



# Welcombe Radio

Stratford upon Avon, Our Community on the Radio

## Volunteer Policy



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## Introduction:

### Overheard at the World Volunteer Conference:

In response to the observation that volunteers are too often seen as amateurs, "Just remember: Noah's Ark was built by amateurs. The Titanic was built by professionals." <sup>1</sup>

UNESCO describe the importance of the role community radio plays by stating,

"There are more than 20 000 radio stations in the world and more than two billion radio receivers. Any notion that TV and other sophisticated communication technology will replace radio is unfounded, for radio is in constant expansion. Its waves reach almost every corner of our planet. It is the prime electronic medium of the poor because it leaps the barriers of isolation and illiteracy, and it is the most affordable electronic medium to broadcast and receive in." <sup>2</sup>

They continue,

"Much research interest has been devoted to mass media. In their findings, communication specialists have always acknowledged that there are many sectors, communities and minorities whose access to information and means of self-expression are not always guaranteed by mass channels. They have recognized that more sharply focused, customized and essentially small and local media are crucial in filling this gap.

UNESCO sees community radio as a medium that gives voice to the voiceless that serves as the mouthpiece of the marginalized and is at the heart of communication and democratic processes within societies. With community radio, citizens have the means to make their views known on decisions that concern them. The notions of transparency and good governance take on new dimensions and democracy is reinforced. Community radio catalyses the development efforts of rural folk and the underprivileged segments of urban societies, given its exceptional ability to share timely and relevant information on development issues, opportunities, experiences, life skills and public interests.

In the age of multimedia and online communication, the potential of community radio to provide for effective outreach to discuss and create demand for the Internet has become even greater. By using radio and browsing the Internet to respond to listeners' direct queries, by sharing information and knowledge derived from the Internet, the whole community is involved and empowered with new opportunities." <sup>3</sup>

**"If our hopes of building a better and safer world are to become more than wishful thinking, we will need the engagement of volunteers more than ever." — Kofi Annan (seventh Secretary-General of the United Nations and co-recipients of the 2001 Nobel Peace Prize)**

Having worked for decades helping traumatised people in all areas of the community, Professor of Psychiatry, Bessel van de Kolk, in his book, *The Body Keeps The Score*, makes a number of statements which are pertinent to those interested in helping to build and strengthen the local community. He states,

- Our capacity to destroy one another is matched by our capacity to heal one another. **Restoring relationships and community is central to restoring well-being.**
- Language gives us the power to change ourselves and others by communicating our experiences, helping us to define what we know, and finding a common sense of meaning.
- We can change social conditions to create environments in which children and adults can feel safe and where they can thrive. <sup>4</sup>

Although they are coming from different perspectives, both UNESCO and Dr. van da Kolk highlight the importance of the interaction between the community and the individual in developing and

maintaining the overall health of the community and its members. We recognise at Welcombe Radio that our volunteers are playing an active, important role in that process.

As to why an individual may want to volunteer for a community project such as ours; well there can be a whole variety of good reasons. There are people who want to give back to their community whether it's because their community has helped them or a family member. While others, following their success, want to help others, sharing their expertise.

Perhaps the most common reason for people wanting to begin volunteering for community projects like Welcombe Radio is that they see it as a means of helping others. However, it can also,

A 2014-2015 Government Community Life Survey showed that 69% of people had volunteered formally or informally at least once in the last 12 months.

- be a means of developing one's own interests further such as history or creative writing, and then sharing them with others.
- provide an opportunity for a person to learn new skills and gain hands-on experience in areas that they may have never considered before.
- help a person along their chosen career path, for example, sound engineers or radio presenting and behind-the-scenes researching. It gives an opportunity for someone to experience an area of work without having to sign an employment contract.
- provide personal benefits as well. Volunteering often makes participants more organised, responsible, and compassionate. All good qualities to have and ones which employers and/or education establishments like to see in applicants.
- offer opportunities for people to make new friends, especially with people who may have similar interests. The social potential of the radio station should not be underestimated especially as it aims to reach out and interact with the community.

The following, 2007 'Helping Out' Survey showed that people who have taken up volunteering identified that the top five benefits they gained from volunteering are: 'a sense of satisfaction from seeing the results' (97%), 'I really enjoy it' (96%), 'it gives me a sense of personal achievement' (88%), 'meet people and make friends' (86%), 'gives me the chance to do things that I am good at' (83%).<sup>5</sup>

As a voluntary organisation it is important to acknowledge why people want to **volunteer** for Welcombe Radio and how important their contribution is in helping the radio station to develop. Therefore, we appreciate and value all those who choose to volunteer for Welcombe Radio.

**“Service to others is the rent you pay for your room here on Earth.”**  
— **Muhammad Ali.** (heavyweight Boxing Champion, activist and philanthropist.)<sup>6</sup>

The mission statement of Welcombe Radio is, 'To cultivate a nurturing instructive platform for individuals and groups from the community to disseminate, inform, support, educate and entertain the local community through the medium of radio.' It is important to understand that this demonstrates what we are aiming to achieve and how we go about it.

## 1.0: The Purpose of this Policy

The purpose of this policy is to provide clarity about the role of a volunteer at Welcombe Radio. It highlights what volunteers can expect and where they can turn if they have a problem or query.

The volunteer policy establishes the type of relationship Welcombe Radio as an organisation wants to foster with those who join the radio station as a volunteer. It will show that care and thought has gone into the role of volunteers at Welcombe Radio. A written policy means that decisions are not made on an ad hoc basis and will ensure a fair, equal and consistent approach for all volunteers.

Unfortunately, necessity means that the Welcombe Radio Volunteer Policy cannot be a brief document because it has to cover all areas of broadcasting including legal requirements. We ask that if you are seriously considering becoming a volunteer for Welcombe Radio, you give the policy due time and consideration and not treat it as a tick-box exercise, something to dash through. We are realistic, no one is going to be able to remember verbatim all the following content, especially when including the Ofcom principles and rules set out in the appendix. However once read, it will act as a reference point. So do take time reading it through, maybe share that time with tea, cake and chocolate, take intervening walks far from crowds where you can scream, 'will it never end?'

Having read the content there is an agreement section for confirming that each volunteer has read the policy, understands the relevance of each section and having considered the content is ready to abide by what the policy sets out. If there is any part of the policy which a volunteer does not understand they should talk with the station manager before signing the agreement.

The Policy is intended for internal management guidance only and does not constitute a binding contractual or personal agreement. Welcombe Radio reserves the right to change any aspect of the Policy at any time.

### 1.01: OfCom

Ofcom is the government controlling body that issues licences to all broadcast media. This includes community radio stations which means that **we are governed** by the regulations that OfCom set. These regulations are designed to help and support the organisation, its volunteers and its audience. This means that it is the responsibility of all Welcombe Radio volunteers to understand what those regulations entail.

**It is therefore important that all volunteers read and understand this document.** If there is any part of the policy that you do not understand then please discuss this with the station manager before signing the volunteer agreement.

**"You must be the change you wish to see in the world."**

— **Mahatma Gandhi**, (leader of the Indian National Congress and Father of the Nation)

## 2.0: Definition of Community Service

**Community service is work done by a person or group of people that benefits others.** It is often done near the area where they live, so that their own community reaps the benefits of their work.

### 2.01: Definition of a Volunteer

Volunteering is someone spending time, unpaid, doing something that aims to benefit the environment or someone who they're not closely related to. **Volunteering must be a choice freely made by each individual.** <https://www.ncvo.org.uk/ncvo-volunteering> (accessed 08 04 2018)

### 2.02: About Volunteering

The National Council for Voluntary Organisations states, "As a volunteer, you won't usually have a contract. This means you won't have the same legal status and protections that paid workers have in the UK. Volunteers don't usually have the right to have an organisation follow proper investigative procedures when things go wrong. They also don't have the right to appeal a decision made by the organisation." – NCVO (<https://www.ncvo.org.uk/ncvo-volunteering/if-volunteering-goes-wrong#rights>) (accessed 08 04 2018)

Volunteering England said that having the same protection as employees would 'undermine the nature of volunteering, create practical barriers and additional costs and create a 'formalisation' that would be 'unwanted by most volunteers'. <https://www.ncvo.org.uk/> (accessed 03 06 2018)

### 2.03: Volunteer Agreement

A 'volunteer agreement' does not constitute a contract of employment. [ACAS](http://www.acas.org.uk/index.aspx?articleid=3603)  
<http://www.acas.org.uk/index.aspx?articleid=3603> (accessed 06 04 2018)

A volunteer is a person contributing to the operation or management of a community radio service who is not in receipt of payment for their time, services or expertise, and is not required to provide any such contribution by a third party (e.g. as part of a

course of study). OfCom

[https://www.ofcom.org.uk/data/assets/pdf\\_file/0026/23966/volunteerinput.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0026/23966/volunteerinput.pdf) (accessed 31 05 2018)

Therefore, in terms of this agreement a volunteer is anyone who gives freely of their time, without compensation or expectation of compensation, performing activities on behalf of Welcombe Radio.

“I’m very conscious of the fact that you can’t do it alone. It’s teamwork.”

—Wangari Maathai (first woman to achieve a PhD in Kenya, renowned Kenyan environmental political activist, Nobel laureate and Planter of Trees extraordinaire!)

There are a number of laws, rules, regulations and guidelines, set out by national governing bodies that Welcombe Radio and its volunteers must adhere to. It is important that all Welcombe Radio volunteers must be aware of these and what they entail. If any volunteer is uncertain about any aspect please talk with a member of the Welcombe Radio committee.

### 3.0: Ofcom Principles and Rules For Broadcasters

The OfCom Principles and Rules For Broadcasters are the overarching guidance for all broadcasters. The principles are there to help readers understand the standards objectives and to apply the rules.

For further guidance please go to,

<https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/programme-guidance> (accessed 03 06 2018)

Below are the principles set out for each section identified by the OfCom Code. The principles are there to help readers understand the standards objectives and to apply the rules. To see the rules which apply to the principles please click on the links.

#### 3.01: PROTECTING THE UNDER-EIGHTEENS: (Barney, link to Appendix 2)

- To ensure that people under eighteen are protected.

#### 3.02: HARM AND OFFENCE: (Barney, link to Appendix 2)

- To ensure that generally accepted standards are applied to the content of television and radio services so as to provide adequate protection for members of the public from the inclusion in such services of harmful and/or offensive material.

#### 3.03: CRIME, DISORDER, HATRED AND ABUSE: (Barney, link to Appendix 2)

- To ensure that material likely to encourage or incite the commission of crime or to lead to disorder is not included in television or radio services.

#### 3.04: RELIGION: (Barney, link to Appendix 2)

- To ensure that broadcasters exercise the proper degree of responsibility with respect to the content of programmes which are religious programmes.
- To ensure that religious programmes do not involve any improper exploitation of any susceptibilities of the audience for such a programme.
- To ensure that religious programmes do not involve any abusive treatment of the religious views and beliefs of those belonging to a particular religion or religious denomination.

#### 3.05: DUE IMPARTIALITY AND DUE ACCURACY: (Barney, link to Appendix 2)

- To ensure that news, in whatever form, is reported with due accuracy and presented with due impartiality.
- To ensure that the special impartiality requirements of the Act are complied with.

#### 3.06: ELECTIONS AND REFERENDUMS: (Barney, link to Appendix 2)

- To ensure that the special impartiality requirements in the Communications Act 2003 and other legislation relating to broadcasting on elections and referendums, are applied at the time of elections and referendums.



### 3.07: FAIRNESS: (Barney, link to Appendix 2)

- To ensure that broadcasters avoid unjust or unfair treatment of individuals or organisations in programmes.

### 3.08: PRIVACY: (Barney, link to Appendix 2)

- To ensure that broadcasters avoid any unwarranted infringement of privacy in programmes and in connection with obtaining material included in programmes.

Research demonstrates that volunteering leads to better health and that older volunteers are the most likely to receive physical and mental benefits from their volunteer activities. 7.

There are a number of other regulations set out by national governing bodies other than OfCom that we, as volunteers must also be aware of and adhere to.

## 4.00: Health and Safety (Barney, link to Health and Safety Policy)

The Health and Safety at Work Act 1974 (HASAWA) and subsequent updates requires you to take reasonable care for the health and safety of yourself and other people at work. 8. & 9.

‘Organisations have a legal obligation to consider the ‘duty of care’ that they have to their volunteers. Duty of care is a common law duty which applies to all individuals and organisations and has been developed by the courts, to avoid carelessly causing injury to persons. The notion of duty of care needs to be considered in all aspects of an organisation’s work and is regardless of the size of the organisation, its income or whether the organisation involves paid staff.’ <http://www.vces.org.uk/wp-content/uploads/2017/01/Essential-Guide-to-Health-and-Safety-of-Volunteers-NL.pdf> (accessed 22 04 2018)

As part of its responsibilities Welcombe Radio will,

- Decide what could harm you in your job and take precautions to prevent it. This is part of risk assessment.
- In a way you can understand, explain how risks will be controlled and tell you who is responsible for this.
- Consult and work with you and your health and safety representatives in protecting everyone from harm in the workplace.
- Free of charge, give you the health and safety training you need to do your job.
- Free of charge, provide you with any equipment and protective clothing you need, and ensure it is properly looked after.

Welcombe Radio volunteers are required to,

- Follow the training you have received when using any work items your employer has given you.
- Take reasonable care of your own and other people’s health and safety.
- Co-operate with Welcombe Radio management on health and safety.
- Tell a member of Welcombe Radio management if you think the work or inadequate precautions are putting anyone’s health and safety at serious risk.
- Report all accidents in the Accident Report book located with each first-aid kit and inform either the Station Manager or Administrator.

Welcombe Radio will ensure that there is an up-to-date first aid kit both inside the studio (on the left-hand side of the window sill) and another included with the outside broadcasting equipment.

For volunteers working within the studio and within Foundation House, full training in fire procedure will be given before the voluntary work begins.

(Health and Safety Law: What you need to know. <http://www.hse.gov.uk/pubns/law.pdf>) (accessed 03 06 2018)

## 4.01: Insurance

All Welcombe Radio volunteers are covered by Welcombe Radio's public liability insurance, whether that be at the studio, at outside broadcasting events or other events which Welcombe Radio are involved with.

This means that when it comes to outside broadcasting events the equipment can only be used by Welcombe Radio volunteers who have had the required training. Obviously, Welcombe Radio is happy to attend outside broadcasting events to support and help promote other local community projects.

However, no third party individual or organisation can use the equipment for an event they are running because quite simply they will not be covered by our insurance.

## 4.02: Licenses

Welcombe Radio is licensed by all of the necessary statutory bodies to play licensed music. All our volunteers are therefore covered to play music as part of a Welcombe Radio programme.

However, this means that volunteers can only do this under the banner of Welcombe Radio and cannot use a programme title or name which implies they are separate to Welcombe Radio. Therefore, all names of programmes must be agreed with the Welcombe Radio management. This is for the financial safety of our volunteers.

If a volunteer was acting outside their remit they would not be covered by our license and would therefore be responsible for the payment of any resulting royalties claimed by the PRS or PPL organisations.

### 4.02.01: Local Musicians

As part of our ethos we aim to promote local musicians and will continually develop a library of local musicians' work with their permission. If a presenter uses a local musician not in this library then they should obtain written permission from the musician.

### 4.02.02: Promotional Material

Any literature produced by a Welcombe Radio programme should clearly contain a Welcombe Radio logo, also any programme logo must display clearly that it is part of Welcombe Radio. These designs need to be approved by the Welcombe Radio management team. (see appendix 01)

## 5.00: Safeguarding [\(Barney, link to Safeguarding Policy\)](#)

Welcombe Radio promotes active involvement from children and vulnerable adults. Children and vulnerable adults involved at either the studio or outside events must be independently supervised at all times by a responsible adult with a valid DBS certificate.

## 6.00: Equality and Diversity [\(Barney, link to E & D Policy\)](#)

Equality, diversity and inclusion are at the heart of Welcombe Radio's ethos, <sup>(appendix 1)</sup> its commitment to ensuring equality of opportunity and equal treatment for, all volunteers, programme presenters, their guests and our local population. We actively encourage all, in terms of the management of Welcombe Radio, access to broadcasting and to providing guidance on anti-discriminatory practice. Our vision is to,

- understand, value and work constructively with diversity to enable fair and full participation in all activities.
- ensure that there is no unjustified discrimination in our recruitment, selection, management and other processes.
- ensure actions that promote equality.
- treat volunteers and guests with whom we work with fairness, dignity and respect; play our part in removing barriers and redressing imbalances caused by inequality and unjustified discrimination.



“I do not wish them (women) to have power over men; but over themselves.” Mary Wollstonecraft (1759~1797) (Author of ‘The Vindication of the Rights of Women’, often referred to as the ‘Original Suffragette and the founder of feminism. A philosopher, human rights activist, an educational pioneer, who had a profound influence on the Romantics.)

## 7.00: Data Protection [\(Barney, link to Data Protection\)](#)

Welcombe Radio has a basic data policy in place that meets specified needs in place.

However as Deputy Commissioner Steven Wood of the Information Commissioner's Office (ICO) has stated, “The 25 May introduction of the legislation is not a hard cut off point, but more a checkpoint on the road to compliance.”<sup>10</sup> In addition he pointed out that some aspects of GDPR remain to be clarified and the accompanying ePrivacy legislation is still working its way through the European courts.

So, Welcombe Radio will continue to develop its Data Protection Policy, as Elizabeth Denham, the UK Information Commissioner, recommends, using the resources available for small businesses on the ICO's website.

Our volunteers should not unduly worry about GDPR, as Elizabeth Denham says, "There's so much misinformation out there. I want to be clear that this law is not about fines. It's about putting the consumer and citizen first. It's about doing good things by data subjects because innovation is not sustainable without public trust."<sup>11</sup> This is what Welcombe Radio will continue to do for our volunteers and community.

**‘Studies showed that patients about to undergo medical procedures were less anxious when they could talk to a volunteer.’<sup>12</sup>**

## 8.00: Well-being [\(Barney, link to Well-being Policy\)](#)

Every week, one in six adults experience a common mental health problem, such as anxiety or depression. More than four in 10 people have experienced depression. Over 25 percent of people in the UK say that they have experienced panic attacks. The great majority of people out of work, a total of 85 percent, have experienced a mental health problem. For those in work, it isn't much better, as around two-thirds of those working say that they have experienced mental health problems too. Only a third of UK workers, around 33 percent, who have experienced a mental health problem have felt supported at work by their manager.<sup>13</sup>

**Why will Welcombe Radio work hard to ensure that a volunteer's involvement will be as stress free as possible in order to help protect their psychological well-being?**

Supriya Ghosh, T. Rao Laxmi, and Dr. Sumantra Chattarji of the National Centre for Biological Sciences in Bangalore have carried out research which studied the effects of stressful experiences on synapses, cells and microcircuits in the hippocampus and amygdala. They captured, for the first time, changes in the brain that they say might explain how the brain's emotion centre, under conditions of chronic stress takes over a region that processes factual memories. They say that this explains **why people exposed to chronic stress become forgetful and display increasing levels of anxiety and emotions.**<sup>14</sup>

A new survey has revealed that 40 % of GP appointments now involve mental health. A survey of more than 1,000 GPs, conducted by mental health charity Mind, has revealed that two in three GPs (66 %) say the proportion of patients needing help with their mental health has increased in the last 12 months.<sup>15</sup>

**Why will Welcombe Radio work hard to ensure that a volunteer's involvement will be as stress free as possible in order to help protect their physiological well-being?**

Professor Sheldon Cohen at Carnegie Mellon University states, **“When under stress, cells of the immune system are unable to respond to hormonal control, and consequently, produce levels of inflammation that promote disease.** As inflammation plays a role in many diseases such as cardiovascular, asthma and autoimmune disorders, this model suggests why stress impacts them as well.”<sup>16</sup>.

In 2013 The World Health Organisation (WHO) estimated that worldwide, 20% of young people were at risk of experiencing a mental health problem. The Mental Health Foundation report that 75% of mental health issues are established by the age of 24 and 50% are established by the age of 14. It was also found that 10% of young people aged between 5 and 16 years have a clinically diagnosable problem, while 70% of those experiencing mental health issues are not receiving the appropriate support or intervention at an early age.<sup>17</sup>.

**Why will Welcombe Radio work hard to ensure that there is adequate training and the systems we use are as simple as possible in order that volunteers will be able to stay on task, clear headed and stress free?**

Earl Miller, a neuroscientist at MIT and one of the world experts on divided attention, says that our brains are “not wired to multitask well. Multitasking has been found to increase the production of the stress hormone cortisol as well as the fight-or-flight hormone adrenaline, which can overstimulate your brain and cause mental fog or scrambled thinking. Multitasking creates a dopamine-addiction feedback loop, effectively rewarding the brain for losing focus and for constantly searching for external stimulation. To make matters worse, the prefrontal cortex has a novelty bias, meaning that its attention can be easily hijacked by something new, the proverbial ‘shiny objects’ we use to entice infants, puppies, and kittens. The irony here for those of us who are trying to focus amid competing activities is clear: **the very brain region we need to rely on for staying on task is easily distracted.**<sup>18, 19</sup>.

A 2016 Time to Change survey of over 7,000 people living with mental health issues found that 64% were feeling isolated, 61% worthless and 60% ashamed of their condition. They explained they felt this way because of the stigma and discrimination they regularly face.<sup>20</sup>.

**Why will Welcombe Radio work hard to ensure that all forms of contact are kept to a minimum and will only be done when a message is necessary. Also, although the radio station uses social media why will volunteers be encouraged not to overuse them?**

Neuroscientist Professor Daniel Levitin, in his research, explains what happens when we use social media. “Each time we dispatch an email in one way or another, we feel a sense of accomplishment, and our brain gets a dollop of reward hormones telling us we accomplished something. Each time we check a Twitter feed or Facebook update, we encounter something novel and feel more connected socially (in a kind of weird, impersonal cyber way) and get another dollop of reward hormones. But remember, it is the dumb, novelty-seeking portion of the brain driving the limbic system that induces this feeling of pleasure, not the planning, scheduling, higher-level thought centres in the prefrontal cortex. Make no mistake: email-, Facebook- and Twitter-checking constitute a neural addiction.”<sup>21</sup>.

## 9.00 Volunteering with Welcombe Radio

It is important to remember the mission statement of Welcombe Radio is, 'To cultivate a nurturing instructive platform for individuals and groups from the community to disseminate, inform, support, educate and entertain the local community through the medium of radio,' as this guides our approach.

'Volunteers are those who carry out unpaid work typically for a charity, voluntary organisation or fundraising body. Volunteers should have access to appropriate training and development, and usually will have a role description rather than a job description.' – ACAS

<http://www.acas.org.uk/index.aspx?articleid=3603> (accessed 06 04 2018)

Therefore, anyone who volunteers for Welcombe Radio agrees, that as a volunteer they are giving freely of their time without compensation and do not regard themselves as employees or workers, as they do not have an employment contract.

*“Volunteers do not necessarily have the time; they just have the heart.” — Elizabeth Andrews OBE, 1882–1960. (First woman organiser of the Welsh Labour Party)*

### 9.01: Our Commitment to Volunteers

The aim of Welcombe Radio is to provide a friendly, supportive, effective environment that is conducive to volunteers fulfilling their roles.

Welcombe Radio's commitment to its volunteers includes:

- Providing a nurturing, instructive platform.
- Offering equal opportunities to everyone who wants to volunteer.
- Matching the aspirations of volunteers with the most applicable role.
- Providing adequate training for a volunteer to carry out their chosen role.
- Providing continued support for volunteers in the implementation of their role.
- Celebrating success and recognise the contribution that volunteers make.
- Supporting its volunteers through recommendations and references where it is felt that this is deserved.
- Making necessary arrangements to ensure the safeguarding of its volunteers.
- Making necessary arrangements to ensure the health and welfare of its volunteers.
- Listening to, and acting upon, suggestions, comments and concerns from volunteers.

Volunteers in the UK currently contribute an estimated £23.9bn to the UK economy per year.<sup>22</sup>

### 9.02: Our Expectations of Volunteers

All Welcombe Radio volunteers will be required to be assessed by the Disclosure and Barring Service check as soon as possible when commencing volunteering. Each volunteer will be required to contribute ten pounds twenty pence (£10.20) to allow this to be done (cost at the time of printing). Continuation for volunteering will depend on the results of the DBS check.

The following is taken directly from the 'Revised Code of Practice for Disclosure and Barring Service Registered Persons' produced by The Home Office and makes clear the responsibility of the Welcombe Radio management team.

“Although certificates are now provided directly to the applicant, registered bodies will receive personal information related to applications and, where registered bodies are also employers, **voluntary sector organisations** or licensing authorities, will receive disclosure information when certificates are provided to them by their employees or applicants for posts, **including volunteers**.

Recipients of disclosure information, through electronic means or via the applicant's copy of the disclosure, **must note that it is an offence to disclose information contained within a DBS Certificate to**

any person who is not a member, officer or employee of the Registered Body or their client, unless a relevant legal exception applies. Furthermore, it is also an offence to:

1. Disclose information to any member, officer or employee where it is not related to that employee's duties
2. Knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain, a Certificate."<sup>23</sup>.

At Welcombe Radio the Station Manager will be the only direct recipient of disclosure information. The Station Manager will only disclose information to the management team if the results of a DBS Check have implications for accepting a volunteer application.

We ask volunteers that they:

- Understand that the ethos of Welcombe Radio underlies how it operates as an organisation.
- Treat everyone with whom they come into contact with Welcombe Radio, with dignity and respect, and realise that each gives what she or he can in terms of time and effort.
- Understand that they are governed by the regulations laid down by OfCom, especially broadcasting.(See appendix 02)
- Understand that they are governed by the regulations of other statutory bodies (Health and Safety, Safeguarding, Equality and Diversity and Data protection policies).
- Understand that in accordance with the Welcombe Radio Safeguarding Policy they must report any concerns to the station Manager, or another member of the committee, and/or the Police, as soon as possible.
- Will adhere to the code of conduct set out by Welcombe Radio and where there may be a variance, the code of conduct set out by Foundation House.(see appendix 03)
- Not use banned substances or alcohol while volunteering and will not bring dangerous substances onsite.
- Ensure that the radio studio is left locked, secure and safe when it is unoccupied.
- Take full responsibility for any voluntary work undertaken and their own personal health and safety.
- Understand that lone working is occasionally necessary and to be responsible for ensuring that when this is the case Welcombe Radio's expectations are implemented.
- Give the Station Manager or Administrator reasonable notice of non-attendance.

"People who engage in kind acts become happier over time." It's that simple according to Sonja Lyubomirsky, Ph.D., a professor of psychology at the University of California. Lyubomirsky, who has studied happiness for over 20 years, found that performing positive acts once a week led to the most happiness. <sup>24</sup>.

**"We make a living by what we get, but we make a life by what we give."**  
—Winston Churchill, (an inspirational statesman, writer, orator and leader).

### 9.03: Code of Conduct

#### Introduction:

Community radio volunteers are responsible for the image of their individual radio program, radio station and its support structures. The very nature of a community radio station means that they will be interacting with the community, so how volunteers conduct themselves on the radio, at the station, or elsewhere, reflects not only their own personality but also the integrity of the radio station and the other volunteers.

The Welcombe Radio Code of Conduct represents the standards expected of all volunteers both in terms of the radio station's ethos, and of the legal requirements set out by OfCom.

### 9.03.01: Being Positive

As has been established, people volunteer themselves and their time for a variety of reasons none of which is to have an unwelcome experience. People are looking to have positive experiences when volunteering. At the heart of volunteering, for most, is wanting to help within their community. At Welcombe Radio we aim to help create as positive an experience as possible for those who volunteer. Amongst professional mental health practitioners such as neuropsychologist, Dr. Rick Hanson, is the saying, 'Neurons that fire together, wire together'.<sup>25</sup> By creating an environment which promotes positive experiences we strengthen and maintain each other's positive neural pathways resulting in better overall mental/emotional health and well-being. Therefore, it is important that, all volunteers remember to interact with each other in a caring, respectful and productive way.

### 9.03.02: Preparing Programmes

- **Programme Preparation**

Adequate planning should be carried out for each broadcast. Presenters should research and secure information from reliable sources. Good preparation reduces potential anxiety and promotes confidence. Therefore, it is only sensible that presenters should organize their programme well before going on air.

- **Background Research**

Radio requires a lot of fresh information for every minute of airtime. A broadcaster can only inspire other people if she/he has something new or interesting to offer. The most persistent researcher and inquirer will be seen as a reliable source of information by the community.

- **Prefer the Positive/Constructive Approach**

The ethos of Welcombe Radio focuses on the positive aspects of community life. In our interactions with other volunteers, guests, interviewees and the general public it is important to remember that negative reporting can promote feelings of anxiety, anger and isolation; the opposite of what Welcombe Radio is trying to achieve in the community of Stratford upon Avon.

If dealing with a problematic subject, the most important aspect is the discussion of solutions, suggestions, recommendations and possibilities for resolution.

### 9.03.03: Broadcasting

- **Keeping Good Taste**

As members of the local community Welcombe Radio presenters should always be aware of the type of content they are planning for a programme. A show's content should always be relevant, in context and within the framework of the OfCom Principles and Rules For Broadcasters.

It is too late in the middle of a show to begin wondering about whether part of the content is within acceptable parameters.

- **Telling the Truth**

Programme presenters should only report facts gathered from reliable sources. If information has not been adequately researched and verified, the broadcasters should avoid using it on air. If unverified information is integral the announcer should clearly identify those pieces of information that have not been checked for veracity.

Therefore, the announcer should seek and check all information with the most credible sources such as libraries, books, knowledgeable persons, competent authorities, involved persons and the records of the event in question. Half-truths or distortions of the truth should not be aired.

- **Be Fair**

A broadcaster should maintain impartiality and allow the listeners to make up their own mind about subjects, events, situations being aired. It is important, where relevant, that they avoid introducing their own bias, prejudice, partiality, inclination or personal belief when reporting an event or describing a situation. Objectivity should not be compromised.



It is also important, that a broadcaster where relevant, expresses their personal liking. For example, in relation to the arts, music etc. This helps form a relationship with the listeners as long as it is within accepted parameters and is done in a caring manner.

- **Respect the Rights of Everybody**

**The urge to disclose, and even the right of the community to know, is not a license for a broadcaster to breach a person's privacy.** Information withheld by a person for personal or family reasons should not be transgressed in the name of public information. A reporter should respect off-the-record information confided and entrusted to her/him by an interviewee.

- **Maintain the Innocence of the Accused**

If it should arise a broadcaster shall bear in mind that a person is presumed innocent unless proven guilty. Cases pending in court are sub judice, that is, merits of the case cannot be discussed in public, particularly in the media. Reporting the records and facts of a case being tried is, however, allowed.

- **Determine Hearsays, Gossips, and Rumours**

There is a lot of unfounded information, rumour, hearsay, gossip and chatter delivered to radio station personnel. It is always tempting to repeat them on the air. However, all information should be validated before it is aired. It is better to take time and validate information than be the first one to disseminate disinformation. **The latter may also have legal consequences.**

- **Offensive Language**

Ofcom has a duty to apply standards which provide adequate protection to audiences from offensive and harmful content on TV and radio. **If broadcasters air programmes that break the rules, and if the breach is serious or repeated, they can impose sanctions on them, including fines.**

Ofcom has also published a quick reference guide to offensive words and gestures for broadcasters, to help them judge what is likely to cause offence. This covers, **non-discriminatory language**, such as, general swear words and body parts, sexual references, offensive gestures and **discriminatory language**, covering, older people, religion, sexual orientation and gender identity, mental health and physical ability, race and ethnicity.

The following is an example of how it is set out,

Bonk	Mild language, generally of little concern. Often humorous. More problematic for older participants.
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For the **complete guide** please go to,

[https://www.ofcom.org.uk/data/assets/pdf\\_file/0023/91625/OfcomQRG-AOC.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0023/91625/OfcomQRG-AOC.pdf) (accessed 13 06 2018)

**“The meaning of life is to find your gift. The purpose of life is to give it away.”**

**— attributed to William Shakespeare (bit of a wordsmith!)**

#### 9.03.04: Volunteer Conduct at Welcombe Radio

**I think tolerance and acceptance and love is something that feeds every community. Lady Gaga, (26<sup>th</sup> March 2013)**

- **Be a Team Player**

The operating environment of Welcombe Radio is one of positive team-building; volunteers of the radio station should treat their co-volunteers as team mates. Positive attitudes build a community.

Constructive criticism is acceptable when asked for however the recipient's feelings should always be taken into account. Criticism, especially when it has not been asked for, which is



derogatory in tone and content is counter-productive, harms positive relationships and creates discord. It is therefore not welcome at Welcombe Radio.

- **Being Cooperative**

We are all in this together! To build an effective team we need to work together co-operatively. The team need to be aware of the needs of the individual and the individual needs to be aware that, as part of the team, they have a responsibility to help the team and other individuals within the team when it is needed. Such attitudes are recognised as key components of a successful voluntary organisation.

An example would be, offering additional information, contacts and materials to another member of the Welcombe Radio team.

- **Respect Decisions**

All administrative mechanisms and policies put in place by the Welcombe Radio Management Team need to be adhered to. Policies, rules and regulations introduced by the management team are designed to create and maintain a smooth running of the radio station and to be fair to all volunteers.

- **Be Prompt and Punctual**

Presenters should give themselves adequate time to set up their programme before it is due to begin. This will reduce stressful feelings and the tendency to make mistakes when under pressure.

If a programme presenter knows that they cannot arrive on time to broadcast they should immediately contact either a member of their own programme team, or, if they are not part of a programme team, they should contact a member of the management team.

If a presenter knows beforehand that they are not going to be able to do a broadcast and are not a member of a programme team they should give as much notice as possible to the station manager. Only in an emergency situation may a programme presenter be absent without advance notice.

#### **9.03.05: Observe Proper Conduct in Studio Premises and including Foundation House**

It is a violation of the integrity of Welcombe Radio to appear at the radio studio under the influence of alcohol or illegal substances, or to drink or use illegal substances at the station. Also objects or substances which can cause harm to self or others are not permitted.

Any immoral or illegal activities within Foundation House shall be considered an infringement of the radio station's code of conduct.

The members of the radio station shall not bring personal guests or relatives to Foundation House who have not been advised about the type of behaviour that is expected of them, including, a caring decorum, non-tampering of equipment, sanitation and maintaining a clean environment.

Guests shall not in any way distract the programme presenters, interfere in studio operation, disrupt broadcasting activities, misuse or pilfer radio station property or equipment or behave in any way that is prejudicial to the radio station.

#### **9.03.06: Care for the Studio, Radio Equipment and Foundation House**

- Every volunteer should help preserve the equipment and property of the radio station. It makes sense that only the trained, authorized volunteers operate the studio and outside broadcasting equipment.

If no programme is taking place then it is the responsibility of the last programme broadcasting team/individual to,

- Set the Loop playing and check that it is being broadcast.
- Switch off all equipment that is not required to play the Loop.
- Make sure the window is shut before leaving.

- Make sure the studio door is locked on leaving, the key is correctly secured in the keypad and **do not leave the tumbler numbers on the code for releasing the key.**
- On completing a programme, the presenters are responsible for making the studio ready, clean and tidy for the next programme team.
  - All equipment should be returned to its original setup position, e.g. mics and headphones.
  - Anything brought in by a programme team should leave with that team including, notes/papers, drinks bottles, memory sticks.
  - Leaving things ready for the next people to use.  
None of us wants to arrive and have to clear up after others before we can get begin to get ready for our own programme etc. Therefore, it stands to reason that, any cups, mugs, utensils, etc. belonging to Foundation House should be cleaned and returned to their proper place. Any chairs and tables moved in the Green Room are returned to their proper place.
  - Every volunteer is responsible for looking after their own belongings.
- Any malfunction, breakdown, loss or abnormality in the setup of equipment should be reported immediately to the station manager or a member of the management team, including a written description of date, time and what happened.
- No piece, or part of, studio equipment may be removed from the premises without written approval from the station manager or another designated person.
- Outside broadcasting equipment or recording equipment is available for any Welcombe Radio volunteer to use as part of their programme. It must be discussed with either the Station Manager or one of the technical team and then recorded in the equipment log book kept in the radio studio. Use of the outside broadcasting equipment must involve a trained, authorized volunteer.
- Equipment used from the radio studio for outside broadcasting, must be returned promptly because it may be required by another volunteer. Any malfunction, breakdown, loss or abnormality in the setup of equipment should be reported immediately to the Station Manager or one of the technical team, again including a written description of date, time and what happened.

**"I don't know what your destiny will be, but one thing I do know: the only ones among you who will be really happy are those who have sought and found how to serve." — Albert Schweitzer (French-German theologian, organist, writer, humanitarian, philosopher, and physician)**

### **9.03.07: Conduct with other Volunteers**

Keeping in mind the key elements in this section if a moment of tension arises with another volunteer, take a breath, and remember to talk with the other person. Troubling situations can often be resolved just by being willing to listen to each other. From time to time they are bound to arise; we are all volunteers who lead busy lives which can cause each of us stress and we say something that normally we never would.

### **9.03.08: Conduct When Representing Welcombe Radio Outside the Studio**

A volunteer should remember the radio station's ethos when representing Welcombe Radio at an outside event and act accordingly when interacting with members of other organisations and the general public. Therefore, the conduct of a member of the radio station team in the community will reflect on themselves and promote the image of the whole station and its work in the community.

It is a violation of the station policies for an unauthorized member of the station to solicit or receive funds, favours, or concessions in the name of the station, or programme, for personal benefit.

## 10.00: Raising Funds

- Only officially designated persons may solicit donations, contributions, sponsorships or grants for either the radio station or individual programs. It will be considered misrepresentation for any volunteer or anyone who has not been given written authority to solicit or receive funds for the station.
  - In such circumstances, if applicable civil and/or criminal responsibility may be assessed against them.
- The radio station must not receive funds from any illegal sources considered as working against the interest of the community, country or society.
- No funds shall be solicited from political parties or from other vested interests that may make the station beholden to such vested interests.
  - Should the question arise, a contribution may be accepted only if the management team, after having deliberated, openly determines that there is no string attached to the donation or contribution.
- All contributions, donations, funds, grants, earnings and income of the radio station shall go to a cashier/treasurer. The cashier/treasurer should keep account of all funds for safekeeping, disbursement and auditing purposes.

**“Alone, we can do so little; together, we can do so much”**

— Helen Keller (author, political activist, and lecturer. She was the first deaf-blind person to earn a Bachelor of Arts degree)

## 11.00: Resolving Concerns

It is important that Welcombe Radio is able to maintain its commitments to OfCom and other governing bodies as described above as well as the local community. It is also important that volunteers should be able to enjoy making their contribution to this radio station.

If an individual's role as a volunteer does not meet with Welcombe Radio's standards, it will be dealt with in the following way:

- Initially with a meeting with the Welcombe Radio Station Manager, who will explain the concerns. (The Station Manager is also duty bound to report any such incidents back to the Welcombe Radio Committee.)
- If the work of the volunteer still does not meet with Welcombe Radio's standards then the Station will have to stop using the services of that volunteer.

At all times volunteers will be able to freely state their case and can have a friend to accompany them.

If the volunteer is dissatisfied with any aspect of the operating of Welcombe Radio they should:

- Initially explain their dissatisfaction to a member of the committee.
- If that does not resolve the issue then a formal meeting with the Welcombe Radio Station Manager.
- If after this, the volunteer's dissatisfaction remains unresolved, and the organisation is unable to resolve the grievance, then it would be inappropriate for the volunteer to continue with Welcombe Radio.

At all times volunteers will be freely able to state their case and can have a friend to accompany them.

## 12.00: Future Employment

Where it is relevant Welcombe Radio hopes that the opportunities and experiences provided will help improve the employment and career options of those volunteers seeking to develop their career. Welcombe Radio will always support any volunteer wanting to further their career and will provide a positive, honest reference for a volunteer should they require one.

### **13.00: Review of this Policy**

This policy will be reviewed and updated on a continual basis to adapt or improve it. This Volunteer Policy is freely accessible to all.

# The Welcombe Radio Volunteer Agreement: June 2018

Please read the following statements which are related to the Welcombe Radio Volunteer Policy. In signing the following Volunteer Agreement you confirm that you understand, accept and agree to be bound by the provisions of the Welcombe Radio Volunteer Policy. If you are uncertain about any part then please discuss this with the Station Manager before signing this agreement. There will be two hard copies of this agreement, one to be kept by the volunteer and one by the Welcombe Radio Management Team.

- I understand that a volunteer agreement does not constitute a contract of employment and that volunteering for Welcombe Radio is my free choice.
- I understand the Ofcom Principles and Rules for broadcasters and agree to abide by them.
- I understand the importance of the Welcombe Radio ethos that lies at the heart of how the radio station operates.
- I agree to abide by each of the following,
  - the Welcombe Radio Health and Safety Policy.
  - the Welcombe Radio Safeguarding Policy.
  - the Welcombe Radio Equality and Diversity Policy.
  - the Welcombe Radio Data Protection Policy.
- I am aware of the importance of the information laid out in the Welcombe Radio Well-being Policy, and will act accordingly in relation to my own and other Welcombe Radio volunteers' well-being.
- Having read the Volunteer Policy I understand the commitment that Welcombe Radio makes to its volunteers and what is expected of me by the radio station.
- I agree to abide by **all aspects** of the Welcombe Radio Code of Conduct.
- I agree to undergo a DBS Check and will pay the £10.20p. charge. I understand that my being a volunteer for Welcombe Radio is dependent upon the outcome of the DBS Check.
- I understand the rules about the raising of funds for Welcombe Radio.
- I understand that the Station Manager and Management Team of Welcombe Radio will terminate my role of volunteer for Welcombe Radio

if I do not meet the standards laid down in the Volunteer Policy and this signed agreement.

- I understand that I need to give as much notice as possible to the Station Manager if I am bringing my volunteering for Welcombe Radio to an end.
  
- I understand that the PPL/PRS Licencing Authority have made it clear that it is not legal to play tracks from streaming services such as YouTube and Spotify. Therefore I agree to only play tracks on Welcombe Radio which are from a legal source, e.g. I Love Music, Amazon, iTunes, or free to download websites.
  
- I also understand that if I upload a recorded broadcast or part of a recorded broadcast on to the WR YouTube Channel all commercial music tracks must be removed so as not to break the agreement with YouTube.**
  
- I understand that any programme promotional material that I produce must contain the Welcombe Radio logo, that any programme logo needs to contain the words, 'Part of Welcombe Radio' and these need to be agreed by the management team.
  
- I agree to sell my soul to Welcombe Radio in return for a packet of mints and a talking chipmunk. (Whoops sorry, this was meant to be in the small print!)



Volunteer Signature: .....

Witnessed by Station Manager: .....

Date: .....



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## Appendix:

### Appendix 01:

Mind You! Advertising literature including the Welcombe Radio logo.

### Appendix 02:

## OfCom Principles and Rules For Broadcasters

The Code is set out in terms of principles, meanings and rules and, for sections seven (Fairness) and eight (Privacy), also includes a set of "**practices to be followed**" by broadcasters.

The principles are there to help readers understand the standards objectives and to apply the rules. **Broadcasters must ensure that they comply with the rules as set out in the Code.** The meanings help explain what Ofcom intends by some of the words and phrases used in the Code. The most relevant

broadcasting legislation is noted under each section heading so readers can turn to the legislation if they wish.

### **It is the responsibility of the broadcaster to comply with the Code.**

Broadcasters are reminded of the legislative background that has informed the rules, of the principles that apply to each section, the meanings given by Ofcom and of the guidance issued by Ofcom, all of which may be relevant in interpreting and applying the Code. No rule should be read in isolation but within the context of the whole Code including the headings, cross-references and other linking text.

The following sections are taken from the OfCom Principles and Rules For Broadcasters. Sections which refer wholly to television are not included.

The OfCom Principles and Rules For Broadcasters can be found at,  
<https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-codes/broadcast-code>

## **SECTION ONE: PROTECTING THE UNDER-EIGHTEENS**

### **Principle**

**To ensure that people under eighteen are protected.**

### **Rules**

#### **Scheduling and content information**

1. Material that might seriously impair the physical, mental or moral development of people under eighteen must not be broadcast.

1.2 In the provision of services, broadcasters must take all reasonable steps to protect people under eighteen. For television services, this is in addition to their obligations resulting from the Audiovisual Media Services Directive (in particular, Article 27, see Appendix 2).

1.3 Children must also be protected by appropriate scheduling from material that is unsuitable for them. Although scheduling requirements in this section are not relevant to the provision of programmes on demand, the BBC must put in place appropriate measures on BBC ODPS that provide equivalent protection for children.

#### ***Meaning of “children”:***

Children are people under the age of fifteen years.

#### ***Meaning of “appropriate scheduling”:***

Appropriate scheduling should be judged according to:

- the nature of the content;
- the likely number and age range of children in the audience, taking into account school time, weekends and holidays;
- the start time and finish time of the programme;
- the nature of the channel or station and the particular programme; and
- the likely expectations of the audience for a particular channel or station at a particular time and on a particular day.

1.4 Television broadcasters must observe the watershed.

#### ***Meaning of “the watershed”:***

The watershed only applies to television. The watershed is at 2100. Material unsuitable for children should not, in general, be shown before 2100 or after 0530.

1.5 Radio broadcasters must have particular regard to times when children are particularly likely to be listening.

#### ***Meaning of “when children are particularly likely to be listening”:***

This phrase particularly refers to the school run and breakfast time but might include other times.

1.6 The transition to more adult material must not be unduly abrupt at the watershed (in the case of television) or after the time when children are particularly likely to be listening (in the case of radio). For television, the strongest material should appear later in the schedule.

1.7 For television programmes broadcast before the watershed, or for radio programmes broadcast when children are particularly likely to be listening, or for BBC ODPS content that is likely to be accessed by children, clear information about content that may distress some children should be given, if appropriate, to the audience (taking into account the context).  
(For the meaning of “context” see Section Two: Harm and Offence.)

**Meaning of “likely to be accessed by children”:**

Factors affecting whether content is likely to be accessed by children include (but are not limited to):

- the nature of the content, whether it is aimed at or has particular appeal to children; and
- the nature of access to the content e.g. whether there are measures in place that are intended to prevent children from viewing and/or listening to the content.

**The coverage of sexual and other offences in the UK involving under-eighteens**

1.8 Where statutory or other legal restrictions apply preventing personal identification, broadcasters should also be particularly careful not to provide clues which may lead to the identification of those who are not yet adult (the defining age may differ in different parts of the UK) and who are, or might be, involved as a victim, witness, defendant or other perpetrator in the case of sexual offences featured in criminal, civil or family court proceedings:

- by reporting limited information which may be pieced together with other information available elsewhere, for example in newspaper reports (the ‘jigsaw effect’);
- inadvertently, for example by describing an offence as “incest”; or
- in any other indirect way.

(Note: Broadcasters should be aware that there may be statutory reporting restrictions that apply even if a court has not specifically made an order to that effect.)

1.9 When covering any pre-trial investigation into an alleged criminal offence in the UK, broadcasters should pay particular regard to the potentially vulnerable position of any person who is not yet adult who is involved as a witness or victim, before broadcasting their name, address, identity of school or other educational establishment, place of work, or any still or moving picture of them. Particular justification is also required for the broadcast of such material relating to the identity of any person who is not yet adult who is involved in the defence as a defendant or potential defendant.

**Drugs, smoking, solvents and alcohol**

1.10 The use of illegal drugs, the abuse of drugs, smoking, solvent abuse and the misuse of alcohol:

- must not be featured in programmes made primarily for children unless there is strong editorial justification;
- must generally be avoided and in any case must not be condoned, encouraged or glamorised in other programmes broadcast before the watershed (in the case of television), when children are particularly likely to be listening (in the case of radio), or when content is likely to be accessed by children (in the case of BBC ODPS) unless there is editorial justification;
- must not be condoned, encouraged or glamorised in other programmes likely to be widely seen, heard or accessed by under-eighteens unless there is editorial justification.

**Violence and dangerous behaviour**

1.11 Violence, its after-effects and descriptions of violence, whether verbal or physical, must be appropriately limited in programmes broadcast before the watershed (in the case of television), when children are particularly likely to be listening (in the case of radio) or when content is likely to be accessed by children (in the case of BBC ODPS) and must also be justified by the context.

1.12 Violence, whether verbal or physical, that is easily imitable by children in a manner that is harmful or dangerous:

- must not be featured in programmes made primarily for children unless there is strong editorial justification;

- must not be broadcast before the watershed (in the case of television), when children are particularly likely to be listening (in the case of radio), or when content is likely to be accessed by children (in the case of BBC ODPS), unless there is editorial justification.

1.13 Dangerous behaviour, or the portrayal of dangerous behaviour, that is likely to be easily imitable by children in a manner that is harmful:

- must not be featured in programmes made primarily for children unless there is strong editorial justification;
- must not be broadcast before the watershed (in the case of television), when children are particularly likely to be listening (in the case of radio), or when content is likely to be accessed by children (in the case of BBC ODPS), unless there is editorial justification.

(Regarding Rules 1.11 to 1.13 see Rules 2.4 and 2.5 in Section Two: Harm and Offence.)

### Offensive language

1.14 The most offensive language must not be broadcast before the watershed (in the case of television), when children are particularly likely to be listening (in the case of radio), or when content is likely to be accessed by children (in the case of BBC ODPS).

1.15 Offensive language must not be used in programmes made for younger children except in the most exceptional circumstances.

1.16 Offensive language must not be broadcast before the watershed (in the case of television), when children are particularly likely to be listening (in the case of radio), or when content is likely to be accessed by children (in the case of BBC ODPS), unless it is justified by the context. In any event, frequent use of such language must be avoided before the watershed.

(Regarding Rules 1.14 to 1.16 see Rule 2.3 in Section Two: Harm and Offence.)

### Sexual Material

1.17 Material equivalent to the British Board of Film Classification (“BBFC”) R18-rating must not be broadcast at any time.

1.18 ‘Adult sex material’ - material that contains images and/or language of a strong sexual nature which is broadcast for the primary purpose of sexual arousal or stimulation - must not be broadcast at any time other than between 2200 and 0530 on premium subscription services and pay per view/night services which operate with mandatory restricted access.

In addition, measures must be in place to ensure that the subscriber is an adult.

#### ***Meaning of “mandatory restricted access”:***

Mandatory restricted access means there is a PIN protected system (or other equivalent protection) which cannot be removed by the user, that restricts access solely to those authorised to view.

1.19 Broadcasters must ensure that material broadcast after the watershed, or made available on BBC ODPS, which contains images and/or language of a strong or explicit sexual nature but is not ‘adult sex material’ as defined in Rule 1.18 above, is justified by the context.

(See Rules 1.6 and 1.18 and Rule 2.3 in Section Two: Harm and Offence which includes meaning of “context”.)

1.20 Representations of sexual intercourse must not occur before the watershed (in the case of television) or, when children are particularly likely to be listening (**in the case of radio**), or when content is likely to be accessed by children (in the case of BBC ODPS), unless there is a serious educational purpose. Any discussion on, or portrayal of, sexual behaviour must be editorially justified if included before the watershed, when children are particularly likely to be listening, or when content is likely to be accessed by children on BBC ODPS and must be appropriately limited.

### Exorcism, the occult and the paranormal

1.27 Demonstrations of exorcisms, occult practices and the paranormal (which purport to be real), must not be shown before the watershed (in the case of television) or when children are particularly likely to be listening (in the case of radio), or when content is likely to be accessed by children (in the case of BBC ODPS). Paranormal practices which are for entertainment purposes must not be broadcast when significant numbers of children may be expected to be watching, or are particularly

likely to be listening, or when content is likely to be accessed by children (in the case of BBC ODPS), (This rule does not apply to drama, film or comedy.)

(See Rules 2.6 to 2.8 in Section Two: Harm and Offence and Rule 4.7 in Section Four: Religion.)

### **The involvement of people under eighteen in programmes**

1.28 Due care must be taken over the physical and emotional welfare and the dignity of people under eighteen who take part or are otherwise involved in programmes. This is irrespective of any consent given by the participant or

by a parent, guardian or other person over the age of eighteen in loco parentis.

1.29 People under eighteen must not be caused unnecessary distress or anxiety by their involvement in programmes or by the broadcast of those programmes.

1.30 Prizes aimed at children must be appropriate to the age range of both the target audience and the participants.

## **SECTION TWO: HARM AND OFFENCE**

### **Principle**

To ensure that generally accepted standards are applied to the content of television and radio services so as to provide adequate protection for members of the public from the inclusion in such services of harmful and/or offensive material.

### **Rules**

#### **Generally accepted standards**

2.1 Generally accepted standards must be applied to the contents of television and radio services and BBC ODPS so as to provide adequate protection for members of the public from the inclusion in such services of harmful and/or offensive material.

2.2 Factual programmes or items or portrayals of factual matters must not materially mislead the audience. (Note to Rule 2.2: News is regulated under Section five of the Code.)

2.3 In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context (see meaning of "context" below). Such material may include, but is not limited to, offensive language, violence, sex, sexual violence, humiliation, distress, violation of human dignity, discriminatory treatment or language (for example on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and marriage and civil partnership). Appropriate information should also be broadcast where it would assist in avoiding or minimising offence.

#### **Violence, dangerous behaviour and suicide**

2.4 Programmes must not include material (whether in individual programmes or in programmes taken together) which, taking into account the context, condones or glamorises violent, dangerous or seriously antisocial behaviour and is likely to encourage others to copy such behaviour. (See Rules 1.11 to 1.13 in Section one: Protecting the under-eighteens.)

2.5 Methods of suicide and self-harm must not be included in programmes except where they are editorially justified and are also justified by the context. (See Rule 1.13 in Section one: Protecting the under-eighteens.)

#### **Exorcism, the occult and the paranormal**

2.6 Demonstrations of exorcism, the occult, the paranormal, divination, or practices related to any of these that purport to be real (as opposed to entertainment) must be treated with due objectivity.

(See Rule 1.27 in Section one: Protecting the under-eighteens, concerning scheduling restrictions.)

2.7 If a demonstration of exorcism, the occult, the paranormal, divination, or practices related to any of these is for entertainment purposes, this must be made clear to viewers and listeners.

2.8 Demonstrations of exorcism, the occult, the paranormal, divination, or practices related to any of these (whether such demonstrations purport to be real or are for entertainment purposes) must not contain life-changing advice directed at individuals.



(Religious programmes are exempt from this rule but must, in any event, comply with the provisions in Section Four: Religion. Films, dramas and fiction generally are not bound by this rule.)

### **Meaning of "life-changing":**

Life-changing advice includes direct advice for individuals upon which they could reasonably act or rely about health, finance, employment or relationships.

### **Hypnotic and other techniques, simulated news and photosensitive epilepsy**

2.9 When broadcasting material featuring demonstrations of hypnotic techniques, broadcasters must exercise a proper degree of responsibility in order to prevent hypnosis and/or adverse reactions in viewers and listeners. The hypnotist must not broadcast his/her full verbal routine or be shown performing straight to camera.

2.10 Simulated news (for example in drama or in documentaries) must be broadcast in such a way that there is no reasonable possibility of the audience being misled into believing that they are listening to, or watching, actual news.

2.11 Broadcasters must not use techniques which exploit the possibility of conveying a message to viewers or listeners, or of otherwise influencing their minds without their being aware, or fully aware, of what has occurred.

## **SECTION THREE: CRIME, DISORDER, HATRED AND ABUSE**

### **Principle**

**To ensure that material likely to encourage or incite the commission of crime or to lead to disorder is not included in television or radio services or BBC ODPS.**

### **Rules**

#### **Incitement of crime and disorder**

3.1 Material likely to encourage or incite the commission of crime or to lead to disorder must not be included in television or radio services or BBC ODPS.

Note:

Under Rule 3.1, "material" may include but is not limited to:

content which directly or indirectly amounts to a call to criminal action or disorder;  
material promoting or encouraging engagement in terrorism or other forms of criminal activity or disorder; and/or hate speech which is likely to encourage criminal activity or lead to disorder.

**Meaning of "terrorism": see the definition in section 1 of the Terrorism Act 2000, which is also summarised in Ofcom's guidance to this section of the Code.**

**Meaning of "hate speech": all forms of expression which spread, incite, promote or justify hatred based on intolerance on the grounds of disability, ethnicity, gender, gender reassignment, nationality, race, religion, or sexual orientation.**

**Meaning of "crime": this may relate to any offence under law that is punishable by imprisonment or by a fine.**

**Meaning of "disorder": this includes but is not limited to the criminal offence of civil disorder.**

**Meaning of "likely to encourage or to incite the commission of crime or to lead to disorder":**

A portrayal of crime, or of incitement to crime, will not necessarily result in a breach of Rule 3.1. The likelihood of content inciting crime or leading to disorder will depend on the nature of the material as well as the context in which it is presented to the audience.

Significant contextual factors under Rule 3.1 may include (but are not limited to):

- the editorial purpose of the programme;
- the status or position of anyone featured in the material; and/or
- whether sufficient challenge is provided to the material.

For example, there may be greater potential for material to encourage or incite the commission of crime if a programme sets out to influence the audience on a subject or theme or provides an uncritical platform for an authoritative figure to advocate criminal activity or disorder.

There may be less potential for a breach of Rule 3.1 if opposing viewpoints and sufficient challenge are provided to people or organisations who advocate criminal activity or disorder, or where a programme seeks to provide an examination of or commentary on criminal activity or disorder in the public interest.

Other examples of contextual factors are provided in Ofcom's guidance to this Section of the Code.

## Hatred and Abuse

Note:

Rules 3.2 and 3.3 reflect the standards objective on the provision of adequate protection for members of the public from the inclusion of offensive and harmful material (section 319(2)(f) of the Communications Act 2003).

3.2 Material which contains hate speech must not be included in television and radio programmes or BBC ODPS except where it is justified by the context.

Broadcasters' attention is drawn to sections 22 and 29F of the Public Order Act 1986, which sets out criminal offences arising from the broadcast of material stirring up hatred relating to race, religion, or sexual orientation.

3.3 Material which contains abusive or derogatory treatment of individuals, groups, religions or communities, must not be included in television and radio services or BBC ODPS except where it is justified by the context. (See also Rule 4.2).

### **Meaning of "context" under Rule 3.2 and Rule 3.3:**

Key contextual factors may include, but are not limited to:

- the genre and editorial content of the programme, programmes or series and the likely audience expectations. For example, there are certain genres such as drama, comedy or satire where there is likely to be editorial justification for including challenging or extreme views in keeping with audience expectations, provided there is sufficient context. The greater the risk for the material to cause harm or offence, the greater the need for more contextual justification;
- the extent to which sufficient challenge is provided;
- the status or position of anyone featured in the material;
- the service on which the material is broadcast; and
- the likely size and composition of the potential audience and likely expectation of the audience.

## Portrayals of crime and criminal proceedings

3.4 Descriptions or demonstrations of criminal techniques which contain essential details which could enable the commission of crime must not be broadcast unless editorially justified.

3.5 No payment, promise of payment, or payment in kind, may be made to convicted or confessed criminals whether directly or indirectly for a programme contribution by the criminal (or any other person) relating to his/her crime/s. The only exception is where it is in the public interest.

3.6 While criminal proceedings are active, no payment or promise of payment may be made, directly or indirectly, to any witness or any person who may reasonably be expected to be called as a witness. Nor should any payment be suggested or made dependent on the outcome of the trial. Only actual expenditure or loss of earnings necessarily incurred during the making of a programme contribution may be reimbursed.

3.7 Where criminal proceedings are likely and foreseeable, payments should not be made to people who might reasonably be expected to be witnesses unless there is a clear public interest, such as investigating crime or serious wrongdoing, and the payment is necessary to elicit the information. Where such a payment is made it will be appropriate to disclose the payment to both defence and prosecution if the person becomes a witness in any subsequent trial.

3.8 Broadcasters must use their best endeavours so as not to broadcast material that could endanger lives or prejudice the success of attempts to deal with a hijack or kidnapping.

## SECTION FOUR: RELIGION

## Principles

To ensure that broadcasters exercise the proper degree of responsibility with respect to the content of programmes which are religious programmes.

To ensure that religious programmes do not involve any improper exploitation of any susceptibilities of the audience for such a programme.

To ensure that religious programmes do not involve any abusive treatment of the religious views and beliefs of those belonging to a particular religion or religious denomination.

## Rules

4.1 Broadcasters must exercise the proper degree of responsibility with respect to the content of programmes which are religious programmes.

### **Meaning of a “religious programme”:**

A religious programme is a programme which deals with matters of religion as the central subject, or as a significant part, of the programme.

4.2 The religious views and beliefs of those belonging to a particular religion or religious denomination must not be subject to abusive treatment.

4.3 Where a religion or religious denomination is the subject, or one of the subjects, of a religious programme, then the identity of the religion and/or denomination must be clear to the audience.

4.4 Religious programmes must not seek to promote religious views or beliefs by stealth.

4.5 Religious programmes on television services or BBC ODPS must not seek recruits. This does not apply to specialist religious television services. Religious programmes on radio services may seek recruits.

### **Meaning of “seek recruits”:**

Seek recruits means directly appealing to audience members to join a religion or religious denomination.

4.6 Religious programmes must not improperly exploit any susceptibilities of the audience. (Regarding charity appeals in programming and appeals for funds by broadcasters, television broadcasters should refer to Rules 9.33 and 9.34, and 9.36 to 9.39. Radio broadcasters should refer to Rules 10.11 and 10.12).

4.7 Religious programmes that contain claims that a living person (or group) has special powers or abilities must treat such claims with due objectivity and must not broadcast such claims when significant numbers of children may be expected to be watching (in the case of television), or when children are particularly likely to be listening (in the case of radio), or when content is likely to be accessed by children (in the case of BBC ODPS).

## SECTION FIVE: DUE IMPARTIALITY AND DUE ACCURACY

### Principles:

To ensure that news, in whatever form, is reported with due accuracy and presented with due impartiality.

To ensure that the special impartiality requirements of the Act are complied with.

### Rules:

#### **Meaning of “due impartiality”:**

“Due” is an important qualification to the concept of impartiality. Impartiality itself means not favouring one side over another. “Due” means adequate or appropriate to the subject and nature of the programme. So “due impartiality” does not mean an equal division of time has to be given to every view, or that every argument and every facet of every argument has to be represented. The approach to due impartiality may vary according to the nature of the subject, the type of programme and channel, the likely expectation of the audience as to content, and the extent to which the content and approach is signalled to the audience. Context, as defined in Section Two: Harm and Offence of the Code, is important.

## Due impartiality and due accuracy in news

5.1 News, in whatever form, must be reported with due accuracy and presented with due impartiality.

5.2 Significant mistakes in news should normally be acknowledged and corrected on air quickly (or, in the case of BBC ODPS, corrected quickly). Corrections should be appropriately scheduled (or, in the case of BBC ODPS, appropriately signalled to viewers).

5.3 No politician may be used as a newsreader, interviewer or reporter in any news programmes unless, exceptionally, it is editorially justified. In that case, the political allegiance of that person must be made clear to the audience.

## Special impartiality requirements: news and other programmes

### Matters of political or industrial controversy and matters relating to current public policy

#### ***Meaning of “matters of political or industrial controversy and matters relating to current public policy”:***

Matters of political or industrial controversy are political or industrial issues on which politicians, industry and/or the media are in debate. Matters relating to current public policy need not be the subject of debate but relate to a policy under discussion or already decided by a local, regional or national government or by bodies mandated by those public bodies to make policy on their behalf, for example non-governmental organisations, relevant European institutions, etc.

### The exclusion of views or opinions

(Rule 5.4 applies to television and radio services (except restricted services) and to BBC ODPS.)

5.4 Programmes in the services (listed above) must exclude all expressions of the views and opinions of the person providing the service on matters of political and industrial controversy and matters relating to current public policy (unless that person is speaking in a legislative forum or in a court of law). Views and opinions relating to the provision of programme services are also excluded from this requirement.

### The preservation of due impartiality

(Rules 5.5 to 5.12 apply to television programme services, teletext services, national radio and national digital sound programme services, all BBC radio services and BBC ODPS.)

5.5 Due impartiality on matters of political or industrial controversy and matters relating to current public policy must be preserved on the part of any person providing a service (listed above). This may be achieved within a programme or over a series of programmes taken as a whole.

#### ***Meaning of “series of programmes taken as a whole”:***

This means more than one programme in the same service, editorially linked, dealing with the same or related issues within an appropriate period and aimed at a like audience. A series can include, for example, a strand, or two programmes (such as a drama and a debate about the drama) or a ‘cluster’ or ‘season’ of programmes on the same subject.

5.6 The broadcast of editorially linked programmes dealing with the same subject matter (as part of a series in which the broadcaster aims to achieve due impartiality) should normally be made clear to the audience on air.

5.7 Views and facts must not be misrepresented. Views must also be presented with due weight over appropriate timeframes.

5.8 Any personal interest of a reporter or presenter, which would call into question the due impartiality of the programme, must be made clear to the audience.

5.9 Presenters and reporters (with the exception of news presenters and reporters in news programmes), presenters of “personal view” or “authored” programmes or items, and chairs of discussion programmes may express their own views on matters of political or industrial controversy or matters relating to current public policy. However, alternative viewpoints must be adequately represented either in the programme, or in a series of programmes taken as a whole. Additionally, presenters must not use the advantage of regular appearances to promote their views in a way that compromises the requirement for due impartiality. Presenter phone-ins must encourage and must not exclude alternative views.

5.10 A personal view or authored programme or item must be clearly signalled to the audience at the outset. This is a minimum requirement and may not be sufficient in all circumstances. (Personality phone-in hosts on radio are exempted from this provision unless their personal view status is unclear.)

**Meaning of “personal view” and “authored”:**

“Personal view” programmes are programmes presenting a particular view or perspective. Personal view programmes can range from the outright expression of highly partial views, for example by a person who is a member of a lobby group and is campaigning on the subject, to the considered “authored” opinion of a journalist, commentator or academic, with professional expertise or a specialism in an area which enables her or him to express opinions which are not necessarily mainstream.

Matters of major political or industrial controversy and major matters relating to current public policy

5.11 In addition to the rules above, due impartiality must be preserved on matters of major political and industrial controversy and major matters relating to current public policy by the person providing a service (listed above) in each programme or in clearly linked and timely programmes.

**Meaning of “matters of major political or industrial controversy and major matters relating to current public policy”:**

These will vary according to events but are generally matters of political or industrial controversy or matters of current public policy which are of national, and often international, importance, or are of similar significance within a smaller broadcast area.

5.12 In dealing with matters of major political and industrial controversy and major matters relating to current public policy an appropriately wide range of significant views must be included and given due weight in each programme or in clearly linked and timely programmes. Views and facts must not be misrepresented.

The prevention of undue prominence of views and opinions on matters of political or industrial controversy and matters relating to current public policy

(Rule 5.13 applies to local radio services (*including community radio services*), local digital sound programme services (including community digital sound programme services) and radio licensable content services. For the avoidance of doubt, it does not apply to any BBC services.)

5.13 Broadcasters should not give undue prominence to the views and opinions of particular persons or bodies on matters of political or industrial controversy and matters relating to current public policy in all the programmes included in any service (listed above) taken as a whole.

**Meaning of “undue prominence of views and opinions”:**

Undue prominence is a significant imbalance of views aired within coverage of matters of political or industrial controversy or matters relating to current public policy.

**Meaning of “programmes included in any service...Taken as a whole”:**

Programmes included in any service taken as a whole means all programming on a service dealing with the same or related issues within an appropriate period.

## SECTION SIX: ELECTIONS AND REFERENDUMS

### Principle

To ensure that the special impartiality requirements in the Communications Act 2003 and other legislation relating to broadcasting on elections and referendums, are applied at the time of elections and referendums.

### Rules

Programmes at the time of elections and referendums

6.1 The rules in Section Five, in particular the rules relating to matters of major political or industrial controversy and major matters relating to current public policy, apply to the coverage of elections and referendums.

Programmes at the time of elections and referendums in the UK

The remainder of this section only applies during the actual election or referendum period which is defined below.

**Meaning of “election”:**



For the purpose of this section elections include a parliamentary general election, parliamentary by-election, local government election, mayoral election, Police and Crime Commissioner election, Scottish Parliament election, Welsh, Northern Ireland and London Assembly elections, and European parliamentary election.

***Meaning of “referendum”:***

For the purpose of this section a referendum is a statutory referendum (to which the Political Parties, Elections and Referendums Act 2000 (“PPERA”) applies or to which section 127 of PERA is applied) which includes a UK-wide, national or regional referendum held under the provisions of an Act of the UK Parliament or the Scottish Parliament but does not extend to a local referendum.

6.2 Due weight must be given to the coverage of parties and independent candidates during the election period. In determining the appropriate level of coverage to be given to parties and independent candidates broadcasters must take into account evidence of past electoral support and/or current support. Broadcasters must also consider giving appropriate coverage to parties and independent candidates with significant views and perspectives.

***Meaning of “election period”:***

For a parliamentary general election, this period begins with the dissolution of Parliament. For a parliamentary by-election, this period begins with the issuing of a writ or on such earlier date as is notified in the London Gazette. For the Scottish Parliament elections and National Assembly for Wales elections, the period begins with the dissolution of the Scottish Parliament or the National Assembly for Wales as appropriate or, in the case of a by-election, with the date of the occurrence of a vacancy. For the Northern Ireland Assembly, the London Assembly and for local government elections, it is the last date for publication of notices of the election. For European parliamentary elections, it is the last date for publication of the notice of election, which is 25 days before the election. In all cases the period ends with the close of the poll.

***Meaning of “candidate”:***

Candidate has the meaning given to it in section 93 of the Representation of the People Act 1983 (as amended) and means a candidate standing nominated at the election or included in a list of candidates submitted in connection with it.

6.3 Due weight must be given to designated organisations in coverage during the referendum period. Broadcasters must also consider giving appropriate coverage to other permitted participants with significant views and perspectives.

***Meaning of “designated organisation” and “permitted participants”:***

Designated organisations and permitted participants are those that are designated by the Electoral Commission.

***Meaning of “referendum period”:***

For referendums different periods may apply. A referendum held under the Northern Ireland Act 1998 (as amended) begins when the draft of an Order is laid before Parliament for approval by each House. In the case of a referendum held under other Acts, the time at which a referendum period commences is given in the individual Acts. In the case of an Order before Parliament, the time will be given in that Order. In all cases the period ends with the close of the poll.

6.4 Discussion and analysis of election and referendum issues must finish when the poll opens. (This refers to the opening of actual polling stations. This rule does not apply to any poll conducted entirely by post.) BBC ODPS are not required to remove archive content for the period when the polls are open.

6.5 Broadcasters may not publish the results of any opinion poll on polling day itself until the election or referendum poll closes. (For European Parliamentary elections, this applies until all polls throughout the European Union have closed.)

6.6 Candidates in UK elections, and representatives of permitted participants in UK referendums, must not act as news presenters, interviewers or presenters of any type of programme during the election period. BBC ODPS are not required to remove archive content for the election or referendum period.

6.7 Appearances by candidates (in UK elections) or representatives (of permitted participants in UK referendums) in non-political programmes that were planned or scheduled before the election or referendum period may continue, but no new appearances should be arranged and broadcast during the period. BBC ODPS are not required to remove archive content for the election or referendum period.

### **Constituency coverage and electoral area coverage in elections**

(Rules 6.8 to 6.12 will only apply to S4C and/or the BBC if the relevant broadcaster has adopted them under the RPA as its Code of Practice.)

6.8 Due impartiality must be strictly maintained in a constituency report or discussion and in an electoral area report or discussion.

#### **Meaning of “electoral area”:**

Electoral area (for example electoral division, borough ward or other area) is the local government equivalent to the parliamentary term “constituency”.

6.9 If a candidate takes part in an item about his/her particular constituency, or electoral area, then broadcasters must offer the opportunity to take part in such items to all candidates within the constituency or electoral area representing parties with previous significant electoral support or where there is evidence of significant current support. This also applies to independent candidates. However, if a candidate refuses or is unable to participate, the item may nevertheless go ahead.

6.10 Any constituency or electoral area report or discussion after the close of nominations must include a list of all candidates standing, giving first names, surnames and the name of the party they represent or, if they are standing independently, the fact that they are an independent candidate. This must be conveyed in sound and/or vision. Where a constituency report on a radio service is repeated on several occasions in the same day, the full list need only be broadcast on one occasion. If, in subsequent repeats on that day, the constituency report does not give the full list of candidates, the audience should be directed to an appropriate website or other information source listing all candidates and giving the information set out above.

6.11 Where a candidate is taking part in a programme on any matter, after the election has been called, s/he must not be given the opportunity to make constituency points, or electoral area points about the constituency or electoral area in which s/he is standing, when no other candidates will be given a similar opportunity.

6.12 If coverage is given to wider election regions, for example in elections to the Scottish Parliament, Welsh Assembly, Northern Ireland Assembly, London Assembly or European Parliament, then Rules 6.8 to 6.12 apply in offering participation to candidates. In these instances, all parties who have a candidate in the appropriate region should be listed in sound and/or vision, but it is not necessary to list candidates individually. However, any independent candidate who is not standing on a party list must be named. Where a report on a radio service is repeated on several occasions in the same day, the full list need only be broadcast on one occasion. If, in subsequent repeats on that day, the constituency report does not give the full list of candidates, the audience should be directed to an appropriate website or other information source listing all candidates and giving the information set out above.

## **SECTION SEVEN: FAIRNESS**

### **Principle**

**To ensure that broadcasters avoid unjust or unfair treatment of individuals or organisations in programmes.**

### **Rule**

7.1 Broadcasters must avoid unjust or unfair treatment of individuals or organisations in programmes.

### **Practices to be followed (7.2 to 7.14 below)**

#### **Dealing fairly with contributors and obtaining informed consent**

7.2 Broadcasters and programme makers should normally be fair in their dealings with potential contributors to programmes unless, exceptionally, it is justified to do otherwise.



7.3 Where a person is invited to make a contribution to a programme (except when the subject matter is trivial or their participation minor) they should normally, at an appropriate stage: be told the nature and purpose of the programme, what the programme is about and be given a clear explanation of why they were asked to contribute and when (if known) and where it is likely to be first broadcast;

- be told what kind of contribution they are expected to make, for example live, pre-recorded, interview, discussion, edited, unedited, etc.;
- be informed about the areas of questioning and, wherever possible, the nature of other likely contributions;
- be made aware of any significant changes to the programme as it develops which might reasonably affect their original consent to participate, and which might cause material unfairness;
- be told the nature of their contractual rights and obligations and those of the programme maker and broadcaster in relation to their contribution; and
- be given clear information, if offered an opportunity to preview the programme, about whether they will be able to effect any changes to it.

Taking these measures is likely to result in the consent that is given being ‘informed consent’ (referred to in this section and the rest of the Code as “consent”).

It may be fair to withhold all or some of this information where it is justified in the public interest or under other provisions of this section of the Code.

7.4 If a contributor is under sixteen, consent should normally be obtained from a parent or guardian, or other person of eighteen or over in loco parentis. In particular, persons under sixteen should not be asked for views on matters likely to be beyond their capacity to answer properly without such consent.

7.5 In the case of persons over sixteen who are not in a position to give consent, a person of eighteen or over with primary responsibility for their care should normally give it on their behalf. In particular, persons not in a position to give consent should not be asked for views on matters likely to be beyond their capacity to answer properly without such consent.

7.6 When a programme is edited, contributions should be represented fairly.

7.7 Guarantees given to contributors, for example relating to the content of a programme, confidentiality or anonymity, should normally be honoured.

7.8 Broadcasters should ensure that the re-use of material, i.e. use of material originally filmed or recorded for one purpose and then used in a programme for another purpose or used in a later or different programme, does not create unfairness. This applies both to material obtained from others and the broadcaster’s own material.

### Opportunity to contribute and proper consideration of facts

7.9 Before broadcasting a factual programme, including programmes examining past events, broadcasters should take reasonable care to satisfy themselves that:

- material facts have not been presented, disregarded or omitted in a way that is unfair to an individual or organisation; and
- anyone whose omission could be unfair to an individual or organisation has been offered an opportunity to contribute.

7.10 Programmes – such as dramas and factually-based dramas – should not portray facts, events, individuals or organisations in a way which is unfair to an individual or organisation.

7.11 If a programme alleges wrongdoing or incompetence or makes other significant allegations, those concerned should normally be given an appropriate and timely opportunity to respond.

7.12 Where a person approached to contribute to a programme chooses to make no comment or refuses to appear in a broadcast, the broadcast should make clear that the individual concerned has chosen not to appear and should give their explanation if it would be unfair not to do so.

7.13 Where it is appropriate to represent the views of a person or organisation that is not participating in the programme, this must be done in a fair manner.

### Deception, set-ups and ‘wind-up’ calls

7.14 Broadcasters or programme makers should not normally obtain or seek information, audio, pictures or an agreement to contribute through misrepresentation or deception. (Deception includes surreptitious filming or recording.) However:

- it may be warranted to use material obtained through misrepresentation or deception without consent if it is in the public interest and cannot reasonably be obtained by other means;
- where there is no adequate public interest justification, for example some unsolicited wind-up calls or entertainment set-ups, consent should be obtained from the individual and/or organisation concerned before the material is broadcast;
- if the individual and/or organisation is/are not identifiable in the programme then consent for broadcast will not be required;
- material involving celebrities and those in the public eye can be used without consent for broadcast, but it should not be used without a public interest justification if it is likely to result in unjustified public ridicule or personal distress. (Normally, therefore such contributions should be pre-recorded.)

## SECTION EIGHT: PRIVACY

### Principle

To ensure that broadcasters avoid any unwarranted infringement of privacy in programmes and in connection with obtaining material included in programmes.

### Rule

8.1 Any infringement of privacy in programmes, or in connection with obtaining material included in programmes, must be warranted.

#### **Meaning of "warranted":**

In this section "warranted" has a particular meaning. It means that where broadcasters wish to justify an infringement of privacy as warranted, they should be able to demonstrate why in the particular circumstances of the case, it is warranted. If the reason is that it is in the public interest, then the broadcaster should be able to demonstrate that the public interest outweighs the right to privacy. Examples of public interest would include revealing or detecting crime, protecting public health or safety, exposing misleading claims made by individuals or organisations or disclosing incompetence that affects the public.

#### **Practices to be followed (8.2 to 8.22)**

Private lives, public places and legitimate expectation of privacy

#### **Meaning of "legitimate expectation of privacy":**

Legitimate expectations of privacy will vary according to the place and nature of the information, activity or condition in question, the extent to which it is in the public domain (if at all) and whether the individual concerned is already in the public eye. There may be circumstances where people can reasonably expect privacy even in a public place. Some activities and conditions may be of such a private nature that filming or recording, even in a public place, could involve an infringement of privacy. People under investigation or in the public eye, and their immediate family and friends, retain the right to a private life, although private behaviour can raise issues of legitimate public interest.

8.2 Information which discloses the location of a person's home or family should not be revealed without permission, unless it is warranted.

8.3 When people are caught up in events which are covered by the news they still have a right to privacy in both the making and the broadcast of a programme, unless it is warranted to infringe it. This applies both to the time when these events are taking place and to any later programmes that revisit those events.

8.4 Broadcasters should ensure that words, images or actions filmed or recorded in, or broadcast from, a public place, are not so private that prior consent is required before broadcast from the individual or organisation concerned, unless broadcasting without their consent is warranted.

### Consent

Any infringement of privacy in the making of a programme should be with the person's and/or organisation's consent or be otherwise warranted.

8.6 If the broadcast of a programme would infringe the privacy of a person or organisation, consent should be obtained before the relevant material is broadcast, unless the infringement of privacy is warranted. (Callers to phone-in shows are deemed to have given consent to the broadcast of their contribution.)

8.7 If an individual or organisation's privacy is being infringed, and they ask that the filming, recording or live broadcast be stopped, the broadcaster should do so, unless it is warranted to continue.

8.8 When filming or recording in institutions, organisations or other agencies, permission should be obtained from the relevant authority or management, unless it is warranted to film or record without permission. Individual consent of employees or others whose appearance is incidental or where they are essentially anonymous members of the general public will not normally be required.

However, in potentially sensitive places such as ambulances, hospitals, schools, prisons or police stations, separate consent should normally be obtained before filming or recording and for broadcast from those in sensitive situations (unless not obtaining consent is warranted). If the individual will not be identifiable in the programme then separate consent for broadcast will not be required.

### Gathering information, sound or images and the re-use of material

8.9 The means of obtaining material must be proportionate in all the circumstances and in particular to the subject matter of the programme.

8.10 Broadcasters should ensure that the re-use of material, i.e. use of material originally filmed or recorded for one purpose and then used in a programme for another purpose or used in a later or different programme, does not create an unwarranted infringement of privacy. This applies both to material obtained from others and the broadcaster's own material.

8.11 Doorstepping for factual programmes should not take place unless a request for an interview has been refused or it has not been possible to request an interview, or there is good reason to believe that an investigation will be frustrated if the subject is approached openly, and it is warranted to doorstep. However, normally broadcasters may, without prior warning interview, film or record people in the news when in public places.

(See "practice to be followed" 8.15).

#### **Meaning of "doorstepping":**

Doorstepping is the filming or recording of an interview or attempted interview with someone or announcing that a call is being filmed or recorded for broadcast purposes, without any prior warning. It does not, however, include vox-pops (sampling the views of random members of the public).

8.12 **Broadcasters can record telephone calls between the broadcaster and the other party if they have, from the outset of the call, identified themselves, explained the purpose of the call and that the call is being recorded for possible broadcast** (if that is the case) unless it is warranted not to do one or more of these practices. If at a later stage it becomes clear that a call that has been recorded will be broadcast (but this was not explained to the other party at the time of the call) then the broadcaster must obtain consent before broadcast from the other party, unless it is warranted not to do so.

(See "practices to be followed" 7.14 and 8.13 to 8.15.)

8.13 Surreptitious filming or recording should only be used where it is warranted. Normally, it will only be warranted if:

- there is prima facie evidence of a story in the public interest; and
- there are reasonable grounds to suspect that further material evidence could be obtained; and
- it is necessary to the credibility and authenticity of the programme.

See "practices to be followed" 7.14, 8.12, 8.14 and 8.15.)

#### **Meaning of "surreptitious filming or recording":**

8.14 Material gained by surreptitious filming and recording should only be broadcast when it is warranted.

(See also "practices to be followed" 7.14 and 8.12 to 8.13 and 8.15.)

8.15 Surreptitious filming or recording, doorstepping or recorded 'wind-up' calls to obtain material for entertainment purposes may be warranted if it is intrinsic to the entertainment and does not amount to a significant infringement of privacy such as to cause significant annoyance, distress or embarrassment. The resulting material should not be broadcast without the consent of those involved. However if the individual and/or organisation is not identifiable in the programme then consent for broadcast will not be required.

(See "practices to be followed" 7.14 and 8.11 to 8.14.)

### Suffering and distress

8.16 Broadcasters should not take or broadcast footage or audio of people caught up in emergencies, victims of accidents or those suffering a personal tragedy, even in a public place, where that results in an infringement of privacy, unless it is warranted or the people concerned have given consent.

8.17 People in a state of distress should not be put under pressure to take part in a programme or provide interviews, unless it is warranted.

8.18 Broadcasters should take care not to reveal the identity of a person who has died or of victims of accidents or violent crimes, unless and until it is clear that the next of kin have been informed of the event or unless it is warranted.

8.19 Broadcasters should try to reduce the potential distress to victims and/or relatives when making or broadcasting programmes intended to examine past events that involve trauma to individuals (including crime) unless it is warranted to do otherwise. This applies to dramatic reconstructions and factual dramas, as well as factual programmes.

- In particular, so far as is reasonably practicable, surviving victims and/or the immediate families of those whose experience is to feature in a programme, should be informed of the plans for the programme and its intended broadcast, even if the events or material to be broadcast have been in the public domain in the past.

### People under sixteen and vulnerable people

8.20 Broadcasters should pay particular attention to the privacy of people under sixteen. They do not lose their rights to privacy because, for example, of the fame or notoriety of their parents or because of events in their schools.

8.21 Where a programme features an individual under sixteen or a vulnerable person in a way that infringes privacy, consent must be obtained from:

- a parent, guardian or other person of eighteen or over in loco parentis; and
- wherever possible, the individual concerned;
- unless the subject matter is trivial or uncontroversial and the participation minor, or it is warranted to proceed without consent.

8.22 Persons under sixteen and vulnerable people should not be questioned about private matters without the consent of a parent, guardian or other person of eighteen or over in loco parentis (in the case of persons under sixteen), or a person with primary responsibility for their care (in the case of a vulnerable person), unless it is warranted to proceed without consent.

### **Meaning of "vulnerable people":**

This varies, but may include those with learning difficulties, those with mental health problems, the bereaved, people with brain damage or forms of dementia, people who have been traumatised or who are sick or terminally ill.

### Appendix 03:

## Foundation House: Code of Conduct

Foundation House has a Code of Conduct that sets out the **MINIMUM** expectations of ALL tenants, hirers and visitors. If you don't agree with Code of Conduct, or can't abide by the Code of Conduct then Foundation House is not the place for you or your organisation.

**Standard Opening Hours are 9:30am – 4:30pm Monday to Friday, excluding Bank Holidays.**

1. Foundation House is an inclusive community, all users are equally welcome and equally valued.
2. Foundation House is designed to stimulate community, all users are therefore expected to work together in a positive and constructive manner.
3. No single individual or group has any special rights within Foundation House – everyone is an equal guest of the Management of Foundation House - as such behaviour of the highest standard is expected from all.
4. The facilities within Foundation House have been provided for the benefit of the entire community:
  - a. Certain spaces are common areas.
  - b. There are meeting rooms (Engine Room, The Snug, Green Room and Runway) are available for booking. The booking must be made **in advance** with the management of Foundation House. A charge will be made for the booking of all meeting rooms.
  - c. If you make a mess, have dirty dishes etc please clean these up – failure to do so may see a charge levied
  - d. Car parking is not guaranteed
  - e. If you abuse the facilities within Foundation House, then these may either be removed or restricted
5. Users and their visitors will be polite and respectful at all times within Foundation House.
6. Any dispute will be immediately referred to the Management of Foundation House:
  - a. If the dispute involves any allegation of physical or emotional harm, property damage or substance abuse within the Foundation House site, the allegation will immediately be referred to the Police.
  - b. There will only be a simple dispute investigation process undertaken by Foundation House Management, if the dispute involves two groups the sanction may be in the instant termination of any licence agreement or the banning of individuals and/or groups from Foundation House.
7. The Management of Foundation House is there to support all groups. Any and all decisions made by the Management of Foundation House are final.
8. Any furniture blocking or obstructing any fire escape or egress will be instantly removed.

**Standard Opening Hours are 9:30am – 4:30pm Monday to Friday, excluding Bank Holidays.**  
 After Hours access may be provided, but as such will be arranged on a case by case basis.

It is expected all users of Foundation House will treat the property and all other users with respect and dignity at all times.

### Document History:

Version Number	Author	Purpose/Change	Date
0.1	Penny Keynton-Hook	Draft for discussion	30/03/2018
0.2	Peter Keynton-Hook	Completed draft	29/12/2018
0.3	Chris Last	Editing Check	30/12/2018
0.4	Peter Keynton-Hook	Double Editing Check	08/01/2019
0.5	Peter Keynton-Hook	Editing Front Cover	16/02/2019