

## Audio Commissioning Principles and Process Framework

To deliver distinctive world-class content for our audiences, we work with a broad and diverse range of producers from across the UK who we commission based on the quality of their ideas, our commissioning requirements and our strategic priorities.

Throughout the commissioning process, the BBC aims to commission producers openly and fairly, according to the following principles:

- A commitment to creative competition;
- Equal opportunity for all producers; and
- A transparent, clear and consistent process.

These commissioning principles and the process framework apply in their entirety to BBC network (i.e. national) audio and visualised audio commissioning. This includes all commissioning from network speech, music, sport and children's and education. Audio commissioning from BBC Nations will also abide by many of the principles and processes outlined in this document. Any commitment that is applicable to network radio only is made clear in this document.

### Principle one: A commitment to creative competition

- Commissioners commission the best, most distinctive proposals regardless of producer. They treat all producers equally and fairly, and make final decisions with the needs of audiences, value for money and strategic priorities as their driving considerations.
- Commissioners always consider how best to reflect the diversity, voices and perspectives of the whole of the UK.
- All new network radio commissions are open to competition for all producers, across Speech and Music, subject to any relevant rights restrictions or contractual agreements (e.g. sports rights or technical provision). "New" is defined as an entirely new commissioning opportunity where there is no existing programme brand.
- The BBC runs an open approach to audio and visualised audio commissioning, welcoming distinctive new ideas from all producers outside of formal commissioning rounds.
- A bundle, or batch, of strands or programmes may be used to give scale and certainty to producers, and to reduce resource and commissioning costs. The opportunity to bid for network radio batches is open to all producers. Network radio commits to re-compete batch commissions at least every three years for factual batches and at least every five years for scripted batches.
- Commissioners may cap the number of offers from each producer for a specific slot/brief to manage workload.
- The BBC is not obligated to re-compete or re-tender a title if it has already been subject to a competitive process. If the commissioning need remains the same and the objectives in the commissioning specification are largely achieved, the BBC is likely to re-commission with the existing producer. The BBC may still

decide to tender a title for a number of reasons, including creative renewal, value for money and the BBC's strategic priorities.

- The BBC will continue to ensure that a minimum of 60% of eligible hours across BBC's network radio, measured on an annual basis, will have come into existence through a competitive process.

### **Principle two: Equal opportunity for all producers**

- All producers are invited to offer ideas provided they meet the BBC's minimum editorial and business requirements. BBC in-house production departments, BBC Studios and independent producers have equal opportunity to compete for all new network radio commissions.
- Network radio will use targeted (i.e. closed) commissioning rounds only used in limited circumstances e.g. due to fast turnaround or production locations requirements
- When fast turnaround programmes are required – e.g. an obituary, coverage of an unexpected national, news, or sport event – then a commissioner may directly approach one or more producer with known expertise.
- Briefings to outline a network's programme strategy and commissioning requirements are open to all producers. Commissioners share details of upcoming commissioning opportunities and briefs with all potential producers simultaneously.
- BBC network radio commissioners do not have management responsibilities for BBC production<sup>1</sup>. Heads of production departments within BBC Audio lead and manage BBC bids and do not take part in commissioning decisions.
- BBC Audio and BBC Studios will generally operate side-by-side and not in competition with each other. This will be monitored via data from commissioning rounds - the producers who responded to each commissioning brief, who subsequently reached pitching stage and who won the commission.
- Audience data for any network radio show that has transmitted in the last quarter is shared with independent producers.

### **Principle three: A transparent, clear and consistent process**

- The BBC seeks to ensure that the audio commissioning process is as straightforward and streamlined as possible.

#### **Pre-pitching:**

- The BBC will communicate its major commissioning objectives for its audio services, including BBC Sounds, to all registered producers. Key information on commissioning strategy and production requirements is provided on the BBC radio commissioning website, which is regularly updated. Clear commissioning briefs will be issued.
- Commissioning will use a standard commissioning brief which includes a clear list

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<sup>1</sup> This is not the same within the BBC's Nations, where there is not the same separation between commissioning and production.

of deliverables and clearance requirements. These requirements will have been factored into the programme price. The commissioning brief should also make it clear if the producer will need to opt-in to BBC RSS distribution of the programme.

- Producers should submit programme proposals via PiCoS<sup>2</sup>. All applications are secure and confidential; access to submitted offers is restricted to authorised commissioning staff only. If it is necessary to discuss ideas with a commissioner before submission, then the initial contact should be by email. Emails should be retained by the producer and the commissioner for future reference.

### **Pitching:**

- If a producer is shortlisted and invited to pitch their proposal, then the commissioner will specify the minimum taster materials / information required in the pitch and may place reasonable limits on the duration and complexity of the presentation.
- If presenting talent are already attached to a title, commissioners will inform producers at what stage they can approach that presenter.
- Commissioners will give feedback on major pitches and on ideas where further development has been requested. Feedback on ideas submitted as short proposals but not shortlisted, is unlikely or will be automated.
- Creative and editorial decisions will not be open to review.

### **Production:**

- A creative dialogue is to be expected during the production process. If requests go beyond the agreed editorial scope, this needs to be agreed with the relevant BBC business affairs contact in writing in advance, including any appropriate payment to be made to the producer.
- As far as possible, precise requirements for deliverables are agreed at the point of commissioning. This isn't always possible and changes to deliverable requests may need to be agreed post commission/contracting. If so, this will need to be agreed by both commissioning and/or commissioning representatives (e.g. BBC Sounds) and the production team and payments/contractual amends made as appropriate.
- The commissioner needs to ensure the content is delivered against the editorial specification, before accepting delivery.
- Commissioners will aim to give feedback on transmitted programmes although this will be subject to workload.
- As far as practical, the production company will be given credit for its work in programme listings and BBC promotional material, and on air where space and style allows.

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<sup>2</sup> Note that some of our radio networks are still migrating to PiCoS; Proteus will be used until this migration is completed.

### **Transparency:**

- Commissioners should declare any conflicts of interest according to BBC regulations and will respect commercial and creative confidentiality. See Editorial Guidelines [Section 15: Conflicts of Interest - Introduction](#).
- The BBC publishes an annual Commissioning Report and regular meetings take place between Audio UK and senior BBC representatives. The BBC also conducts a survey of producers on an annual basis to monitor the operation of this framework and how it is being applied.
- This framework will be reviewed on a regular basis.

## **The Audio Commissioning Process Framework (including Visualised Audio)**

The intention of the framework is to ensure that relations between BBC commissioners and all producers are conducted on a fair and transparent basis.

The effective operation of this framework depends upon both the BBC and the producers it commissions being reasonable in their dealings with one another, with both parties abiding by the principles contained in the framework and undertaking to operate them in good faith.

Further detail is provided in the following areas:

- Commissioning timescales
- Editorial Standards, Control and Compliance
- Tenders
- Terms of Trade
- Dispute resolution
- Programme tariffs, prices and payment
- Development
- Distribution
- Business Affairs
- The BBC's expectations of audio producers, including:
  - Diversity and Inclusion
  - Respect at Work
  - Across the UK
  - Sustainability

### **Commissioning timescales**

- Commissioning timescales differ depending on the nature of the commissioning opportunity. Timescales for commissioning rounds will be clearly expressed in the commissioning brief and will allow sufficient time between the round launch and the first submission date for producers to creatively plan.
- For 'ad hoc' audio commissions (i.e. outside of a round), we commit to the following timescales:
  - Acknowledgment of a proposal submitted to PiCoS within **one** week

- Rejection or expression of interest within **six** weeks
- If a title is in paid development and the producer is waiting for a commissioning decision, producers should be kept updated every **two** weeks
- A *firm* “yes” or “no” no more than **20** weeks after submission
- Completion of contract negotiation following a commissioning decision will be undertaken in an appropriate and timely manner
- These timescales may need to be varied from time to time on individual projects by agreement with the producer. In particular, where development is involved, a timetable for such development and the subsequent commissioning decision will be agreed with the producer.
- Cancellation of commissions and / or significant changes to schedules will be communicated in a timely manner.

### **Editorial Standards, Control and Compliance**

- The BBC will have final editorial control over all BBC versions of programmes including all associated deliverables commissioned alongside the programme.
- All programmes including deliverables commissioned by the BBC are subject to all relevant BBC guidelines and compliance procedures including without limitation the BBC's Editorial Guidelines and Fair Trading Guidelines.
- The BBC is a signatory to the Alliance for the Protection of Copyright Code (APC) and respects the ownership of content ideas / formats and unique treatments it is offered. All independent producers commissioned to make programmes for the BBC need to abide by the principles set out in that code for as long as the BBC remains a signatory.

### **Tenders**

- Tendering means the formal tendering of an existing returning series in which IP is to be fully retained by BBC Public Service. The tender is therefore awarded on a “producer for hire” basis.
- The key principles of a tender process are:
  - Transparency
  - Fairness – including giving all the producers access to the same information
  - Non-discrimination
- The Invitation to tender (ITT) must be clear about what the BBC is looking for editorially, the business requirements of the production, the eligibility criteria bidders must meet to take part and the evaluation criteria, and must be explicit about the information available at each stage of the tender process.
- Contracts awarded at the end of a tender will be time limited.
- Tendering is required in the following circumstances:
  - The BBC wishes to change the current producer of the title to achieve significant creative or operational benefits
  - The incumbent producer gives notice that they wish to cease producing a title

- Tendering is not required in the following circumstances:
  - The commissioner works with the incumbent producer to adapt the programme e.g. for creative refresh or to move the title to be made in a different location. Discussions take place as part of BAU and/or when a contract is up for renewal
  - Decommissioning the title and competing the available slot for a new title. The normal commissioning process is therefore followed

## Terms of Trade

- The [BBC's Audio Terms of Trade \(pdf\)](#)<sup>3</sup> set out the standard terms of business offered to all independent producers from whom BBC network radio commissions original audio programming.
- The Terms of Trade have been agreed between network radio and Audio UK and will be reviewed from time to time but not less than once every three years.
- These provisions do not preclude the BBC and an individual producer from concluding an agreement covering a variation to these provisions should they both wish to do so.
- When the BBC commissions an independent producer to make a BBC Owned Format (as defined in the Terms of Trade), the producer will be contracted using an appropriate form of agreement.
- Visualised audio will typically be commissioned under the BBC's Audio Terms of Trade, but we may also agree with producers to commission under alternative rights frameworks where appropriate.

## Dispute resolution

- If a producer is unhappy with how they or their idea has been treated, they should raise this with the relevant commissioning and business team in the first instance
- If the producer feels that their concern regarding the commissioning process set out in this framework has not been fully addressed, they can make a complaint to BBC Content's commissioning supply team within four weeks following the conclusions reached by the commissioning genre
- For a complaint to be accepted it must:
  - Relate to a network (i.e. national) radio idea (including if it was commissioned by sport or children's & education)<sup>4</sup>
  - Have been submitted through PiCoS
  - Relate to an issue where the producer feels that network commissioning has not lived up to the commitments within the ACF
- The commissioning supply team will take an impartial view of the complaint, discuss it with both the producer concerned and the relevant BBC commissioning

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<sup>3</sup> The Audio Terms of Trade do not apply to World Service-commissioned content or content commissioned by the BBC's Nations and Local radio services.

<sup>4</sup> World Service English and Nations/Local commissioning have their own commissioning complaints processes.

or business affairs representative, and seek a resolution. This stage of the process should typically be completed within six weeks. Find further guidance on [Complaints about commissioning \(pdf\)](#).

### **Programme tariffs, prices and payment**

- As set out in the Terms of Trade, the BBC will publish tariff ranges for network radio audio programming. The tariff will set out the range within which the BBC would expect the individual prices for specific programmes within that genre to fall. This is to enable producers to be clear about the BBC's funding commitment for each genre of audio content.
- The full cost of making a programme, including all required deliverables for promotional and marketing purposes, should be included in the price.
- We are considering tariffs for long-form visualised audio.
- The indicative tariff ranges will be reviewed annually and will take into account any relevant factors which might reasonably impact on the prices paid (including increases to upfront fees paid under the BBC's collective arrangements).
- The price that BBC network radio is prepared to pay for a commission will be determined by reference to several key factors including:
  - (i) The editorial brief for the commission as set out in the published commissioning brief;
  - (ii) The expected budget of the programme;
  - (iii) The level of any additional up-front third-party investment for the project to enable the full editorial potential of the project to be realised, that is offered either to the producer or to the BBC ahead of any commissioning decision being finalised.
- The price offered will recognise that the programme budget will include a reasonable and industry standard level of production fee.
- The price will be inclusive of any applicable development funding that may have been paid by the BBC for the project.
- The standard payment terms are as set out in the Terms of Trade, or as otherwise mutually agreed between the producer and the BBC as part of the commercial negotiations for the project.

### **Development**

- Where the BBC receives a programme proposal (audio and visualised audio) which it is agreed requires further development and if the producer requires finance from the BBC for this development then the BBC will:
  - Agree an appropriate budget for such development.
  - Have an exclusive option to develop the programme during this period.
  - Have an exclusive period within which to decide on whether or not to commission the programme.
- If the BBC declines to commission a programme after providing development finance and that programme is commissioned by another broadcaster or service, development costs would need to be repaid in full to the BBC.

## Distribution

- Growing the BBC's owned and operated platforms, including BBC Sounds, is one of the BBC's strategic priorities. This is the primary driver for audio distribution decisions, which include whether a title is exclusive on BBC Sounds and the use of umbrella brands on RSS.
- If an audio title is fully visualised, this will include broader distribution considerations such as rights for iPlayer and YouTube distribution.
- Independent producers retain commercial distribution rights in their programmes. They therefore have the option whether or not to opt into BBC RSS distribution apart from for a limited number of titles for which it is a condition of the commission. Where this is the case this should be made clear in the commissioning brief.

## Business affairs

- The BBC seeks to conduct all transactions with producers in a timely and professional manner and will expect the producer to do the same.
- The BBC will:
  - share relevant BBC rights information with producers in a timely manner (e.g. updates on BBC collective agreements referred to in production contracts);
  - be available to discuss the BBC's position in the event of any difficulties producers are having with contributors and rights holders;
  - maintain confidentiality and not share sensitive information communicated to them by producers.

## The BBC's expectation of producers

We expect all producers to apply the highest professional and ethical standards in their dealings with the BBC. In return, the BBC will apply the same ethical standards of objectivity, integrity, confidentiality, fairness and honesty in dealing with producers.

To be registered as an audio producer to the BBC, it is mandatory for production companies to have the following:

- a valid Data Protection policy
- a Diversity & Inclusion policy
- a Respect at Work policy
- a Health & Safety policy (if your company is larger than five people).

The BBC also requires registered audio producers to have experience in making audio content (or have access to people who have that experience), which has been published in some form (e.g. an active podcast feed) in the past 12 months) – and to be able to demonstrate that experience.

You can read more about our [requirements to be registered](#).

## **Diversity and Inclusion**

We want the BBC to be the best organisation in the audio sector to work for and with, one which reflects the diversity of the UK and where people feel welcomed, appreciated, respected and can be themselves and produce their best work. We want to work with companies that share our [Diversity and Inclusion principles](#).

Producers and commissioners must ensure they are working with a mix of on and off-air talent that seeks to reflect the diversity of the UK's nations and regions and the range of voices, perspectives and experiences from all groups in the country. They should discuss what positive steps can be taken to help the BBC meet its diversity and inclusion targets as laid out in the BBC Diversity and Inclusion strategy, and how they might reflect different perspectives and experiences in content.

We expect a discussion regarding Diversity and Inclusion to take place as part of the pitching process and for it to be recorded in the Commissioning Specification.

Audio UK provides a Diversity and Inclusion policy template for its members which can be found on its website.

## **Respect at Work**

The BBC supports [The Creative Industries Independent Standards Authority \(CIISA\) standards \(pdf\)](#) and expects everyone working with us to do the same.

The BBC does not tolerate any form of bullying or harassment. We are committed to providing a working environment in which the dignity of individuals is respected and action is taken against all forms of inappropriate behaviour. We extend that to the way we work with producers ourselves – as well as to the production companies making shows for us.

A production company working with the BBC must have its own Respect at Work policy addressing dignity in the workplace and should remind everyone who works for them of their obligation to contribute to a respectful workplace and explain how they can raise concerns if they see inappropriate behaviours. The policy should include company processes for making and addressing complaints. It should be shared with all members of the production team when they are engaged.

Find more details on the [BBC's Respect at Work guidance](#).

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## **Across the UK**

The BBC exists to reflect, represent and serve the diverse communities of all of the United Kingdom's nations and regions. We have committed to move 50% of Network Radio and Music spend (including spend on performing groups) from London to locations Across the UK by December 2027.

The principles of our Across the UK strategy are:

- To build closer connections with audiences in all four Nations;
- To re-energise our creativity, teams and talent to better reflect the diversity of the UK; and
- To support the creative economy

We seek to support and champion producers based Across the UK, including via initiatives such as the [Radio Indie Development Fund](#) and helping fund Audio UK's [Audiotrain](#).

## **Sustainability**

[Read more about/find resources on sustainability in editorial content](#)

[Read more about/find resources on sustainability in production](#)

- The BBC is committed to informing and inspiring listeners about how they can take steps towards more sustainable living.
- We ask all producers to consider how their editorial and production methods contribute towards the BBC's Net Zero strategy. Production methods should demonstrate good practice – minimising negative environmental impacts (e.g. from energy, waste, travel) and where possible making a positive contribution.
- Where appropriate sustainability themes should be woven into the editorial – either implicitly or explicitly. Unsustainable portrayals should be avoided in favour of showing more sustainable practices, e.g. if the narrative allows maybe a character takes a train journey instead of a flight, or presenters use re-usable cups instead of disposable ones.