

IWA Media Policy Group response

July 2017

Ofcom consultation: Holding the BBC to account for the delivery of its mission and public purposes

1. About the IWA

1.1 The Institute of Welsh Affairs is an independent think-tank. Our only interest is in seeing Wales flourish as a country in which to work and live. We are an independent charity with a broad membership base across the country. We aim to bring people together from across the spectrum in a safe space where ideas can collide and solutions can be forged in our five priority areas: the economy, education, governance, health and social care, and the media in Wales.

2. IWA Media Policy Group

2.1 The IWA Media Policy Group guides and informs our policy priorities. Its members include practitioners, academics and policy professionals with expertise across a diverse range of media platforms and issues. A list of members is available on request. The purpose of the IWA Media Policy Group is to develop, influence and improve media policy for an engaged and connected Wales. In late 2015 we produced the second [Media Audit](#). In 2017, we ran our 3rd Cardiff IWA [Media Summit](#), bringing together broadcasters, journalists, creative industries and universities to consider the future of the media in Wales. Evidence from both these activities informs this response.

3. Response to consultation questions

Q1. Do you agree with our overall approach to setting the operating licence?

We broadly agree with the approach taken to setting the operating licence, regulatory conditions and performance measures. Throughout our response we raise specific issues where we believe there is scope for the conditions to be strengthened with regards to the BBC's impact in Wales.

Our response considers the objectives and regulatory conditions particular to Wales. We welcome the approach taken in the licence to segmenting requirements for each nation, which allows for detailed scrutiny of requirements for Wales and for comparison with other nations. This clarity and focus is welcome, and we would like to see this approach continue. The IWA Media Policy Group will continue to monitor the impact of a UK service licence on Wales, in particular whether the requirements for Wales are consistent with other nations and whether

they drive a high-quality service for our unique national circumstances.

As an overarching principle, an ongoing challenge for the usefulness of the licence will be the degree of flexibility it allows the BBC in general and BBC Cymru Wales in particular to use all of its platforms to meet audiences' needs. In a fast-paced age of convergence, BBC will need to think holistically about when and where it provides content to ensure it is accessible to audiences in Wales. The licence seems to over-prescribe the division of provision between BBC1 Cymru Wales and BBC 2 Cymru Wales without any convincing, clear rationale for doing so. These quantitative requirements may have unintended consequences on the quality of provision for audiences, and we encourage reconsideration of this approach. The BBC should have some flexibility in the way it delivers its television services for Wales across BBC 1 Wales, BBC 2 Wales and online via the iPlayer, for the benefit of viewers in Wales.

Q2. Do you agree with the approach we have proposed for public purpose 1, including the high-level objectives and regulatory conditions we are proposing?

We broadly agree with the approach taken for public purpose 1. We welcome in particular the inclusion of objective 4.32.2. which relates to the BBC's responsibility to "build people's understanding of all parts of the United Kingdom and of the wider world". We welcome the explicit recognition of News as a mechanism to explain and build understanding amongst audiences, as well as factual accuracy "so that all audiences can engage fully with major local, regional, national, United Kingdom and global issues and participate in the democratic process, at all levels, as active and informed citizens¹". This can be a useful driver of building understanding of the responsibilities and actions of devolved government in particular.

Q3. Do you agree with the approach we have proposed for public purpose 2, including the high-level objectives and regulatory conditions we are proposing?

Whilst there is a requirement for the BBC to provide "curriculum-linked support for children and teenagers in each of the nations" in the UK licence (4.51.3), we are concerned that this is not reflected in distinct regulatory requirements for the BBC in Wales. We consider this would benefit from strengthening, to make explicit that BBC Wales has a clear responsibility to young audiences in Wales.

Welsh curriculum reform is continuing apace, and will undoubtedly have implications for provision of curriculum-linked support. The aim is that a new curriculum will be available by September 2018, and used throughout Wales by 2021. The curriculum will be built upon 6 Areas of Learning and Experience (AoLE) , within which "Schools will be able to use the AoLEs to determine their own curriculum and how it should be organised²." The curriculum in Wales will

¹ Ofcom, *Draft operating licence for the BBC's UK Public Services*, Section 1.16.1.

² Welsh Government, *A curriculum for Wales - a curriculum for life*, October 2015. Available at:

no longer operate in the same way as in England, and will have a strong focus on the *application* of skills and knowledge. It is unlikely that a modular service built in response to a former England and Wales model will be sufficient to meet the needs of learners in Wales. The regulatory requirements for public purpose 2 would benefit from strengthening in this regard, to ensure that provision of services such as Bitesize support development of the skills and knowledge required by the Welsh education system. This will also apply to any content developed by BBC and hosted by S4C.

Q4. Do you agree with the approach we have proposed for public purpose 3, including the high-level objectives and regulatory conditions we are proposing?

We broadly agree with the approach taken for public purpose 3. We welcome in particular the clear articulation that a broad range of genres can and should contribute to the BBC's creative output both on network and on its opt-out services'. The [IWA Media Audit 2015](#) includes a genre analysis of BBC Wales' English television programme output for 2012 - 2015 (p28) which shows that comedy, drama, education and entertainment production were very limited for those years. It is encouraging to see this clear and directive articulation of the importance of broadening the range of genres on opt-out services here.

Q5. Do you agree with the approach we have proposed for public purpose 4, including the high-level objectives and regulatory conditions we are proposing?

Whilst we broadly agree with the approach taken for public purpose 4, there are a number of areas where we believe the approach can be strengthened and clarified.

Representation and portrayal

It is positive that both representation and portrayal are considered as separate issues, and we agree with the definitions proposed. It will be challenging to measure the subjective concept of "authentic portrayal" accurately, and care will need to be taken in constructing the qualitative audience research to ensure this can be reliably measured. It would be helpful for quantitative measures to be introduced as part of the existing production process which articulate whether a production is intended to be reflective of Wales: its people, communities, institutions or environment. This would increase the reliability of combined measures.

Production and commissioning

We are pleased to see clear recognition of the importance of distributing commissioning across the United Kingdom in the proposal. Commissioning is central to meeting all parts of public purpose 4, however it is the least visible and least accountable within the regulatory conditions.

This is a matter of debate and concern in Wales, and we would welcome a review of this language to ensure money is *spent* in Wales, rather than simply accountable to Welsh budgets.. There is a risk that the current language “referable to different centres in Wales” can be interpreted as cost centres rather than where content is actually produced.

We also consider it important for clarity and scrutiny purposes that programmes are clearly badged where they are made, and that this relates to where they have been made and the money invested. Ofcom’s forthcoming review of the requirements for productions made outside the M25 area will be crucial to this analysis.

Expenditure vs hours

Our primary concern relates to the interaction between a spend and hours target (both at 5% for Wales). The alignment of percentages of hours with spend implies a false correlation that these add up to increased quality output. It is a conceptual flaw that affects the whole regions and nations section. We consider there is a real risk that the quality of programming made in Wales may decrease if the spend per hour reduces in order to meet the quantity target. We consider there is a strong argument for considering a lower hours target to provide an opportunity for BBC Wales to supply fewer programmes at a higher cost per hour, such as landmark drama, for the network. Without an adjustment, there is a risk that BBC Wales may have to produce a significant volume of programmes with a lower average cost per hour in order to meet the network hours quota for Wales.

We welcome the commitment for 5% of spend on programmes for Network to be spent in Wales and should be seen as a floor. We note that Wales presently accounts for 7.1% of network spend: it is extremely important to closely monitor spend to ensure an expenditure floor does not result in decreased investment. We note, however, that 5% is calculated from the remaining 50% after expenditure in the Greater London area has been accounted for. Over time, we would like to see this imbalance further addressed through an increased expenditure target for Wales.

We are also concerned by the language in 1.31 which requires the BBC to provide “content of interest and of relevance to the people living in the area for which the service is provided”. This articulation only sets out a requirement for Welsh content for audiences in Wales, however public purpose 4 is clear the BBC has a responsibility to “raise awareness of the different cultures and alternative viewpoints that make up [the UK’s] society”. Network expenditure and hours required provide an opportunity to reflect and increase recognition of Wales across the UK, and so help meet public purposes 1-4. We do not consider this is sufficiently well quantified in the regulatory conditions at present, and it is our view that this should be strengthened and made explicit in 1.31.

Quotas for BBC 1 Cymru/Wales and BBC2 Cymru / Wales

We are concerned about the imbalance of “non-news programming” between the BBC1 and BBC2 Cymru/Wales, 65 hours and 175 hours respectively. We note that this ratio does not apply to the proposals for BBC 1 and Two Scotland (155 and 200 hours respectively), and there does not appear to be a strong rationale as to why Wales should be given vastly different provision. At present, BBC2 Cymru/Wales is only available in standard definition, compared to BBC 1 which is also available in HD. We consider these requirements act as a disincentive to high-quality new production, which would likely be created in HD. We believe there is a real risk that 175 hours on BBC 2 Cymru/Wales would rely heavily on repeats. We believe a collective, global target for non-news programming across the two channels would ensure that the same quantity of provision were made available to audiences in Wales, but crucially increase the incentive for new, high-quality programmes. We note that 2.67 appears to take a global approach, and so undermines the logic of the other requirements set out in this section.

The quota of 65 hours non-news programming for BBC 1 Cymru/Wales is very low and translates to 1 hour 20 mins per week. We believe the case for this low figure should be reviewed, and amended by a stipulation that the majority of these hours should be original productions transmitted in peak hours.

BBC online

The Welsh language requirement for BBC online at 2.71 is weakly expressed, and out of sync with the level of detail expressed in other parts of the document regarding quality and variety. We recommend the addition of “well-rounded and comprehensive content in Welsh”, to ensure parity with English language services described elsewhere in the document.

Similarly, it is difficult to understand the logic for sport being uniquely pulled out as a stand alone provision at 2.71. In other parts of the document, for example under public purpose 3, a much broader and holistic approach to genres is used constructively to build a rich sense of high-quality and creative output. We consider this should be reflected at 2.71 for BBC online in Wales.

Iplayer

The licence makes no requirements for content made in or about Wales to be on iPlayer. This is an important omission, and should be amended both to reflect current trends in how audiences access TV content and to ensure Wales is well-represented. It would be desirable in future if BBC Wales could secure greater prominence for its output available on iPlayer.

S4C

We value the programming content BBC Wales provides for S4C, and consider the approach to keep provision distinct in this licence helpful. For the purpose of clarity, we recommend that this document make explicit that this licence does not pertain to the content the BBC produces for S4C as part of the Corporation’s statutory requirements in this area.

Q7. Do you agree with our proposed overall approach to performance measurement?

We broadly agree with the overall approach to performance measurement. We have a specific concern about the concept of “availability”, which is a low threshold and does not take account of an audience's ability to access content. We would suggest that “prominence” is a useful concept to include, particularly with regards to content for the nations, as it would allow for consideration of how far the BBC is balancing content which represents or portrays different parts of the United Kingdom.

In our answer to question 5 we also note the challenges in measuring the subjective concept of “authentic portrayal” accurately, and that care will need to be taken in constructing the qualitative audience research to ensure this can be reliably measured. We advocate introducing quantitative measures as part of the existing production process which articulate whether a production is intended to be reflective of Welsh culture.

4. Contact details

Thank you for your consideration of our response.

For further information, please contact:

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