Editorial Standards Committee

Background

1. The Editorial Guidelines and Standards Committee [“EGSC”] was established in 2017 under the new unitary Board to oversee the BBC’s editorial standards, and compliance with them across its public and commercial services. The Charter does not impose a constitution for this sub-committee, which means that it can be established as the Board sees fit.

2. An effectiveness review of the Committee was undertaken over the summer following concerns raised by the Chair regarding the clarity of its remit. Following the leak of external adviser Michael Prescott’s email to the Board, and recognition that the Executive had not acted quickly or decisively enough following the discovery of the misleading edit of a speech by President Trump in a Panorama programme, Caroline Thomson was tasked with extending the review to look at the issues raised. Richard Sambrook was appointed to provide external expert oversight to this work.

3. The EGSC approved a terms of reference for this review at its meeting on 13 November. This paper presents a number of recommendations arising from that review. These recommendations clarify and focus the remit of the Committee and address its membership. They also set out a robust and transparent approach to the management of editorial issues which are raised as part of its work by introducing a triage process to deal with them, and an accompanying action tracking and reporting system. This approach will ensure that editorial issues – including those not subject to audience complaints - will be acted upon promptly and tracked on behalf of the Committee.

4. It is recommended that the Committee takes a shorter and more recognisable name; we would propose simply the Editorial Standards Committee.

What are we trying to fix?

5. Over the course of Chris Saul’s work, and that of the current review, contributors raised the following issues as the primary objectives in re-focussing the Committee.

   - Provide greater clarity on the role and remit of EGSC: including on how it interacts with and reports to the Board.
   - Make the EGSC more strategic – focused on major areas of current and emerging editorial risk
   - Broaden the agenda to regularly cover all BBC content in line with the Editorial Guidelines.

- Provide better Executive alignment, and a more joined up and thorough process between the Executive and the Committee.

- Ensure lessons are learned and actions implemented and evaluated, and provide tracking and clarity on outcomes.

- Create a forum to encourage open and constructive debate about editorial standards which drives progress and improvement and encourages best practice.

The Remit of the Committee

6. Currently the remit of the Committee is insufficiently focussed; partly as a result of additional responsibilities accruing from the Serota and Mid-term Reviews; for example, its responsibility for monitoring the complaints framework on behalf of the Board was reinforced. However, the existing remit has always rightly prioritised the Editorial Guidelines as being at the heart of the Committee's work and that will not change.

7. It is recommended that the Committee's new remit is set out more crisply as follows:

   The remit of the Committee is to:
   - Oversee, on behalf of the Board, the development and regular review of the BBC's Editorial Guidelines, and assure the processes for compliance with them, particularly in relation to due impartiality and due accuracy;
   - Approve Election/Referendum Guidelines and the allocation of PEBs, PPBs and Referendum campaign broadcasts on behalf of the Board;
   - Monitor, and challenge, on behalf of the Board, the level and management of editorial risk; providing assurance to the Board on management controls;
   - Monitor, and challenge, on behalf of the Board, compliance with the complaints framework and provide assurance to the Board on the effectiveness of this framework;
   - Review findings and directions from Ofcom with regard to editorial matters, and compliance with the Ofcom Broadcasting Code;

8. In fulfilling the remit it is important to be clear that the Board, and consequently this sub-committee, does not have a role, nor has ever had or tried to have, a role in assessing individual editorial decisions, except in so far as they help in establishing overall standards. It is for the Board to set the Editorial Guidelines and the Director-General to meet them [Charter Article 25 (3)].

9. While the Committee does not rule on individual editorial issues and complaints, it should, however, act as a strategic audit committee which provides assurance that effective management controls are in place to manage key areas of editorial risk and ensure individual issues are dealt with.

The Composition of the Committee

10. How can the composition of the Committee be configured to ensure it meets its purpose more effectively?

The Chair

11. The Chair of the main Board is currently also the Chair of the Committee. This has been identified as an issue as it takes away any opportunity to elevate issues through to the Board as the Chair's roles are conflicted.

    <u>Recommendation</u>: The Committee is chaired by the Senior Independent Director [there was a precedent for this as Nick Serota was a former Chair]. In addition, the Chair is no longer a member of the Committee. This will allow for Committee issues to be escalated to the Chair and main Board if necessary with no conflict of interest and in line with best governance practice.

The Membership of the Committee

12. The current membership of the Committee is as follows

    The Chair (Chair)
    SID
    NED
    Director-General
    CEO, News

13. The Committee also has the following standing attendees: two external independent advisers; David Jordan and his Executive Lead Rizwana Rahmani; Peter Johnston; and the Senior Editorial Researcher (David Grossman). We don't propose to change this arrangement.

14. It is proposed to limit the Executive membership of the committee to solely the Director-General, whose membership reflects the fact that under the Charter he is Editor-in-Chief. We would also propose extending the non-executive membership of the Committee to bring a wider range of non-executive voices.

    <u>Recommendation</u>

    The SID (or their nominee) (Chair)
    NED
    NED (new)
    NED (new)

Director-General

15. In order to ensure that the Committee fulfils the requirement in its terms of reference to oversee standards across the BBC, all output Directors [CEO News, Chief Content Officer and Director Nations] should be standing attendees for the full meeting.

External Editorial Advisers

16. Feedback from Committee members and the external editorial advisers identified that their roles had not been sufficiently clear and focussed in the period since their introduction. This has resulted in confusion between the role of an adviser and that of a non-executive on the Committee.

17. However, this issue had already been identified as a problem and a new role description was approved by the Board at its meeting in September 2024. This proposed that each adviser had a clear specialism and stature in either editorial standards or in regulation/complaints handling, and clarified that their role was to inform the work of the Committee, not to direct it or to take part in decision-making.

    Recommendation: The new role description will be used for the recruitment of the new advisers. The post will be advertised and interviews will be conducted by a panel of Nominations Committee members.

The Work of the Committee

18. The Terms of Reference for the Committee provide it with set tasks it must undertake, such as thematic reviews, along with a range of monitoring and assurance work regarding editorial standards and complaints.

19. Whilst long-term planning does take place within Secretariat, an annual business cycle and forward plan should be recommended to the Committee at every meeting to demonstrate that its key tasks and responsibilities are fully covered by individual meeting agendas. It will also help the Committee plan future areas of work.

20. A key feature of the new agenda will be to review Executive actions taken in response to issues discussed by the Committee and to track their implementation. In light of the issues raised by the Panorama programme, this should include editorial challenges identified by the Committee which have not been subject to audience complaints. It is proposed that the action-tracker will be presented at the start of every meeting by the Director-General, along with the minutes and matters arising. This will ensure members are briefed on the status of individual editorial issues that have been raised through the Committee's work and research.

21. It is important for the Committee to monitor what is important and of concern to all audiences and so it is proposed that wider audience indicators and risk scanning is introduced using an established dashboard. This would include: complaints data and upheld ECU/Ofcom findings over the last period; the number of corrections made; editorial whistleblowing indicators and audience data on impartiality scores and any deep-dives. This top-level data would be used to steer the strategic priorities of the Committee, including further reviews to be commissioned based on compliance evidence and audience research.

22. The agenda should then move to editorial risks led by David Jordan. Currently, this is an oral item which the Committee takes at each meeting but it would benefit from being more formalised. Editorial risks are discussed at the Executive's Editorial Standards and Complaints Committee ["ESCC"] prior to EGSC, but ideally this agenda item would now take the form of a written record from the ESCC which has also been discussed with the Executive Committee. As the agenda will now be planned as part of an annual cycle, this discussion will be useful for cyclical risks such as elections and live events. The Committee's assessment of editorial risks will also be informed by the research commissioned from the Senior Editorial Adviser.

23. The agenda would also continue to prioritise Board-commissioned business such as thematic reviews and implementation reporting, and editorial research commissioned by the Committee. It will also continue to feature audience research on perceptions of impartiality and briefings on high-level risk issues such as AI.

24. The agenda would contain all the key editorial and complaints compliance reporting for analysis, with a focus on identifying assurance risks and themes for further review.

25. These changes to the agenda should allow the Committee to operate more fully as a strategic audit committee.

28. A template agenda is attached as an appendix.

<u>Recommendation:</u> the agenda is re-prioritised to allow the Committee to act more in line with a strategic audit Committee.

The Senior Editorial Adviser Report and Management of Editorial Issues Raised

29. Part of the role of the Committee is to establish best practice and to research areas of emerging or potential future risk. The resources available for this work sit in Peter Johnston's team, including the Senior Editorial Adviser. Peter Johnston is currently a direct report to the Director-General; we should also institute a dotted line into the Chair of the Committee for matters directly related to the work of the Committee.

30. The Senior Editorial Adviser's Report currently consists of research projects chosen by the Committee and responses to ad hoc queries from individual Committee members which are received between meetings. Peter Johnston coordinates the work of Senior Editorial Adviser and ensures the relevant BBC Executives are aware and feed into the process.

31. The review group agreed that the commissioning of research should be undertaken by the Committee as a whole as part of its planning and review work, or by the Director-General in response to issues raised during meetings.

32. Individual editorial queries raised by non-executives will in future be managed through the triage process by Peter Johnston on behalf of Director General. He will assess the queries using his editorial research resource and determine which are:
    - Serious issues requiring a rapid response **–** escalated to the Director General for a final decision on whether to request a response from the Director of Division or direct the ECU to assess whether or not there is a breach of editorial guidelines
    - Potentially systemic issues **–** which may require deeper editorial review
    - Day-to-day editorial issues **–** these would typically be referred to the Divisions

    This approach will ensure that individual editorial issues are dealt with promptly at the right level in the organisation, respecting the separate accountabilities of the Board, and that any potentially systemic issues are considered for wider review. The outcome will be reported back to the non-executive who raised the issue.

33. Where appropriate the Senior Editorial Adviser's Report should be considered by the ESCC, in order to review, discuss, and disseminate learning points and issues to the wider BBC editorial community.

34. These new ways of working are illustrated by the scenarios below:

Scenario 1 - the Committee identify an editorial issue due to a pattern of complaints or other material reviewed in the meeting (for example; complaints about coverage of sex and gender or corrections to BBC Arabic).

Response flow:

- An action is agreed at the meeting to commission research from the Senior Editorial Adviser (SEA)
- Director Editorial Complaints and Reviews (DECR) formulates a research brief for approval by the Chair/Committee
- DECR informs the relevant Divisional contact for any input
- SEA conducts the research and provides a draft report to DECR

- DECR shares the draft with the Division for input and response and/or it goes to ESCC for discussion and action planning
- Committee discusses the research and any Executive response in the meeting
- If required, the Committee asks the Director-General for a further response/decision on action
- The actions taken are reported back to the next Committee.

Scenario 2 - An individual content issue, question or concern emerges during Committee discussion (for example; Trump Panorama)

- The Chair asks the Director-General to take the concern away for scrutiny and any required action.
- The Director-General decides the most appropriate response according to the seriousness of the issues raised (e.g. whether a judgement from ECU is required due to a possible breach of the editorial guidelines; or whether it is a matter for the Divisional Director, and the speed of response necessary).
- The conclusion and any Executive actions taken are reported back to the Committee

35. There will need to be an assessment as to whether the Director, Editorial Complaints and Reviews has sufficient resource to support these functions.

Recommendation: The Committee institutes this new way of working to ensure that individual editorial issues are managed consistently, escalated swiftly where they have not otherwise been raised as complaints, and are subject to tracking and reporting in a transparent manner.

Executive Editorial Support and Process

36. During the initial Chris Saul work it became clear that more resource at the Executive level would be helpful to the Executive in supporting the Committee. It is suggested that the Executive might wish to make more formalised use of the Editorial Standards and Complaints Committee [ESCC] in achieving this. ESCC includes representatives responsible for editorial standards from all of the Divisions and can test and debate papers coming through to the Committee, including thematic review action plans and Senior Editorial Adviser research.

37. ESCC could also support the Executive members of the Committee by providing coordination; taking editorial referrals; checking responses to the Committee and disseminating lessons from reviews. The scheduling of the meetings have already been aligned to allow for this.

38. David Jordan, as Chair of ESCC, would attend Executive Committee to report on the work and discuss editorial risks, which would raise awareness of particular or ongoing issues at Director level.

Reporting to the Board

39. As one of a number of sub-committees, EGSC currently provides a written report to the Board at every Board meeting. The Chair of the Committee should supplement this with an oral report which includes any risks identified and the outcome of any issues escalated.

40. We would also propose that the new Editorial Standards Committee holds an in-depth session with the Board on editorial standards and impartiality twice a year.

Annual Review

41. The effectiveness of the Committee and its membership will be reviewed annually in line with its current terms of reference and the other sub-committees of the Board.

Terms of Reference

42. The Terms of Reference have been amended to demonstrate the proposed changes and are attached as an appendix.