

**PUBLICATION MINUTES OF THE ONE HUNDRED AND EIGHTY-SECOND MEETING OF
THE CONTENT BOARD HELD ON 2 MAY 2023
CONNECTED MEETING HELD AT RIVERSIDE HOUSE AND VIA MICROSOFT TEAMS**

Present

Maggie Carver	Chair
Dekan Apajee	Member
Jonathan Baker	Member
Rachel Coldicutt	Member
Maggie Cunningham	Member for Scotland
Bob Downes	Member
Peter Horrocks	Member
Tobin Ireland	Member
Ali Marsden	Executive Member
Maria McCann	Member for Northern Ireland
Ruth McElroy	Member for Wales (via Teams)
Stephen Nuttall	Member
Monisha Shah	Member
Kim Shillinglaw	Member

In attendance

Adam Baxter	Director, Standards and Audience Protection
Vikki Cook	Director, Content Media Policy
David Edwards	Committee Secretary
Katie Ford	Next Gen NEDs observer (via Teams)
Siobhan Walsh	Interim Group Director, Broadcasting and Media Group
Colleagues from Channel 4 (min 4)	
Other Ofcom colleagues attending for specific items in person or via Teams	

Item 1: Welcome, introductions and Members’ interests – oral

1. The Chair welcomed all present to the meeting, in particular Alex Mahon, Chief Executive, Ian Katz, Chief Content Officer, and Jane Glastonbury Senior Manager, Policy, Strategy & Consumer Insight, all from Channel 4.
2. Rachel Coldicutt declared that she had been invited to take part in a private British Academy roundtable on 9 May at which Keir Starmer MP, the Leader of the Labour Party, and Lucy Powell MP, the Shadow Secretary of State for Digital, Culture, Media and Sport, would be in attendance, to discuss the opportunities and risks associated with an increasingly digitised world.
3. Monisha Shah reminded Members that she was Chair of Wikimedia UK.

Item 2: Channel 4

4. Colleagues from Channel 4 spoke about a range of issues including their content strategy, financial performance, audiences and viewing, including online and reaching young people; the Future4 strategy, including streaming; activity in the Nations and regions; and its offscreen contribution to bringing people into the industry, including 4Skills and events in schools.

Item 3: Minutes of the meeting held on 4 April 2023 and matters arising – Content Board minutes 181(23) and note of action points

5. Subject to minor amendment, the minutes of the Content Board meeting held on 4 April 2023 were **APPROVED** for signature by the Chair as an accurate record.
6. A summary of progress against action points had been circulated.

Item 4: Chair's update - oral

7. With regret the Chair noted the departure of Kevin Bakhurst as Group Director, Broadcasting and Media. In July he would become Director General at RTÉ (the public service broadcaster in the Republic of Ireland) and was currently on gardening leave. He had made a significant contribution during his time at Ofcom, leaving a very strong team in place.
8. The Chair reported that interviews had taken place to appoint a new Content Board member with editorial experience. It was expected that the Ofcom Board would approve the appointment shortly, in addition to the re-appointment of some existing Members.
9. The Election Committee was in place (with local elections due shortly in England and in Northern Ireland) but to date it had not been required to meet.
10. The Chair reported briefly on recent discussions of the Ofcom Board (minutes being shared with the Content Board).
11. The Content Board **NOTED** the report from the Chair.

Item 5: Broadcasting and Media Group and Online Safety Group Executive Update – Paper CB 10(23)

12. Members had received a paper providing an update on key policy and project areas in the Broadcasting and Media Group and in the Online Safety Group. The paper was taken as read.
13. A number of points were highlighted/ discussed:
 - Due impartiality: It was noted that a standards investigation had been launched into a broadcast by GB News over a possible breach of due impartiality rules.
 - The Chair commented that it would be useful to continue discussing issues arising from the item on due impartiality at the last Content Board meeting.
 - As a related point it was flagged that, at a recent meeting of the Westminster Media Forum, Netflix had raised concern about due impartiality requirements, which could apply to streamers via the Media Bill. Ofcom would be meeting Netflix shortly.
 - Online safety: Tech companies were raised. It had been reported in the media that Wikipedia would not comply with age checks required under the OS Bill and that the chat apps WhatsApp and Signal had Bill concerns regarding the protection of encryption and privacy. Meanwhile it was noted that Ofcom had experienced positive engagement with platforms.
 - Advertising: Margins for digital advertising had been raised earlier in the meeting and on a related point it was flagged that Ofcom was consulting on changes to stricter rules in the Code on the Scheduling of Television (COSTA) on the frequency and duration of TV advertising that applied only to the PSBs; and considering ongoing work required in this area.
14. Members **NOTED** paper CB 10(23) and additional oral updates provided.

Item 6: Channel 4 Statement of Media Content Policy – Paper CB 11(23)

15. Channel 4 Corporation (C4C) was obliged to consult Ofcom in the preparation of its annual Statement of Media Content Policy (SMCP). This involved engagement throughout the year as well as the presentation of a draft of the SMCP to Ofcom for analysis. C4C currently planned to publish its Annual Report and SMCP in the middle of June, and Ofcom intended to publish its response on the same day. The Executive was also working on Channel 4 relicensing, to an extent tied to the Media Bill and this would come to the Content Board in due course.

16. A number of points were highlighted/ discussed:

- The Executive had conducted the bulk of its analysis and its preliminary view was that C4C, across its portfolio of channels and its performance online, had delivered strongly against its remit and media content duties in 2022.
- It remained for DCMS to clarify what would be required of C4C following the decision not to proceed with privatisation.
- Other issues included the health of the UK broadcasting and production sectors, the two being intertwined; the skills gap; questions of scale; reach with young audiences; hours of PSB content and quality; how to incentivise C4C; its performance in news and current affairs; and brand and reputation tracking across a range of platforms and metrics.
- The need for C4C to evolve beyond its five-year Future4 strategy, due to end next year, bearing in mind that there had also been much change in the market and in viewing habits in the ten years since the existing licence had been awarded to C4C.

17. Members **NOTED** paper CB 11(23).

Item 7: Media Bill update – Paper CB 12(23)

18. DCMS had published a draft Media Bill which, when introduced and passed by Parliament, would create new powers and duties for Ofcom. Members were briefed on the background to the Bill; the effect of anticipated sections on PSB remit reform; a new regime to ensure availability and prominence for live/on-demand PSB content; matters related to Channel 4, to S4C; new VOD powers; new elements subsequent to the Government’s White Paper, including regulation of Smart Speakers and radio deregulation; the anticipated timeline, including current technical engagement by DCMS with industry and select committee pre-legislative scrutiny taking place from May through summer.

19. Members **NOTED** paper CB 12(23)

Item 8: Information Items

20. The Content Board **NOTED** the following information items:

- Digital Regulation Co-operation Forum update – CB13(23)
- Minutes of the Ofcom Board (meeting held on 15 March 2023)
- Minutes of the Communications Consumer Panel (meeting held on 23 March 2023)

Item 9: Any Other Business

21. Members **NOTED** the resignation of the Chairman of the BBC, announced on 28 April 2023. There was no other business.

Item 10: Date of the Next Meeting

22. The next scheduled Content Board meeting would be held on 4 July 2023.