MINUTES OF THE BBC TRUST MEETING

Held on 1 November 2016
by conference call

Present:

Rona Fairhead  Chairman
Sir Roger Carr  Vice-Chairman
Sonita Alleyne  Trust member
Mark Damazer  Trust member
Bill Matthews  Trust member for Scotland
Aideen McGinley  Trust member for Northern Ireland
Nick Prettejohn  Trust member
Elan Closs Stephens  Trust member for Wales
Suzanna Taverne  Trust member
Lord Williams  Trust member

Apologies:

Richard Ayre  Trust member
Mark Florman  Trust member for England

From the Trust Unit:

Alex Towers  Director, Trust
Peter De Val  Head of Legal
Rachel Hallett  Adviser, Governance
Georgina Hodges  Chief Research and Audiences Adviser
Kath MacLeod  Head of Communications
Fran O’Brien  Head of Editorial Standards
Tristan Pedelty  Head of Policy and Charter Review
Gareth Tuck  Head of Finance
The Chairman said the purpose of this meeting was to update the Trust on progress on the Royal Charter, and to seek the Trust’s approval for the BBC to enter into a new Framework Agreement with the Secretary of State.

The Director noted that, shortly before the meeting, the Government had published final draft versions of both the Charter and the Framework Agreement. He summarised the issues that had been raised during debates on the Charter in the House of Lords and House of Commons.

The Head of Policy and Charter noted amendments to the draft Charter. These clarified the BBC Board’s rights and obligations when responding to requests or decisions made by Ofcom; and also that when making such requests or decisions, Ofcom must have regard to the general duties that the Charter places on the BBC.

He spoke about the final draft of the Framework Agreement, in particular clauses covering Ofcom’s duty to assess how proposed changes to BBC services might impact on fair and effective competition. Whilst the final Agreement wording gave greater clarity on the timing and process of such assessments, Trust members asked the Director to pursue an exchange of letters with the Department for Culture, Media and Sport (DCMS), to put on record their understanding of the assurances received from Government that Ofcom should act promptly and the provisions could be changed if unnecessary delays began to feature.

Trust members discussed the proposed Memorandum of Understanding between the National Audit Office (NAO) and the BBC. The Chairman explained that, whilst initial discussions would take place with the Executive Board, the final Memorandum of Understanding should be agreed between the NAO and the new BBC Board once it is appointed. Nevertheless, the Trust could continue to watch progress and raise issues if there were problems. The Trust was pleased to note that the principle of the BBC’s editorial and creative independence had been enshrined in the Charter and Framework Agreement, and would urge the Board to ensure that the Memorandum of Understanding properly protects it.

The Trust agreed that the BBC should enter into a new Framework Agreement with the Secretary of State, and authorised the Chairman and Director-General to sign that Agreement.

Trust members noted that the signed Framework Agreement would
be laid in Parliament, and the Charter would be submitted to Privy Council for the Queen's approval. They discussed what statement the Trust might make on publication of the final documents.

99.8 As representatives of licence fee payers' interests, Trust members were pleased that the final Charter and Framework Agreement broadly reflected the feedback from the public consultation. The Chairman thanked Trust members for their diligence during the Charter Review process, and on behalf of the Trust also thanked Trust Unit staff for their work.