

BFI response

to

Ofcom's Proposed Annual Plan 2019/20

February 2019

1. EXECUTIVE SUMMARY

The BFI welcomes the opportunity to comment on Ofcom's Proposed Annual Plan 2019/20. Our comments are focused on areas of mutual concern to both Ofcom and the BFI

The BFI is active with Ofcom on a number of policy fronts, notably including Brexit issues and the revised Audiovisual Media Services Directive.

The BFI also complements Ofcom's activities in the provision of high quality evidence based research. Our Screen Business report, published in October 2018, underlined the importance of the economic contribution to the UK made by the UK screen sector tax reliefs, and provided detailed data analysis of the screen sector production spend including that of high end television, children's programmes, video games, animation and film. The BFI's annual Statistical Yearbook also collates data including information published in Ofcom's annual Communications Market report.

Areas of common policy interest include research on consumer behaviour, Public Service Broadcasting (PSB), media literacy, diversity, children's content, Nations and Regions and the implications of Brexit across these areas. We look forward to the outputs of Ofcom's reviews in 2019/2020 in a number of these policy areas and contributing to implementation.

In particular, the BFI has developed diversity and inclusion standards which we have been implementing across the film sector, and we recognise that Ofcom's work in this sphere is especially important. Ofcom's diversity team have collaborated with the BFI's filmography and research teams in collating and sharing information relating to the diversity of audiences and of representation and portrayal on screen.

In April 2019, we are also launching a three year pilot Young Audiences Content Fund (YACF), and we will study closely the data in Ofcom's review of children's content.

The BFI looks forward to engaging broadly with Ofcom during the period of this draft Annual Plan.

2. About the BFI

The BFI is the UK's lead organisation for film, television and the moving image. It is a cultural charity that:

- Curates and presents the greatest international public programme of World Cinema for audiences; in cinemas, at festivals and online
- Cares for the BFI National Archive – the most significant film and television archive in the world
- Actively seeks out and supports the next generation of filmmakers
- Works with Government and Industry to make the UK the most creatively exciting and prosperous place to make film internationally

Founded in 1933, the BFI is a registered charity governed by Royal Charter. The BFI Board of Governors is chaired by Josh Berger CBE.

3. COMMENTS

3.1 *Page 26: Audience expectations in a digital world*

Audience expectations in a digital world: How people consume media is constantly evolving in a rapidly changing world – and, with that, expectations around content can differ vastly across multiple platforms.

We will carry out research to examine audience views and expectations for standards across TV, radio, on-demand and online. Ofcom has responsibility for regulating broadcast and on-demand services and it is important that the rules that apply to these services are appropriate and proportionate and reflect changing viewing behaviours and audience expectations.

The BFI welcomes Ofcom's plans to continue its valuable programme of research about changing audience behaviour. The BFI also recognises the paucity of robust and reliable evidence currently available regarding the changing nature of audiences and in 2019/20 will also be conducting work, specifically relating to a better understanding of film audience behaviour in a multi-screen, multi-platform ecosystem.

We would welcome the opportunity to discuss with Ofcom ways in which we could share relevant data in this sphere to our mutual benefit.

3.2 Page 27: AVMSD Implementation

AVMSD Implementation: We will continue to engage with DCMS on its plans for implementation for the new Audiovisual Media Services Directive (AVMSD) and the potential impact on Ofcom. New requirements in the Directive include for Video-Sharing Platforms (VSPs) to protect children from potentially harmful content and to protect the general public from content containing incitement and hate speech.

Over the last few years, the BFI has maintained a fruitful policy dialogue with our European partners and UK stakeholders on the revisions to AVMSD.

Now that those revisions have been adopted by the European Union, the BFI looks forward to continuing that dialogue with Ofcom and others on issues arising from implementation, most particularly as they concern quotas, including any issues that arise from Brexit.

3.3 Page 28: Review of EPG Code and the Future of PSB prominence

Review of EPG Code and the Future of PSB Prominence: In 2018/19, we consulted on updates to the prominence section of Ofcom's EPG Code, alongside proposals for extending the prominence regime to online services. We will publish our conclusions of this work in early 2019 [Q4 18/19 or Q1 19/20].

The BFI is committed to maximising public value and we would want to see this reflected in the approach to PSB prominence.

3.4 Page 28: Monitoring of diversity and equality of opportunity in broadcasting

Monitoring diversity and equality of opportunity in broadcasting: We will continue to report on diversity in the UK TV and radio industry to provide a comprehensive picture of how well individual broadcasters – and the industry as a whole – are promoting equality of opportunity, diversity and inclusion within their organisations.

Ofcom's work on monitoring diversity and equality of opportunity in broadcasting continues to provide valuable insights into the diversity across the broadcast sector.

The BFI has developed diversity standards and implemented them across much of the UK film sector. The Standards focus on underrepresentation on screen, behind the camera and in film audiences, in relation to age, disability, ethnicity, gender, LGBTQ+, religion or belief, socioeconomic background and geographical location outside London and the South East.

The Standards have been adopted by the film arms of two broadcasters, Film4 and BBC Films, so are a requirement for the majority of public funding for film in the UK. Monitoring of the commitment to these standards is important for the BFI.

3.5 Page 29: Reporting on adults' media literacy

Reporting on adults' media literacy: We will publish our annual Adults' Media Use and Attitudes report, looking at media literacy among UK adults. It will include data on the media use, attitudes and understanding of adults aged 16 and over, and how these change over time.

The BFI is active in film education and media literacy. We look forward to studying the outcomes of this Review which will be helpful to our work.

3.6 Page 30: Review of children's content

Review of children's content: We will publish the response of broadcasters to our review of the quantity, range and quality of content available to children.

We look forward to examining the outcomes of this Review. The BFI welcomes Ofcom's plans to continue its valuable programme of research about changing audience behaviour.

We would welcome the opportunity to discuss with Ofcom ways in which we could share relevant data in this sphere to our mutual benefit. The BFI has a particular interest in this area of programming – a three-year pilot for the BFI Young Audiences Content Fund (YACF) aims to stimulate the creation of distinct, high-quality content for children and young audiences (up to the age of 18) that entertains, informs and reflects their experiences of growing up across the UK today.

Up to £57 million has been assigned to the BFI YACF from Government, which will be administered by the BFI. Opening in April 2019, it will offer production funding for projects which have secured partnership funding from a UK Public Service Broadcaster along with a commitment to broadcast on an Ofcom-regulated, free-to-access TV and/or online channel and/or platform.

3.7 Page 31: Review the guidance to public service broadcasters for production outside London

Review the guidance to public service broadcasters for production outside London: We will review the guidance to public service broadcasters (PSBs) in meeting their licence conditions for programmes made outside London and in the nations, and consider if this remains fit for purpose in supporting and strengthening production across the UK's nations and regions.

The BFI is committed to helping to grow the screen industries across all the Nations and Regions and welcomes the proposed review of this guidance. We will want to make sure requirements continue to support Nations and Regions development as effectively as possible.

Ends.