

28 March 2018

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Dear Chris,

### **BBC Commissioning Code of Practice for Representation, Portrayal and Diversity**

This letter is a notice of approval of the BBC's Commissioning Code of Practice for Representation, Portrayal and Diversity ('Code of Practice') as submitted to Ofcom.

Condition 2.46 of the Operating Licence for the BBC<sup>1</sup> requires the BBC from 1 April 2018 to establish and comply with a Code of Practice, approved by Ofcom, setting out the steps the BBC will take when commissioning content across all genres to ensure that such content accurately represents, authentically portrays and reflects the diverse communities of the whole of the United Kingdom. The Code of Practice must cover commissions produced by the BBC in-house and commissions produced externally, as well as steps the BBC will take when commissioning content to improve diversity both on-screen and off-screen. Ofcom's view is that the Code of Practice submitted by the BBC meets these Licence requirements.

We welcome the Code of Practice as a step change in the BBC's commitment to embed diversity considerations into its commissioning practices, and in the requirements on content makers to set and account for delivery of agreed diversity objectives. As a publicly funded broadcaster, the BBC has a unique role to play in ensuring all audiences are accurately represented and portrayed. Commissioning practices, from programme development to delivery, play a crucial role in supporting this objective.

The Operating Licence requires the BBC to monitor its compliance with the Code and to report annually to Ofcom. The BBC will provide the first full compliance report in 2019, once the Code has been in place for a full year, but in the intervening period we expect to continue discussions with the BBC on how the data and evidence base for measurement and compliance is evolving.

Ultimately, the Code of Practice should contribute to improved representation and portrayal of the UK's diverse communities. It is not the only measure in place intended to do so; the Operating

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<sup>1</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0017/107072/bbc-operating-licence.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0017/107072/bbc-operating-licence.pdf)

Licence contains a number of requirements relating to on-screen and off-screen diversity, and the BBC has put in place its own range of activities, as reflected in its Diversity and Inclusion Strategy. We will consider the effect of the Code in the context of information gathered for other related reports, including our thematic review of representation and portrayal on the BBC, and our monitoring of the BBC's progress against its on-screen and off-screen workforce targets; of audience satisfaction; and of the impact of industry initiatives, such as Diamond. We may also request additional information and evidence relating to the BBC's compliance with the Code.

Finally, it is important that the Code of Practice remains relevant and effective, and we welcome the BBC's commitment to ensuring this. Ofcom may withdraw approval if we have concern that the Code is no longer meeting the objectives set out in condition 2.46 of the Operating Licence. If the BBC wishes to modify the Code, we ask that we are notified of its proposal in writing so that we can consider, in accordance with the operating licence, whether to approve the modification.

Yours sincerely,

A handwritten signature in black ink that reads "Kevin Bakhurst". The signature is written in a cursive style and is positioned above a faint, circular watermark of the BBC logo.

Kevin Bakhurst