explicitly allow for such output to be provided (e.g. a specialist dance music show), continuous music with no speech content other than advertisements, station idents and/or outsourced news bulletins (i.e. news bulletins produced by a third party) does not count as original output.

Locally-produced output

Locally-produced output is content which is made and broadcast from within the station's licensed coverage area. It can may include original output (as defined above), output which has been broadcast before, and/or all types of local production including repeats and continuous music, as long as the output is created (or, in the case of continuous music, broadcast from) somewhere within the licensed coverage area. Programmes which are networked from other stations outside the coverage area, sometimes known as syndicated content, do not count as locally-produced, even if they include material (e.g. advertisements, jingles) inserted by the station and/or are broadcast from within the coverage area.

Ofcom expects licensees to understand what constitutes original and locally-produced output to ensure that they can meet the requirements of their Key Commitments.

Circumstances impacting compliance with Key Commitments

During several investigations completed over recent months, licensees have informed Ofcom that there were specific circumstances that caused them to be unable to comply with their Key Commitments, for instance due to a technical issue with their equipment or presenter absences, some of which were related to the ongoing impact of the Coronavirus pandemic. In these cases, the licensees failed to inform or update Ofcom about these issues before the matter came to our attention via a complaint or monitoring.

In the case of issues relating to the impact of the Coronavirus pandemic, in our [final Coronavirus update to broadcast licensees published on 12 April 2021](#), we stated that we expected all broadcasters to be meeting all of the conditions within their licences no later than 30 September 2021. However, we appreciate that due to community radio stations' limited staffing levels and their reliance on volunteers, the impact of the pandemic is continuing for a small number of stations.

We expect licensees to keep us informed of any issues as early as is practical. In addition, it is a licensee's responsibility to keep Ofcom updated if an issue is ongoing. The frequency and timing of this

communication from licensees depends on the nature of the issue that is being reported. Licensees should explain what obligation(s) are not being/will not be met, the circumstances that have led to this, and any mitigations they have sought to put in place. We will take this information into account when assessing compliance with a licensee's obligations. If no attempt to contact Ofcom is made and a licensee subsequently fails to meet a licence condition such as providing the service or meeting its Key Commitments, we may commence enforcement action.

If a licensee feels that it is unable to meet its Key Commitments on a more permanent basis given changing circumstances, it may wish to consider applying to change its Key Commitments. More information on Key Commitment changes, including the relevant criteria that we must apply when considering a request, can be found on our [website](#). A request to change a station's Key Commitments must be approved by Ofcom before the requested changes are made to a station's output.