

Consultation response form

Consultation title	Ofcom's proposed Plan of Work 2024
Full name	[X]
Contact phone number	[X]
Representing (delete as appropriate)	Organisation
Organisation name	Better Media
Email address	[X]

Your response

Question	Your response
Question 1: Do you have any comments on Ofcom's proposed Plan of Work 2024/25?	Confidential? – N

This submission is on behalf of Better Media, which is a members-based organisation, campaigning for openness and transparency in media policy, pluralism in media ownership, and access to media platforms as a civic right. See <https://bettermedia.uk>

In relation to the workplan for 2024, we assert that it is in the public interest that Ofcom undertake the following work in relation to the section '**Media We Trust**':

1. Should the Media Bill gain assent, Ofcom must ensure that it has the capacity to manage and award licences for analogue radio as an on-demand licence product, in line with the award of RSL, DSP and C-DSP licences. The Media Bill proposes the removal of the requirement to hold competitive licence rounds for AM and FM spectrum. Ofcom must therefore ensure that there is the capacity within its licencing management system to enact this, thus allowing new entrants into the broadcast radio market without limitation or restraint by the capacity of the regulator. Analogue radio licencing, therefore, must be managed equally with all other licence products, and not sequential to any other forms of licencing, such as the award of Small-Scale DAB multiplexes.

2. Ofcom should undertake a review of FM and AM spectrum organisation and propose an updated threshold management model that will allow for the full use of spectrum that has previously been deemed as limited or suboptimal, or which has recently become available as international, national and regional services cease using them. Ofcom's duty is the efficient use of spectrum, so must bring all available frequencies into public use to replace those national and regional services that are opting out of using the AM and FM spectrum. The increased capacity should be made available to new market entrants who wish to provide independent or community radio services.
3. Ofcom should undertake a review of the licence revocation rules for community radio, to ensure that stations that are not broadcasting for a period of more than twelve weeks will automatically be given a sanction and their licence terminated. Community Radio licences are valuable public assets, and they should not be withheld from alternative providers who may wish to utilise these services for the benefit of their communities. By failing to revoke inactive services, or to readvertise licences that are surrendered, Ofcom is failing in its duty to make efficient use of the spectrum, and to provide opportunities for others to develop alternative services.
4. Ofcom should undertake a review of the 40% rule for Small-Scale DAB, to define a clear and equitable set of criteria that can be applied in exceptional circumstances, which will allow for adjustments to the application of the 40% rule, in a specific area and for specific reasons of equity and accessibility, where the 40% rule clearly disadvantages listeners in those areas.
5. Ofcom should undertake an Equality Impact Assessment of the social gain function of broadcast community radio, on both analogue and digital platforms, to ascertain to what extent stations are providing either significant or some social gain, in accordance with their licence obligations and the principle of Key Commitments. Ofcom does not presently actively monitor or report on this, which means it is impossible for third-parties and stakeholders to determine in what way different communities are benefiting from these services.
6. Ofcom should publish the terms of reference for the Local Media Review. This review must include community radio and BBC local radio, as they are increasingly the only suppliers of meaningful local media content that is produced in specific places and for specific communities and audiences. Ofcom should consult on the terms and basis of this review, to determine if the methodology is appropriate and fits with the needs of civic society and public sector organisations, who may wish to contribute to the discussion, provide evidence and respond to the evaluation process, based on their public duties to promote health, wellbeing, education, community cohesion and other public responsibilities.
7. Ofcom's Equality, Diversity and Inclusion review of the broadcast media workforce must include community media. Community radio stations, for example, are noteworthy examples of media production organisations where people from minority communities are likely to be active producers and developers of content. The failure to include both community and independent forms of media in this research indicates that Ofcom may be failing in its Equality Act Duty to promote understanding and good relations between people of different protected characteristics and none.

8. Ofcom's ongoing review and oversight of the BBC's public service role and duties must be open to the public, using civic engagement practices that can ensure a wide range of views relating to the BBC's role. Information gathered from public consultation must be included and inform Ofcom's monitoring and review objectives and analysis. The removal of obligations previously placed on the BBC to consult the public have damaged the BBC's reputation, which is increasingly perceived as self-interested and self-defined. Ofcom must ensure that public and civic engagement informs any review of the BBC's operations and objectives as a publicly funded media provider.
9. Ofcom must update and improve reporting and data management on its website, to meet the standards of real-time open data provision that is expected of other statutory bodies and agencies. The lack of searchable and open data and extractable information on the Ofcom website is inhabiting public discussion and debate about the role and purpose of media and communications in the UK. Ofcom must publish data in accessible formats that recognise the varied needs of consumers and citizens.