



T: 0300 244 4000
E: scottish.ministers@gov.scot

Ofcom Plan of Work 2023-24
Email: planofwork@ofcom.org.uk

Copy to:

Minister for Public Finance, Planning and Community Wealth, Tom Arthur MSP
Minister for Business, Trade, Tourism and Enterprise, Ivan McKee MSP

8 February 2022

CONSULTATION – OFCOM’S PROPOSED PLAN OF WORK 2023/24

I welcome the opportunity to comment on Ofcom’s proposed Plan of Work 2023/24. This response covers my own portfolio interests, particularly in creative industries, broadcasting and media. I am aware that a separate response will come from the Minister for Business, Trade, Tourism and Enterprise, Ivan McKee MSP on his portfolio interests.

In my response to the proposed Plan of Work for 2022/23, I highlighted some of the challenges to public service media and the important role that the distinct and essential services provided by broadcasters have in Scotland, in relation to our audiences and the creative sector. As we look to 2023/24, I share Ofcom’s view that there are continuing challenges, and believe that it is crucial that relevant parties take steps to ensure the continuing sustainability of our vital public service media. I value Ofcom’s initiatives to improve and support public service media and I welcome the plans to protect and promote the services they provide, including news and current affairs, and plans to ensure that everyone in the UK feels represented in the programmes they watch and listen to.

Representation

Ofcom states that its regulatory approach is adapting to ensure that audiences remain at the heart of everything it does. I recognise the need to evolve in a way that protects the value of public service media, which the Scottish Government strongly believes should deliver for each part of the UK, with a more reflective and authentic representation for Scottish audiences. This, in part, is built upon the diversity of the creative sector, and so it would be helpful to understand Ofcom’s specific plans for improving the diversity of the creative sector in Scotland, and how Ofcom’s regulatory approach is adapting to take account of the views of the sector and audiences in Scotland.

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The BBC

The Scottish Government has a strong interest in the role of public service media in supporting the creative economy across the whole of the UK, investing in the creative economies of each of the nations and regions, and contributing to their development. The BBC is an important platform for Scottish creatives, and the Scottish Government will continue to press for the BBC to do more so that it can make a positive impact for audiences through distinctive content which reflects, represents and serves the Scottish people, and supports our thriving creative economy.

I welcome the continued commitment in the proposed Plan of Work to assessing whether the BBC is fulfilling its duties and delivering for audiences in Scotland. While Ofcom's latest Annual Report on the BBC shows some improvement from previous years, some viewers and listeners in Scotland still continue to feel less positive about representation and authenticity of BBC programmes, compared to other UK audiences. I will continue to urge Ofcom to ensure that audiences in Scotland receive a more representative service that supports the creative economy in Scotland and contributes to its development.

This is particularly important in the context of Ofcom's review of the BBC Operating Licence and the wider Mid-Term Review work, with which the Scottish Government will continue to closely engage. As you will be aware from our previous correspondence and our recent response to the consultation on proposed changes to the BBC Operating Licence, the Scottish Government strongly believes that broadcasters need to be genuinely representing the whole of the UK, and a robust, publicly funded BBC is a vital part of the ecosystem which maintains investment in Scottish-produced content, develops Scottish talent and companies, and supports our creative industries more widely.

Channel 3 and Channel 5 relicensing

The Scottish Government supports Ofcom's work to progress the relicensing of the Channel 3 and Channel 5 services and we reaffirm our previously stated request that stakeholders in Scotland are fully involved in the ongoing process to ensure these important services, which are so valuable to the creative industries and audiences in Scotland, are protected and strengthened.

Our independent production sector is extremely important to Scotland's economy and cultural landscape, and it is very encouraging that the proposed Plan of Work recognises this. Ofcom's commitment to continue its important engagement with a range of organisations including STV, BBC Scotland, Channel 4 in Scotland and Screen Scotland, is vital, and we support meaningful engagement across the sector in Scotland.

Media Bill

As you will be aware, the UK Government is no longer pursuing the privatisation of Channel 4, and now intends to pursue a package of alternative reforms in their Media Bill. The Scottish Government will be continuing to take a close interest in the development of proposals. We have been clear that we expect meaningful engagement with stakeholders in Scotland to ensure that the specific views, particularly of the independent production sector, are reflected.

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Ensuring public service media remains available and prominent to people across Scotland and all nations of the UK is critical. We understand that Ofcom will continue to work with DCMS to deliver necessary reform, including in relation to prominence, to ensure audiences continue to be able to identify and access public service media output, across all their devices.

Diversity

As well as Ofcom's Annual Report on the BBC, I welcome Ofcom's continued delivery of reports on media use, including attitudes and understanding of adults and children. The Scottish Government fully supports Ofcom's priority to increase on- and off-screen diversity in television and radio and we fully support the work to address critical areas of under-representation, and improvements to data collection. The Scottish Government responded to Ofcom's call for inputs in relation to refining its approach to data collection and we look forward to seeing the outputs from this, which we hope will offer a more comprehensive overview of the makeup of workforces across the broadcasting industry.

As the proposed Plan of Works sets out, audiences in Scotland have specific needs, and expect Scotland's culture and diversity to be reflected in local and national broadcast services. I am pleased that the importance of broadcast services is highlighted and that the proposed Plan of Work includes a range of work to continue to protect and promote a choice of high-quality programmes for all audiences across the UK, over both broadcast and on-demand services. As Ofcom sets out, three quarters of people still watch live TV, and about nine in ten adults listen to live radio each week. This is particularly important in Scotland – as you will be aware, Scotland continues to watch the most broadcast TV of any UK nation.

The proposed Plan of Work sets out Ofcom's plans for a BBC Thematic Review of underserved audiences, and specifically highlights audiences from lower socio-economic groups as an area of focus. The Scottish Government welcomes this review, recognising the need for the BBC to improve the delivery of its services for underserved audiences. I understand that Ofcom will launch a review in 2023/24 to better understand these audiences, their habits, and how the BBC is delivering for them. I would be interested to learn if this review will take a wider look at underserved audiences, including disabled audiences and those from Scotland and other nations, where issues have been highlighted, for example in Ofcom's annual reports on the BBC. As we have made clear in previous consultation responses and correspondence, we know that some viewers and listeners in Scotland still continue to feel less positive about representation and authenticity of BBC programmes.

Broadcasting and Scotland's languages

In my response to the proposed Plan of Work 2022/23 I emphasised that the Scottish Government attaches particular importance to the support for the Gaelic language and how the language can continue to be sustained, and supported to grow. I emphasised that I would welcome broader reference to Gaelic to help address the imbalance that is evident in the consideration given to Gaelic and Welsh. At present, UK arrangements provide Welsh language broadcasting with statutory status, statutory funding and specific provisions that can be measured. As you are aware, the Gaelic language service lacks these advantages.

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As you will understand, the output being produced by MG ALBA contributes to the learning and use of the Gaelic language, and is a vital part of the fabric to serve and sustain the Gaelic speaking community in Scotland. I have previously noted the brief Ofcom reference to MG ALBA in the Plan of Work and appreciate its inclusion. It would, however, be helpful to expand this with further recognition of the needs and challenges facing MG ALBA. I would welcome a commitment to encourage and support both MG ALBA and the BBC in taking steps which would enable them to make progress with the strategic challenges of Gaelic broadcasting.

As I have mentioned, the inclusion of a reference to support the UK's indigenous languages and the role of MG ALBA is an important and continuing part of supporting our diverse, pluralistic broadcasting landscape in Scotland. This commitment to the importance of indigenous languages broadcasting in the UK is welcome, and the Scottish Government would also support and encourage this. In addition, alongside this, the Charter Framework Agreement gives Ofcom a range of significant powers to investigate and comment on BBC matters.

Again, the Framework Agreement says very little about the Gaelic service, in contrast to the commitments it makes to the Welsh language service. There may also be questions that could be asked about the BBC Operating Licence, which again offers little comment on the difference between the funding of the Welsh service as compared to the Gaelic service, and could go further for BBC ALBA with a focus that goes beyond news and learning. Ofcom, on occasion, has asked the BBC questions about its support for BBC ALBA, which is welcome and an acknowledgement that this is a legitimate Ofcom role and function, that the Scottish Government welcomes and encourages.

Radio

I welcome the work to deliver improvements to small-scale DAB, analogue community and commercial radio coverage, and Ofcom's continuing work on how recommendations from the *Small Screen: Big Debate* review in the radio space can be taken forward. Maintaining and developing a radio network in Scotland that meets the specific needs for both urban and rural areas across the country is key to ensuring audiences in Scotland are kept entertained, and informed about the issues that matter to them.

I note that Ofcom is working closely with stakeholders to ensure that UK interests are reflected and that Ofcom is overseeing preparations and will lead the UK delegation to the World Radiocommunications Conference in Dubai at the end of this year. The Scottish Government would be keen to learn of the discussions and work that is taking place with stakeholders in Scotland and to support the preparations for this important global conference.

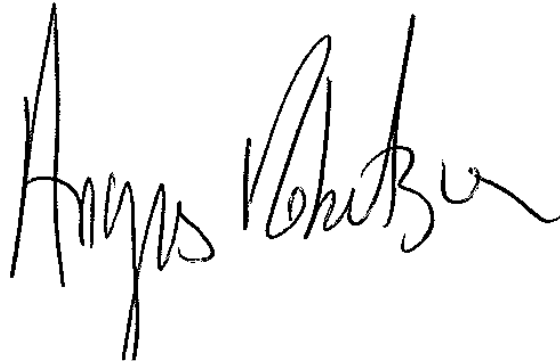
Protecting audiences and online users

The Scottish Government welcomes Ofcom's commitment to protecting audiences from harm on TV and radio, and in fulfilling its duty to ensure that UK-established video-sharing platforms take appropriate measures to protect children. We look forward to continued engagement with Ofcom, and its commitments to engage with industry across Scotland in relation to its responsibilities in these areas, as well as its work to prepare to take on new powers to protect online users from harm.

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Thank you for the opportunity to respond to this consultation and I look forward to continuing engagement.

Yours sincerely,

A handwritten signature in black ink that reads "Angus Robertson". The signature is written in a cursive style with a large initial 'A' and 'R'.

Angus Robertson
Cabinet Secretary for Constitution, External Affairs and Culture

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