

Draft response to OFCOM's Consultation on holding the BBC to account

July 2017. Mudiadau Dathlu'r Gymraeg

We have drawn up a response that concentrates on matters relevant to the Welsh language, involving the work of Ofcom either through the medium of Welsh or English.

Question 1. Do you agree with our overall approach to setting the operating licence?

We believe it is a matter of public interest that Ofcom should be expected to place more emphasis on understanding the users of BBC services as citizens and not as 'consumers' (1.18 of the English consultation document, page 3). We agree with the Welsh wording 'defnyddwyr' ('users') but want to have an explanation as to why the English treats users as 'consumers'. This is because the term 'dinasyddion' ('citizens') gives the impression of interactive use of various platforms, and of responsibility, whilst the term 'consumers' gives the impression that users are treated mainly as a source of funding (through the licence fee) and as quite passive people.

Question 2. 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 agree with the high-level objectives recommended but we want to see some improvements.

It should be ensured that similar levels of programmes and output are provided through the medium of Welsh and English in Wales.

We believe that Ofcom should impose a requirement on the BBC in Wales to enable audiences to develop a broad understanding of the relationship between Wales and the UK and between Wales and the rest of the world.

In 2015, the 'British Election Study' survey found that non-Welsh speakers in Wales felt less satisfaction than Welsh Speakers regarding 'Welsh democracy'. We believe that this is associated in part with the fact that the BBC seeks fewer hours of news every year from BBC Wales than it does from BBC Scotland or BBC Northern Ireland.

<http://www.britishelectionstudy.com/graph/?id=8976&cb=ODk3NjE0NzE0Mjc1ODg=#.V7QylyRwaUk>

We agree with Paragraph 4.43.2 and we wish to see a requirement for OFCOM to make a stronger commitment to providing news about the devolved nations. To this end, and specifically in order to safeguard news and current affairs journalism that is independent of any government, we recommend that Ofcom increases the annual number of hours earmarked for news in Wales to the same level as BBC Northern Ireland, and sets down a minimum requirement in relation to staffing level for the BBC's news and current affairs in Wales. We are of the opinion that BBC Cymru/Wales needs a full-time reporter at the Senedd in Cardiff and a full-time reporter at Westminster. We also wish to argue the importance of including news (especially political news) from Wales and the other devolved nations in the BBC's 'main' network news, and other programmes dealing with current affairs.

Question 3. Do you agree with the approach we have proposed for public purpose 2, including the high-level objectives and regulatory conditions we are proposing?

We wish to emphasise the importance of ensuring that Welsh language programmes for children and young people are included on the BBC's digital platforms (e.g. The BBC Iplayer Kids App), in the same way as Welsh language programmes are included on the Iplayer.

We agree with the reasons in paragraphs 4.53 ad 4.54 regarding commitments in relation to the arts, music and religion.

We believe that OFCOM should call on the BBC to use external opinion polls, not simply internal audience research, to investigate the opinions of audiences and users. We say this because people respond differently according to the wording of questions, but also depending on who asks them. People are more likely to give their real opinions to an independent company.

Question 4. 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 agree with the approach for public purpose 3. However, we wish to note the potential for its abuse in the matter of 'risk taking' in outputs and services (4.70(d)). For example, there was furore in August 2016 when someone working for BBC Radio 5 sought to gauge public opinion on twitter in favour of the demise of the Welsh language. This was a case of undermining the BBC's commitment to broadcasting and creating output through the medium of Welsh and in effect it was an attack on an entire audience and an entire nation. Should a BBC employee seek to gauge opinion in relation to the decline and demise of the English language in England or across the UK, his/her conduct would come under the consideration of the UK government's Anti-Extremism Strategy. We note that the strategy also respects the Welsh language as an official language in Wales. In footnote 52, page 38 of the Strategy, it is mentioned that efforts to build more co-ordinated communities will include proficiency in the Welsh language. It is therefore a very serious matter of damaging the social cohesion of Wales if the BBC goes about undermining the Welsh language in any way.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/470088/51859_Cm9148_Accessible.pdf

Question 5. Do you agree with the approach we have proposed for public purpose 4, including the high-level objectives and regulatory conditions we are proposing?

We agree with the proposed regulation condition to commit to producing more programmes in each of the nations of the UK. We want to see a public consultation on the proposed regulation conditions listed in 4.112.

We wish to inquire what 'The BBC should bring people together to share experiences and help to contribute towards the community well-being and cohesion of the United Kingdom' means in practical terms? In terms of 'bringing people together' we see a problem in relation to regulating discussions and conduct on some current affairs programmes, where on occasions people have been given free rein to misbehave by shouting at other guests and interrupting them, thus engendering an equally poor response. It appears this became a

problem with Brexit, and it was seen in both Welsh and English. We ask Ofcom to consider adding a commitment to a Code of Conduct for presenters and interviewers as well as for guests. There should be an expectation in relation to the presenters of discussion programmes that they can manage audiences.

We want to see an addition to High-Level Objective 4 namely 'to contribute to the well-being of the nations of the United Kingdom'. This would introduce an objective to contribute specifically to the well-being of Wales.

Question 6. Do you agree with Ofcom's approach to how we will set and amend the operating licence, as set out in Annex 5?

We believe there should be an amendment to A5.5 so that OFCOM is required to consult the public should it consider amending the Licence. This is especially important as powers over broadcasting have not been devolved to Wales.

We believe an amendment should be made to A5.6 so that OFCOM sets a timeframe for consultation e.g. a minimum of 12 weeks.

Question 7. Do you agree with our proposed overall approach to performance measurement?

Q.8 Do you agree with the proposed framework of: availability; consumption; impact; contextual factors?

Yes.

Question 8. Do you agree with the proposed framework of: availability; consumption; impact; contextual factors?

In terms of Analysis of the content (under 'Availability'), OFCOM needs to provide suggestions of who the external experts they intend to commission would be, as well as examples of how an independent case analysis would look.

Impact measurement should use independent opinion poll companies in accordance with our response to Question 3.

We would like to know the definition of 'stakeholders'. Expert opinion is not the same as partisan opinion.

Question 9. Do you agree with Ofcom's approach to how we will set and amend the performance measures?

Yes.