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## CONSULTATION – OFCOM’S PROPOSED PLAN OF WORK 2021/22

I welcome the opportunity to comment on Ofcom’s Proposed Plan of Work 2021/22. This response covers my own portfolio interests, particularly in creative industries, broadcasting and media. I am aware that other Scottish Ministers may also provide comments from the perspective of their portfolios.

In what continues to be a very challenging period for businesses and people, I really value Ofcom’s initiatives and efforts to improve and support public service broadcasting during the pandemic and beyond. This includes Ofcom’s strategic priority to support broadcasting and the progress to date with its review of public service broadcasting, which Ofcom has broadened to characterise public service broadcasters (PSB) as public service media providers. The Scottish Government will continue engagement on this important review and intends to respond to the consultation next month.

Ofcom states that public service broadcasting needs to evolve in the face of competition to provide content which is valued by audiences and reflects UK lives. I recognise the need to innovate and evolve, while at the same time protecting the value of public service broadcasting and delivering for each part of the UK so that a more reflective and authentic system can be delivered for Scottish audiences.

The BBC is extremely important to developing the creative industries in Scotland and the continued commitment in the Plan of Work to assessing the BBC’s performance in delivering for audiences in Scotland is a key part of this. I would anticipate the particular attention given to the reporting on the BBC Scotland channel to continue, to ensure thorough assessment of the services provided to Scottish audiences and the important place the channel has in the context of the Scottish broadcasting landscape. I will continue to urge Ofcom to ensure that audiences in Scotland receive a service that meets the needs of the people here and to ensure that the BBC better represents Scotland, where people continue to feel underrepresented or inaccurately portrayed.

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This will be particularly significant as Ofcom begins its first periodic review of the BBC, looking at the extent to which the BBC is fulfilling its mission and promoting its public purposes. Similarly, as Ofcom considers how the BBC operating licence should evolve, I look forward to further engagement to ensure a strong publicly funded BBC in the public service broadcasting model. It is vital to maintain investment in Scottish produced content to support the production sector and creative industries in Scotland, and to develop talent and improve the skill base here.

Following changes to the regional production guidance which came into effect at the start of this year, I look forward to seeing how Ofcom's more rigorous monitoring of public service broadcasters' production outside of London improves the sector in Scotland through 2021/22 and beyond.

### **Diversity**

As well as the report on the BBC, I note Ofcom's continued delivery of reports on diversity in the UK TV and radio industries, media use, including attitudes and understanding of adults and children. These reports and Ofcom's priority to increase diversity in television and radio and fully support the work to address critical areas of under-representation, including ensuring broadcasters gain a better understanding of socio-economic and geographic diversity, are valuable in working towards improving diversity.

I have previously made the case for data on diversity and equal opportunities in television and radio to be broken down by nation to allow for better understanding of any concerns from a Scottish perspective and welcome Ofcom's commitment to ask the BBC to provide breakdown of diversity figures. Ofcom's efforts through continued monitoring and engagement, along with the new forum for collective action, are positive initiatives to improve diversity in broadcasting and I look forward to seeing meaningful change to improve diversity.

### **Radio**

The development work to deliver improvements to small-scale DAB, analogue community and commercial radio coverage remains important for the growth of the sector. The Scottish Government has previously engaged with Ofcom to press on the importance of localness to radio audiences in Scotland and in maintaining and developing a radio network in Scotland that meets the specific needs for both urban and rural areas across the country.

### **Broadcasting and Scotland's languages**

The Scottish government recognises that media and broadcasting make a significant contribution to the health and welfare of the UK's minority languages. For this reason I would welcome a reference to Gaelic alongside any reference to Welsh in the Ofcom proposed plan of work. This would help address the imbalance that is sometimes seen in the consideration given to the two languages of Gaelic and Welsh.

For our part, the Scottish Government attaches particular importance to the support for the Gaelic language and how the language can continue to be sustained and grow. In this context the work of MG ALBA, in partnership with the BBC, is of real significance and importance. The output being produced is a vital part of the fabric of what will serve and sustain the Gaelic speaking community in Scotland and MG ALBA, in partnership with the BBC, contributes to the learning, using and speaking of the Gaelic language. Gaelic media

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also has a wider appeal and benefit as it provides an important bridge between the English speaking community and Gaelic.

The Scottish Government is also aware of the various strategic challenges which MG ALBA faces as it looks forward. A reference within the Ofcom plan of work which recognised the importance of MG ALBA and the strategic challenges it faces looking forward would be a helpful addition, providing valuable recognition for MG ALBA and the context in which it operates. This recognition could be combined with a commitment to encourage and support both MG ALBA and the BBC in taking steps and planning actions which they might need to take to respond to and make progress with the strategic challenges of Gaelic broadcasting.

The inclusion of a reference to support the UK's indigenous languages and the role of MG ALBA and others would signal a contemporary Ofcom interest and some measure of priority to do what it can in supporting the Gaelic language and others. This would be an important and continuing part of a diverse, pluralistic future broadcasting landscape in Scotland. Such a commitment or reference to MG ALBA within the plan of work would sit comfortably alongside any reference to the importance of indigenous languages broadcasting in the UK and the Scottish Government would also support and encourage this.

### **Online harm regulation**

Ofcom's commitment to protecting audiences from harm on TV and radio and in fulfilling its duty to ensure UK-established video-sharing platforms take appropriate measures to protect children is hugely important and the Scottish Government will continue to engage with Ofcom on these important issues. In particular, I look forward to hearing Ofcom's plans as it prepares for its regulatory role in protecting people from online harm under the new online harms regime.

I know that the pandemic has increased the risk of particular groups experiencing online harm and that makes it all the more important that we approach this in a joined-up way across the four countries of the UK. The UK public service broadcasters including the BBC form a vital defence against the spread of unreliable information in digital and conventional media.

The Proposed Plan of Work states that Ofcom continues to review where its staff are located to ensure that it is truly representative as a UK regulator. I welcome development of its base in Scotland and would anticipate broadening of this to allow sufficient capacity to represent Scotland, particularly with the expansion of responsibilities for online harm. I would be interested to understand Ofcom's plans to deliver sufficient capacity as the online harms regulator across the UK.

*Kind regards  
Fiona Hyslop*

**FIONA HYSLOP**

cc. Deputy First Minister and Cabinet Secretary for Education and Skills  
Minister for Energy, Connectivity and the Islands

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