

Michael Fabricant MP
House of Commons
Westminster
SW1A 0AA

20 December 2021

Dear Mr Fabricant,

Thank you for your email of 1 November sent on behalf of your constituent, [REDACTED], who has raised concerns about perceived bias against Israel in a range of BBC News reports. I'm sorry for the delay in responding to you. I have set out below some information on how Ofcom regulates the BBC, on impartiality and more generally.

I have also included details of how your constituents can raise their concerns directly with the BBC who will review them. Other than in exceptional circumstances, Ofcom can only consider complaints about the BBC that have completed the BBC's complaints process. At the present time our Standards and Audience Protection team are not aware of any complaints relating to the specified broadcasts and online content that have completed the BBC's complaints process.

Ofcom's approach to BBC impartiality

All broadcasters, including the BBC, make their own editorial decisions about the content which they broadcast, but in doing so they are required to comply with Ofcom's Broadcasting Code ("the Code"). The Code contains rules based on objectives for broadcast standards set by Parliament. One of those objectives is that news in television and radio services is presented with due impartiality and that special impartiality requirements covering, for example, matters of political controversy are complied with. We keep the Code updated, informed by regular research into the attitudes of UK audiences and supplemented by our published Guidance.

Broadcasting rules do not require the BBC or other broadcasters to be absolutely neutral on every issue within news and current affairs, but they must be duly impartial. The Code's definition of 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. Due impartiality means not favouring one side over another and giving adequate and appropriate time to a range of views, depending on the subject or the nature of the programme. The approach to due impartiality can vary depending on the service and likely audience expectations. Context is always important. Consistent with the broadcaster's right to freedom of expression, there is no single way to achieve due impartiality and our Guidance makes clear there are a range of editorial techniques that broadcasters can use to achieve it.

Outside of our consideration of editorial standards complaints, there are other ways we hold the BBC to account in the area of due impartiality. It may be of interest to your constituents that we have previously considered due impartiality on the BBC more generally in our [2019 review of BBC news and current affairs](#). We conducted audience research at that time and found that people's views of the BBC's impartiality are shaped by a range of factors, with only some relating directly to its news and current affairs content. Those who were critical of the BBC's impartiality at that time also tended to hold the strongest political views.

You may also be aware that the BBC published its [Impartiality and Editorial Standards](#) action plan on 29 October 2021 following the publication of the [Serota Review](#) into the editorial practices, standards and culture at the BBC also on the same date. Going forwards, we intend to closely observe the results of the commitments to due impartiality outlined by the BBC in this plan which include:

- expanding internal training and strengthening the understanding of editorial guidelines and social media rules

- using audience research to inform a process of creative renewal and future commissioning
- beginning a series of regular published thematic reviews of the due impartiality of output in key areas of public debate (the first to begin in January 2022)
- strengthening of internal governance and accountability processes in the area of impartiality, including initiating a series of internal programme and content reviews of key news and current affairs (and relevant factual) output.

As already mentioned, we will also keep the BBC's compliance with the due impartiality rules in the Code under close review throughout our ongoing content standards enforcement work.

Ofcom's regulation of the BBC

Since April 2017, when Ofcom became the BBC's first external regulator and a new regulatory framework for the BBC was put in place, we have highlighted some important issues, including the need for the BBC to adopt greater openness and transparency when setting out its decision making in relation to content standards and issues relating to due impartiality.

Also worth noting is our current review of BBC Regulation. Our Report outlining our findings will inform the Government's mid-Charter Review. As part of this process, amongst other things we will be considering how the BBC could improve its transparency in decision-making and complaints handling, including in relation to due impartiality. Our research shows there is a disparity between audience attitudes on the BBC's impartiality and its good record of compliance with the due impartiality broadcasting rules. Given the complexity of this issue, we will be updating the research we conducted on audience perceptions of BBC impartiality as part of our 2019 News and Current Affairs Review mentioned above. We aim to publish the results of this research alongside our report to Government on BBC regulation in the spring of 2022.

Complaints about BBC programmes

As I mentioned previously, other than in exceptional circumstances, Ofcom can only consider complaints about the BBC that have completed the BBC's complaints process. This is in line with Paragraph 1.14 of our [procedures for investigating breaches of content standards on BBC broadcasting services](#). So far, we have not been contacted by the BBC or by a complainant to say that this particular complaint has reached this stage.

If a complainant has contacted the BBC and is not satisfied with the response, the [BBC complaints framework and procedures](#) outline the steps to take next. In the first instance, they should write back to BBC Audience Services via:

- Their website: at www.bbc.co.uk/complaints
- Phone: call them on 037 0010 0222 or 037 0010 0212 (textphone)
- Post: write to BBC Complaints, PO Box 1922, Darlington, DL3 0UR

The final stage within the BBC complaints process is consideration of the complaint by the BBC's Executive Complaints Unit (ECU). It is only after the completion of the BBC's complaints process, and having escalated a complaint to the ECU, that complainants can ask Ofcom to consider it. If they remain dissatisfied with the BBC's final response, they can therefore contact us again at that time, at which point we will consider the complaint carefully. More information is available about how Ofcom assesses complaints and conducts investigations about BBC programmes (link [here](#)).

I hope this information has been helpful.

Yours sincerely,



Melanie Dawes