



Consultation on the BBC's Editorial Guidelines (2024)

Directors UK is the professional association of UK TV and film directors. It is a membership organisation representing the creative, economic, and contractual interests of over 8,000 members – the majority of working TV and film directors in the UK.

Directors UK collects and distributes royalty payments and provides a range of services to members including campaigning, royalty negotiations, legal advice, events, training, and career development. Directors UK works closely with fellow organisations around the world to represent directors' rights and concerns, promotes excellence in the craft of direction and champions change to the current landscape to create an equal opportunity industry for all.

Directors UK welcomes the opportunity to respond to the BBC's Editorial Guidelines consultation.

- 1) Are the draft Guidelines clear and straightforward?**
- 2) Do they set out appropriate editorial standards for those making BBC programmes and content?**
- 3) Do they sufficiently reflect the changes in the media landscape since the last review in 2019?**

We asked a number of our members for input. Their main feedback related less to the revised wording of the guidelines, and more about how they are put into practice when issues that need editorial policy guidance are being considered.

Our members noted that there can be a difference between the access to guidance directors get when working on in-house BBC productions (BBC Studios) compared to those being made via smaller independent production companies who may not have a dedicated internal compliance/editorial policy person.

Unscripted directors have commented that on an in-house BBC production there is often a 'kick off' meeting which the director attends, which enables the programme makers to meet the BBC editorial policy team, legal department, in-house compliance team, and the commissioner. They discuss any possible contentious issues that may arise and set the lines of communication for ensuring editorial policy support and transparency, as needed. In contrast, when working for independent production companies, they do not always have access to the same editorial policy support, often relying on passed on information or editorial spec forms, which means any editorial, compliance and legal problems that arise are caught later. This can often result in additional costs and delays to production if they are asked to correct at a later stage.

It was felt that there should be greater access for directors to have early discussions with BBC editorial policy advisors, when working on both in-house and independent productions, in order to identify possible areas of contention that may arise, to help interpret the editorial policy rules, and to agree how/when to access BBC editorial policy guidance or support when needed.

This was also highlighted in relation to 2.3.6:

2.3.6 There are some views and language which may cause serious offence, but a failure to reflect them could have implications for the BBC's impartiality; if there is a risk of causing serious offence or jeopardising impartiality, referral must be made to a senior editorial figure, who should consult Editorial Policy.

The question was raised as to whether, if working for an independent production company, this is referring to a senior editorial figure at the independent production company, or whether it means a senior editorial figure within the BBC. Directors felt that anything this contentious should be a shared responsibility with the commissioner/editorial policy department at the BBC as well as the Executive at the independent production company.

Access to BBC Editorial Policy advice was also raised in relation to **section 2.4.19** of the guidelines concerning the use of AI technology:

***2.4.19** The increasing use of technologies, such as automation or artificial intelligence, may impact the perception or reality of the BBC's impartiality. New technologies may provide editorial or operational benefits, but content makers should also consider the editorial risks presented by any use of AI in the direct creation of content, in supporting editorial production or research, or in the distribution and curation of content. Other issues, including legal, rights, data protection and information security should also be taken into account.*

A senior editorial figure must be responsible and accountable for overseeing the deployment and continuing use of any AI. They should seek advice from Editorial Policy, who may consult the AI Risk Advisory Group, before any decision to deploy the AI.

For independent production companies any proposed use of AI, where there may be a material impact on audience-facing content, should be discussed as part of the commissioning process. A senior editorial figure, who is responsible for compliance within the production team, should be responsible and accountable for its use of AI.

The question was raised in relation to the last paragraph as to whether the BBC should make their experts available to smaller production companies who don't have a dedicated compliance officer, to address issues of editorial compliance relating to the rapidly evolving world of AI.

Other areas of note:

As the training of AI systems is not regulated there may be inherent biases (including prejudices and discrimination) present in any AI generated outputs. It may be worth considering a cautionary sentence as suggested in red below.

***2.3.8** A senior editorial figure must be responsible and accountable for overseeing the deployment and continuing use of any Artificial Intelligence (AI), **and for mitigating the influence of any machine-learned biases that may be apparent in the AI generated outputs from such systems.** They should seek advice from Editorial Policy, who may consult the AI Risk Advisory Group, before any decision to deploy the AI.*

The additional suggested wording for 2.4.33 "*and supporting authorial voices in making it*" (in red below) was suggested to encourage commissioners and production companies to genuinely support a range of authorial and authentic voices to be heard. It was felt that this ambition is often watered down through the production process and needs greater commitment at a higher level to ensure distinctive voices are genuinely encouraged and heard.

2.4.33** Audiences will expect artists, writers and entertainers to have freedom to explore subjects from a particular perspective, to create content that reflects their own distinctive voice and gives them scope for individual expression in drama, entertainment and cultural output. The BBC is committed to offering such content **and supporting authorial voices in making it.

3.3 MANDATORY REFERRALS – The inclusion of guidance on referrals is welcome as it helps direct programme makers to seek editorial guidance on controversial matters. However, without guidance on the timeliness for responding to these enquires, it has raised a concern that delays in receiving a conclusion to a query can have unforeseen impacts to ongoing shoots/edits and subsequently place additional pressure on the programme makers.

It was suggested that whenever consultation with an in-house third party is required the following suggested wording should be inserted “*they should respond within a timely manner, that avoids placing additional strain on the production*”. As shown in the example below in red, however there are many other examples thought the document:

2.4.30 *Exceptionally, there may be circumstances where an individual programme or other BBC content, such as a personal view documentary or a drama, which is not part of a series or long-running or continuous output, may include the expression of a particular or singular view on a ‘controversial subject’, current public policy or a political issue. Any such proposal must be referred to Chief Adviser Politics to ensure it still meets the requirements of due impartiality. They should respond within a timely manner, that avoids placing additional strain on the production’.*

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