

Response from the Advisory Committee for Scotland (ACS) to Ofcom's Consultation: 'Ofcom Diversity and Inclusion Programme 2018-2022'

*'The Advisory Committee for Scotland advises Ofcom about the interests and opinions, in relation to communications matters, of persons living in Scotland.'*¹

This response from the ACS to Ofcom's Consultation on Diversity & Inclusion draws on the knowledge and expertise of ACS members, and is informed by our individual experience and through discussion at our meetings. It does not represent the views of Ofcom or its staff.

Context

This consultation covers Ofcom's proposed approach to Diversity & Inclusion, both as an Employer, and as a Regulator. This response from the ACS specifically relates to Ofcom as the broadcasting Regulator.

Significant aspects of the consultation relate to vulnerable consumers including the elderly, disabled and those on low incomes. The ACS assumes these aspects will be covered by the Consumer Communications Panel/ACOD, which includes a panel member for Scotland, in a separate submission.

Rarely have issues of equality, diversity and inclusion been so much at the forefront of general public awareness, rather than solely within lobby groups. The #MeToo campaign has released a tidal wave across the world in terms of discussion about women's rights, particularly within the workplace. The broadcast media plays an important role in social cohesion in portraying a nation unto itself as well as to the wider world, particularly in this digital age where some minorities can exploit technology to portray an inaccurate worldview.

Recommendations for consideration

The following points are in no particular order.

- The consultation only mentions social media once on p. 23, which relates to Ofcom using social media to get its message across. Whilst recognising that Ofcom bears no responsibility for regulation in this area, social media is now an integral part of society and can be used both positively and negatively in the portrayal of certain groups. As such, the ACS considers this means of communication should be included when Ofcom does any detailed research in this area.
- The new BBC Scotland Digital channel is the first new BBC TV channel to launch since 2013. This represents a significant opportunity for Ofcom to influence diversity & inclusion from the outset, through both the current BCA and the ultimate provisions within the final Ofcom License. This comes under para 3.16 of the consultation '**Strengthening diversity and inclusion in broadcasting**' and includes both on and off screen talent on the new channel, as well as portrayal of Scotland's many diverse communities through new, engaging content.

¹ <http://www.ofcom.org.uk/about/how-ofcom-is-run/committees/scotland/>

- The ACS welcomed the first Ofcom monitoring report into “Diversity and Equal Opportunities in TV”, pub. September 2017², which provided a solid base for starting to monitor this area. However, more pressure needs to be brought to bear so that all UK broadcasters, regardless of size, are required to provide a full set of statistics, covering all aspects of diversity. In addition the research should include the UK independent production sector, not just the broadcasters. These companies are often small but are an integral part of the creative TV & Radio eco-system in Scotland, with their programmes often directly contributing to portrayal.
- In its TV report Ofcom mentions the “Diamond” programme (Diversity Analysis Monitoring Data), the new industry-wide diversity monitoring system created by broadcasters BBC, Channel 4, ITV and Sky, and supported by Pact and Creative Skillset, and delivered by the Creative Diversity Network (CDN). The difficulties collecting this type of data was highlighted In Diamond’s first report, *The First Cut*, last year. The response rate was low (24.3% of those invited to submit data). If Ofcom is going to inform this debate, a more accurate and wide-ranging means of data collection is essential.
- Despite these limitations of *The First Cut*, the on-screen representation covered in Section 5 hints at some interesting trends. By simply keeping to diversity statistics as a % of the UK population as a whole, there is an inherent imbalance towards representation of England (10 times the size of any of the other nations), rather than all of the 4 UK Nations:

CHARACTERISTIC	ON-SCREEN	SCOTLAND POPLN	UK POPULATION
AGE (50+)	24.2%	38% ³	36%
BAME	21.5%	4% ⁴	13%
DISABILITY	6.5%	20% ⁵	18%
LGB	13.2%	1.8% ⁶	6.4%

In addition, when counting representation, (80,804 contributions from 5,904 contributors) a ‘contributor’ could be counted multiple times eg. if s/he worked on, or appearing in, multiple episodes of a specific programme, say a drama. This highlights the need for more granular research to show how on and off screen representation relates to the profile of the nation the content is directed to or is intended to represent.

- Channel 4 is rightly commended for its achievements in Ofcom’s “Diversity and Equal Opportunities in TV”. However, if the statistics from *The First Cut* have any credence, they also reveal how diversity and inclusion can distort reality eg. on-screen representation of BAME & LGB is excessive, relative to national populations,

² https://www.ofcom.org.uk/__data/assets/pdf_file/0017/106343/diversity-television-report-2017.pdf

³ <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/population/population-estimates/mid-year-population-estimates/mid-2016>

⁴ <http://www.gov.scot/Topics/People/Equality/Equalities/PopulationMigration>

⁵ <http://www.gov.scot/Topics/People/Equality/Equalities/PopulationMigration>

⁶ <http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid/SexualOrientation>

whether UK or Scottish. Equally, disability is poorly represented. The former would be an interesting focus for any detailed Ofcom research.

- Consideration must be given to reflecting the UK's nations and regions to each other, as well as to themselves. As para 3.16 of the condoc states, part of Ofcom's role is now to *'monitor how the BBC fulfils its mission and purposes to reflect, represent and serve all the diverse communities across the whole of the UK'*. Diversity and Inclusion is also relevant to citizenship, and the BBC's first public purpose, *'to provide impartial news and information to help people understand and engage with the world around them'*. It is as important that those in England are aware that for example Scotland has a relatively small BAME population, as it is that those in Scotland are aware that England has a much larger one. ACS suggests that the final sentence in row 12 of table A2 in the condoc should be modified so that it reads:-
*'Conduct a thematic review of the BBC, centered on how the BBC represents and portrays the diverse communities of the whole of the UK **to all the communities in the UK.**'*
- The ACS welcomes Ofcom's proposed review of its "Made Outside London Programme Making Guidance" which has led to controversy in relation to Scottish production quotas.

**The Advisory Committee for Scotland
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