

RADIOCENTRE RESPONSE TO HM GOVERNMENT CONSULTATION ON INTRODUCING FURTHER ADVERTISING RESTRICTIONS ON TV AND ONLINE FOR PRODUCTS HIGH IN FAT, SUGAR AND SALT (HFSS)

SUMMARY

1. This response provides evidence that supports the Government's initial conclusion that radio advertising should not be within scope of the proposed advertising restrictions for products that are high in fat, sugar and salt (HFSS). It deals principally with this question which is directly relevant to our sector and does not seek to address the detailed scientific or policy questions raised by the consultation. However we also note that there is significant evidence to suggest that further advertising restrictions are unlikely to have any direct impact on reducing obesity in children¹.
2. Advertising on radio is already tightly regulated in the UK and subject to the Code of Broadcast Advertising (BCAP Code), which includes provisions relating to food advertising, children and children's health.
3. While the majority of children continue to listen to radio at some point each week, this tends to be for a relatively short amount of time. 10-14 year olds now listen to commercial radio for around 45 minutes per day on average.
4. This is significantly lower than commercial radio listening by the rest of the population (almost 2 hours per day for adults 15+) and the levels of media consumption on TV or online platforms. Consequently, exposure to any advertising and commercial messages resulting from children listening to the radio is relatively low – and to any HFSS advertising extremely low.
5. Breakfast time is the peak listening period for all commercial radio audiences and children are no different. However, they make up a very small (4.4%) of listening at this peak time. This is one of the reasons why advertisers do not use radio to explicitly target children as they do with other media.
6. The investment decisions of advertisers demonstrate clearly that categories associated with the targeting of children are relatively low (for example, radio represents only 0.22% of UK advertising spend on toys and games). In addition levels of advertising for products that may be considered HFSS are relatively small compared to other media and do not account for a large element of radio advertising overall.
7. In light of this evidence, the safeguards that are already in place and the limited impact of any displacement of advertising that might occur as a result of these changes, we believe that it is the correct decision by Government to leave radio outside the scope of the proposed restrictions.

BACKGROUND

8. Commercial radio operates in a highly competitive market, generating over £700m in advertising revenues in 2018. 36 million people listen to commercial radio's mix of music, news, travel and local information every week. The sector also supports £683m in gross value added to the UK economy and over 12,000 jobs.
9. Our sector is funded solely by advertising revenue and therefore sensitive to the overall health of the economy and any uncertainty from that may stem from Brexit, as well as specific measures

¹ Enders Analysis 'HFSS advertising ban consultation', 3 June 2019
Advertising Association 'The challenge of childhood obesity', March 2019

and restrictions on advertising. Radio has adapted well in recent years to increased competition from digital rivals but the sector faces a growing threat from online services for audience and advertising.

10. Radiocentre is pleased that the Government has concluded that radio should not be within scope of the *Introducing further advertising restrictions on TV and online for products high in fat, sugar and salt (HFSS)* consultation document.
11. This is the right decision and our short response highlights the safeguards that are already in place to protect children from HFSS advertising on commercial radio, along with data that underscores the low level of children's listening habits and subsequent related advertising spend.

CURRENT REGULATION

12. Advertising on radio in the UK is highly regulated. All advertisements on Ofcom licensed radio services are subject to the requirements of the UK Code of Broadcast Advertising (BCAP Code²). In addition, advertising for products falling within the category of 'food, nutrition and food supplements' must be approved prior to broadcast by the Radiocentre clearance team.
13. Radiocentre employs a specialist advertising clearance team that ensures advertising messages on commercial radio stations comply with the necessary content rules and standards laid out in the BCAP Code and Ofcom's Broadcasting Code. The clearance team clears over 36,000 scripts prior to broadcast each year.
14. Post broadcast complaints against radio advertisements are rare, with only eight upheld complaint in 2018 (0.02% of the total). However, they are subject to adjudication by the Advertising Standards Authority (ASA), who can require radio licensees to withdraw an advertisement immediately, amend it or suspend it while investigations are carried out.
15. The BCAP Code contains a number of key provisions relating food advertising, children and children's health. For example, Section 5 of the Code, covering advertising and children, stipulates that 'Advertisements must not condone or encourage practices that are detrimental to children's health'.
16. Section 13, covering food advertising, requires that 'Advertisements must avoid anything likely to condone or encourage poor nutritional habits or an unhealthy lifestyle, especially in children.' Section 13 of the Code also requires that any nutrition or health claims made in advertising are compliant with the relevant EU Regulation.
17. Commercial references, including sponsorship credits, are subject to Ofcom's Broadcast Code and this places the same obligation on broadcasters to ensure that advertising content complies with the BCAP Code.

CHILDREN AND RADIO LISTENING

18. The consultation document quotes only one audience figure for radio listening among children. It states that 74% of 9 to 14 year olds listen to the radio each week. This statistic is taken from a 2017 survey undertaken by RAJAR, the independent audience measurement body, looking at the listening habits of a group of young people as part of its Junior Audio Measurement Joint Audience Research (or JAMJAR study).

² <https://www.asa.org.uk/codes-and-rulings/advertising-codes/broadcast-code.html>

19. While it is entirely reasonable to cite this data, it is not the most recent or comprehensive information and is somewhat limited in what it says about the extent and nature of radio listening among children. Therefore, we have sought to provide a range of additional data from the main RAJAR survey of radio listening, as this is the most extensive survey of its kind and has tracked listening of young audiences over a number of years.
 20. Using the data from this survey is appropriate as it provides a more complete and up to date picture of children's radio listening and how this is changing. It also makes it possible to consider the levels of listening specifically to commercial radio services that carry advertising and exclude listening to BBC services that do not. These figures focus primarily on the 10 to 14 year old age group captured by the main survey and are yearly weighted figures unless otherwise stated.
- **Total audience and time spent listening**
21. According to RAJAR data the proportion of 10-14 year olds that listen to the commercial radio each week for at least 5 minutes (total audience reach) has remained fairly stable over the past ten years, fluctuating between around 70-80%. In 2018 the weekly audience reach for 10 to 14 year olds was 74.8% for commercial radio.
 22. However, in common with all other traditional media, the amount of time spent with radio by young audiences has declined in recent years and is at a relatively low level. In 2018 the average listening time to commercial radio for 10-14 year olds was 5.2 hours per week. This works out at less than 45 minutes a day. This is down from 6.7 hours per week for this age group in 2009. A decline in listening time over ten years of more than 22%.
 23. This is much lower than the levels of media consumption by children and young people on TV or online platforms highlighted in the consultation document (p.8), based on estimates from Ofcom.
 24. This level of listening time to radio is also low in comparison to others sections of the population. Compared to 10-14 year olds the average time spent listening to commercial radio for adults 15+ is much more substantial. In 2018 listening hours per head were 13 hours per week on average (around 1 hour and 52 minutes each day). While this average level of time spent listening has also seen a reduction in recent years, the declines at the younger end of the population have been offset partially by a growing population and increases in listening as audiences get older.
- **Type of listening**
25. As well as the total level of listening above, it is important to appreciate the nature of radio listening and the way audiences tend to engage with and absorb radio content compared to other media. Overall we know that radio remains very much a secondary medium with nine out of ten listeners participating in other activities when they tune in to the radio³.
 26. In addition to this general rule regarding the nature of radio listening, it is worth considering the environment in which many children are listening to the radio. This can be understood in part by looking at the location of radio listening by 10-14 year olds.
 27. For example, 37% of listening time to commercial radio by 10-14 year olds is in a car or vehicle. This is much higher than the rest of the population of adults 15+, where only 13% of listening time to commercial radio is done in cars and vehicles (and only 24% for all radio combined, including the BBC).

³ IPA Touchpoints, 2018

28. This disparity is probably unsurprising as many children will spend time in cars with parents or family members who are most likely to be the ones in control of the car radio or in-car entertainment. However this is important as it indicates a relatively high proportion of time listening which is incidental or in the background where the station has not been chosen by the child, as well as being listening that is in an environment that is ultimately controlled by an adult.

- **Time of day**

29. As well as identifying the total audience, time spent listening and location, RAJAR also collects data on the time of day that different audiences are listening to the radio.

30. This is useful as it not only provides further context regarding the way children and young people listen to the radio, but also makes it possible to examine the proportion of the audience they make up at key times of day and therefore the extent they could be targeted by advertisers.

31. The most important daypart for all radio is the breakfast time slot (measured by RAJAR as 6am to 10am Monday to Friday). During this time UK commercial radio reaches 24.3m people aged 15+ each week, accounting for 22.3% of all listening hours to commercial stations.

32. Breakfast is also the most popular time for 10-14 to listen to commercial radio. However as a proportion of the overall listenership they only account for a very small minority, with 1.8m 10-14 year olds tuning in during that time. As a result of this comparatively small audience (who also do not listen for as long as other parts of the population) the total listening time by 10-14 year olds to commercial radio at breakfast time is only 4.4% of overall listening hours.

- **Context**

33. The context and motivation for children and young people to listen to the radio is also worth considering. These factors are examined more directly by the JAMJAR study of children's radio and audio listening habits.

34. Unsurprisingly, when asked about the sort of reasons why they listen to the radio or streamed music services, the most common answer from children 9-14 was to lift their mood, with 50% saying it makes them feel happy. A large proportion also said they liked having it in the background (45%). In many cases they also say that they like to listen on their own (40%), although this tends to be greater in the older end who are 13-14 years old. Listening with family and friends is also identified as important (by 39% of children), with this being particularly strong to the younger end of the sample who are 9-10 years old.

35. These factors also came through strongly when asked about the most important reasons for choosing to listen. However, speech content on the radio including news stories from around the world (5%) and what presenters/ DJs talk about between songs (3%) are rated much lower. While the survey did not ask directly about advertising messages on the radio it does indicate a very low level of receptiveness to content other than the music from this audience.

36. Therefore in summary:

- While the majority of children continue to listen to the radio at some point each week, this tends to be for a relatively short amount of time. 10-14 year olds now listen to commercial radio for around 45 minutes per day on average.
- Average listening by children to commercial radio is significantly lower than the rest of the population. It is also much lower than the levels of media consumption on TV or online platforms.

Consequently exposure to advertising and commercial messages by children listening to the radio is also relatively low – and to any HFSS advertising extremely low.

- Children are almost three times more likely to be in the car when listening to commercial radio. In these environments radio consumption tends to be controlled by an adult, as well as being more incidental or in the background than a primary focus of attention in the same way as other media.
 - Breakfast time is the peak listening period for all commercial radio audiences and children are no different. However, they make up a very small of proportion of listening (4.4%). This is one of the reasons why advertisers do not use radio to target children (further evidence of this is provided in the section below).
37. The main focus of radio listening by children is on music and enhancing their mood. They place little value on the news and speech content generally, indicating a low level of interest or engagement in advertising messages.

ADVERTISER BEHAVIOUR

38. Given the relatively low proportion of radio listening time by children noted above, advertisers do not tend to use radio advertising to target this audience. This is illustrated below by the level of toys and games advertising on radio in 2018 (£0.3m), which represents only 0.22% of the total spend by advertisers on this category across all media (circled below). This accounts for only a very small proportion (0.04%) of the total spend on radio advertising compared to other major categories such as motors or finance. This demonstrates clearly that radio is not a medium that is prioritised by advertisers who are seeking to reach children.

	Radio Expenditure	Radio share of total spend across media %	Share of all spend on radio %
Children's Toys & Games	302,970	0.22	0.04
Motors	92,035,105	13.49	10.99
Finance	84,072,936	7.75	10.04
Entertainment & Leisure	99,356,042	7.67	11.87

Source: Nielsen

39. It is also important to put HFSS food advertising into context with regard to advertising spend on radio. Food advertising as a whole only comes in 10th in terms of top radio product sectors, with the majority of radio advertising from the motors, finance and telecommunication industries. Radio is not significantly utilised by food advertisers associated with HFSS products (including Cereals; Potato crisps and snacks; Soft drinks; Confectionary and snacks; and Chain restaurants) and in total radio takes only 5.6% of total ad spend in these areas (representing only around 5.5% of all radio advertising). To put this into context, TV accounts for over 60% of total ad spend from products in these sectors.

	Radio Expenditure	Radio share of total spend across media %	Share of all spend on radio %
HFSS Total	45,936,613	5.62	5.49

Source: Nielsen

40. Taking these factors into account, along with the audience data outlined above, it is possible to provide an estimate of the average amount of time the 10-14 year old are likely to be exposed to a radio commercial that is promoting a product or brand that could be considered to be HFSS.

41. Specifically we know that 10-14 year olds listen for 5.2 hours per week. In addition we know that the total number of radio ads running on UK commercial radio stations average around 10 minutes per hour across the day. If we assume that the proportion of ads for products that are likely to be HFSS related is broadly in line with the spend figures above (6%) we can multiply the minutage devoted to these ads by the time spent listening by young people as a proportion of total hours. Using this approach we estimate that 10-14 year olds will hear only around 3 minutes of ads per week (or less than 30 seconds per day) for HFSS products and brands on commercial radio on average.
42. While we appreciate that this is a crude measure it does provide a useful way of establishing the low level of exposure to radio advertising for such products amongst this age group.

CONCLUSION

43. Radiocentre accepts that there should be certain safeguards in place to protect children and young people from harmful advertising of any kind. Therefore we support the continuing requirement for commercial radio stations to comply with the necessary content rules and standards laid out in the BCAP Code and Ofcom's Broadcasting Code.
44. However even if a direct link could be established between advertising and child obesity – which is not clearly apparent from the evidence available – there is comparatively low level of exposure to radio ads among children and a very low level of exposure to any ads that may be considered to be for HFSS products.
45. As a result of these factors and the low impact of any displacement in advertising that might occur (as noted in the impact assessment) we agree that radio should remain out of scope of the current Government proposals.

ABOUT RADIOCENTRE

Radiocentre is the industry body for commercial radio. We work on behalf of over 50 stakeholders who represent 90% of commercial radio in terms of listening and revenue.

We perform three main functions on behalf of our members:

- Drive industry revenue by promoting the benefits of radio to advertisers and agencies through a combination of marketing activity (e.g. events, advertising, PR, and direct mail), research, and training
- Provide UK commercial radio with a collective voice on issues that affect the way that radio stations operate, working with government, politicians, policy makers and regulators to secure the best environment for growth and development of the medium
- Ensure advertising messages on commercial radio stations comply with the necessary content rules and standards laid out in the BCAP Code of Broadcast Advertising and the Ofcom Broadcasting Code.

www.radiocentre.org

June 2019