

Vikki Cook – Director, Content Media Policy
Standards and Audience Protection Team
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA

23 September 2019

Dear Vikki,

Protecting participants in TV and radio programmes consultation – Radiocentre response

I write on behalf of the commercial radio industry in order to respond to Ofcom's *Protecting participants in TV and radio programmes* consultation on new broadcasting rules.

It is clear from the consultation document that Ofcom has instigated these changes following complaints about a number of recent high-profile cases on television surrounding the mental health of participants on reality and entertainment programmes.

Commercial radio broadcasters take their responsibilities and obligations to protect their listeners seriously, particularly when it comes to the wellbeing of participants. However in most cases such participation is limited to phone-ins and competitions. More generally, mental health initiatives have received cross industry support in recent years through the Mental Health Minute in 2018 and 2019. Bauer has also led a national campaign, *Where's your Head At?*, to make it a legal requirement for every workplace to have a mental health work first aider.

While TV and radio programmes are treated equally within the consultation and the Broadcasting Code, it is important to note that the emphasis of the proposed changes is primarily aimed at the television sector. This is not surprising given the very different nature of television and radio programmes that feature members of the public. Ultimately radio, while in scope of these changes, should continue to be treated appropriately given the limited ways in which participants engage on our medium.

We note that Ofcom proposes new rules (2.17 on 'due care' and 2.18 on 'unjustified distress') as well as the amendments to the current rules (1.28 and 1.29). However some of the terms appear to be quite broad and could be open to interpretation unless Ofcom is able to provide some further clarification on how and when they might apply (or not). The proposed changes also seem ignore the ability Ofcom has already to hold radio broadcasters to account on matters of harm and offence caused to participants, which calls into question the need for new rules in this area.

In addition, there is a risk that these new rules might place an unnecessary burden on radio broadcasters that generally operate with much more streamlined teams than the television industry. Ofcom should therefore review how radio and television could be suitably differentiated within its guidelines in future, rather than moving to impose new requirements

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under the Broadcasting Code that may be better managed through a Code of Conduct developed in consultation with the industry.

Should you require further clarification on any of the points that I have raised please do get in touch.

Yours sincerely,

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