

Content Board minutes 193(25)

Publication Minutes of the one-hundred and ninety-third meeting of the Content Board held on 18 March 2025 at Riverside House, London SE1 9HA and via Microsoft Teams

Present

Clive Jones	Chair and Ofcom Board Member
Dekan Apajee	Non-Executive Member for England
Simon Bucks	Non-Executive Member
Bob Downes	Non-Executive Member and Ofcom Board Member (via Teams)
Will Harding	Non-Executive Member and Ofcom Board Member
Peter Horrocks	Non-Executive Member
Peter MacMahon	Non-Executive Member for Scotland
Ali Marsden	Executive Member and Director, Standards and Audience Protection (via Teams)
Maria McCann	Non-Executive Member for Northern Ireland
Ruth McElroy	Non-Executive Member for Wales
Cristina Nicolotti Squires	Executive Member and Group Director, Broadcasting and Media Group
Yolisa Phahle	Non-Executive Member
Kim Shillinglaw	Non-Executive Member (via Teams)

In attendance

David Edwards	Governance Manager
Chinmay Parikh	FCA/ Next-Generation NED observer
Anthony Szykaruk	Content Policy Director
Siobhan Walsh	Director of Policy Development, Broadcasting and Media
Other colleagues attending for specific agenda items	

Item 1: Welcome and introduction

1. The Chair welcomed Members and attendees. He flagged the debate topic, for later in the meeting, on the kitemarking of high-quality online news and journalism, and that John O’Loan had been invited to the next Content Board meeting to discuss the challenges and opportunities for news providers in the AI world.

Item 2: Declaration of members' interests

2. Yolisa Phahle declared her appointment as a Trustee of the Comic Relief charity.

Item 3: Minutes of the meeting held 21 January 2025 and matters arising – Content Board minutes 192(25)

3. The minutes of the Content Board meeting held on 21 January 2025 were **APPROVED** for signature by the Chair as an accurate record.
4. There was an outstanding action, to share the Content Board's revised Code of Conduct with Members. [Note: the revised CoC was emailed to Members the day after the meeting.]

Item 4: Chair's report

5. The Chair updated the Content Board on recent topics discussed by the Ofcom Board and focused on the main areas of work. December 2024 and January 2025 Ofcom Board minutes had been circulated for information. The February 2025 Ofcom Board meeting had included discussion of Ofcom's budget and Plan of Work 2025/26 and an update on protecting children from harm online, with a statement expected to be published in April.
6. Members **NOTED** the report.

Item 5: Broadcast and Media Group Policy and related teams' update – Paper CB 3(25)

7. Members had received a paper providing an update on key policy and project areas in the BMG and related teams. The paper was taken as read.
8. A number of points were highlighted/ discussed including:
 - BBC: It was noted that the Ofcom Chairman had written¹ to the BBC about its recent documentary *Gaza: How To Survive A Warzone*. Members further noted that the BBC had conducted an initial review, which had identified serious failings in the production of the programme. A full fact-finding review by the BBC was in progress. Ofcom has reserved the right to use its powers to step in should it be necessary to do so.
 - Equity, Diversity and Inclusion: The Executive was keeping abreast of broadcasters' current EDI policies.
 - Public Service Media Review: The PSM team was undertaking extensive stakeholder engagement and the Content Board would be kept informed of findings (in February Members held a discussion with the Executive on remedy ideas).

¹ <https://www.ofcom.org.uk/tv-radio-and-on-demand/bbc/letter-to-the-bbc-chair-on-the-bbc-programme-gaza-how-to-survive-a-warzone/>

- Judicial Review: A recent judgment had found against Ofcom. The Content Board discussed Ofcom's response to the Court decision, which included consulting on proposed changes to Rule 5.3 of the Broadcasting Code, and there was also a discussion on the scope of that Code review. The Chair would feed the discussion back to the Ofcom Board.
- Disinformation and Misinformation Committee: When the new Committee (following the appointment of its members) has set out its plan of work, the Chair would have a conversation with the Committee chair on future liaison with the Content Board and any potential areas of overlap or duplication.

9. Members **NOTED** paper CB 3(25) and additional oral updates provided.

Item 6: Media Act Part 2 (prominence and availability) update – CB 4(25)

10. The Media Act 2024 had introduced a new regime to require certain connected TV platforms to ensure that designated PSB on-demand apps and public service content were available, prominent and accessible. There would be two stages to Ofcom's work to implement this: first, the approach to the designation of platforms and PSBs that would fall in scope; and second, a consultation in the autumn followed by publication in 2026 of a Code of Practice (CoP) on how regulated television selection service providers could comply with their prominence and accessibility requirements.
11. Members were taken through the legislative background; what Ofcom was seeking to achieve and how; the market context for this work; the early views of stakeholders; a case study; and the current time-line to publish the CoP.
12. A number of points were highlighted/ discussed including:
 - Variation in the way different audiences/ age groups engaged with user interfaces (Ofcom had commissioned ethnographic research to evidence this).
 - Commercial and contractual arrangements between stakeholders.
 - User home pages and personalisation of selection services, active and passive, the latter making use of algorithms.
 - Difficulties experienced by bi-lingual households seeking Welsh language programming across the BBC and S4C.
 - User data and data sharing arrangements.
 - Getting the balance right for audiences, to ensure PSB prominence and to allow platforms to monetise their propositions.
13. Policy development would continue over the coming months and, prior to consultation on the CoP, the team would seek further discussion with the Content Board and share research findings.
14. The Content Board **NOTED** paper CB 4(25).

Item 7: Kitemarking – CB 5(25)

15. Links to relevant reports and research and summary views from stakeholders had been shared with Members to stimulate discussion of kitemarking, i.e. a

possible mechanism to help audiences distinguish high-quality online journalism from other types of content.

16. To introduce discussion a Member highlighted a number of issues, including the Content Board's concern to protect PSM and news; Channel 4's recent study *Gen Z: Trends, Truth and Trust*; providers of 'perspective news' or projecting a particular viewpoint; the difficulties in regulating all of this output in the same way, e.g. with regard to issues of bias and due impartiality; and whether it was necessary to distinguish perspective providers and those offering a range of views that were balanced.
17. Members engaged in a wide-ranging discussion and a number of points were highlighted/ discussed, including:
 - Whether kitemarking of trusted versus perspective news would effectively mean an end to regulation of due impartiality.
 - When some material being consumed could be described as detrimental to society and behaviour, whether kitemarking news would address this.
 - The importance of media literacy in the school curriculum and as a way of allowing audiences to make their own judgements and empower them to know what to trust. At the same time, there needed to be realistic expectations about the effectiveness of media literacy.
 - Questions about what constituted the news ecosystem (any kitemarking initiative confined to broadcasting would have a limited shelf life); what quality marker(s) would signal (e.g. impartiality or accuracy or lack of a perspective); trusted news providers with a perspective; and whether a regulatory intervention would be required (when reliability ratings were already provided by organisations like NewsGuard).
 - Adequate training for journalists entering the profession as an important factor in protecting the truth and accuracy of news.
18. The Executive flagged some additional issues, that Ofcom had certain media literacy rules/ duties in relation to the PSBs; that it could play a convening role to bring stakeholders together to take forward discussions of this kind; the importance of partnerships (the Channel 4 News YouTube channel being an example); and a need for the attribution of news sources, something that news providers were seeking.
19. The Content Board **NOTED** the reading list provided in paper CB 5(25).

Item 8: Key Highlights from Content Board's Editorial Standards work (from 1 September 2024 to 28 February 2025) - for onward submission to the Ofcom Board – CB 6(25)

20. On a six-monthly basis Members reviewed a paper on key themes and lessons from the Content Board's editorial standards work for onward transmission to the Ofcom Board. A suggested refinement to the paper included the addition of metrics to give a sense of the volumes of cases being investigated and which was relatively low at the present. The latter could be read as a sign that our standards processes were working well and be reflected in the paper also.
21. The Content Board **NOTED** paper CB 6(25).

Item 9: Broadcast & Beyond – CB 7(25)

22. Broadcast & Beyond, an annual data-led research project run by Ofcom’s Research and Intelligence team, detailed trends in audience behaviour and market dynamics in the audiovisual industry. Its purpose was to further understanding of the sector and the impact online video was having on traditional TV viewing and business models. The data was for internal use and intended to inform broader Ofcom policy work and regulation, across public service media, the wider broadcast sector, and video-sharing platforms.
23. The Broadcast & Beyond team shared some trends in viewing habits via an interactive data dashboard, including research highlights related to in-home viewing across all devices and to non-broadcaster content. Revealing insights came from middle-aged audiences, daily viewing of live broadcast TV continued to decline among those under 65. This suggested that as people aged, they were maintaining existing viewing habits. Viewing of video-sharing platforms (e.g. YouTube) was growing across all age demographics, with the largest increases coming from 35-55s. SVOD subscriptions appeared to be growing amongst older audiences despite some aggressive price increases.
24. In discussion issues raised included Channel 4’s presence on YouTube – whether this offer was an additive effect for audiences, generates revenue, or simply provides a more user-friendly interface than its streaming service; the need for content providers to follow audiences; and opportunities for the PSBs to harness their back catalogues and to think of themselves as streamers, i.e. as more than providers of catch-up services. The interactive data dashboard would be made available to Members.
25. The Content Board **NOTED** paper CB 7(25)

Items 10-11: Information items

26. The Content Board **NOTED** the following information items:
- Minutes of the Ofcom Board of 11 December 2024 and 5 February 2025.
 - Minutes of the Communications Consumer Panel/ACOD of 12 December 2024 and 16 January 2025.

Item 12: Any other business

27. There was no other business.

Item 13: Date of the next meeting

28. The next scheduled Content Board meeting would be held on Tuesday 29 April 2025.