



Draft Referendum Guidelines

Referendum Campaign on Scotland's Constitutional Future

| | | |
|-----------|--|-----------|
| 1. | Introduction | 2 |
| 1.1 | When the Guidelines come into effect | 2 |
| 1.2 | The Referendum Question and the Referendum Period | 2 |
| 1.3 | Principles of the Guidelines | 2 |
| 1.4 | Application of the Guidelines | 3 |
| 2. | Mandatory Issues | 4 |
| 2.1 | Mandatory Referrals | 4 |
| 2.2 | Mandatory Guidelines | 5 |
| 2.3 | Polling Day | 5 |
| 3. | Due Impartiality Covering the Referendum | 5 |
| 3.1 | Broad Balance | 5 |
| 3.2 | Responsibility for achieving broad balance and due impartiality | 5 |
| 3.3 | Coverage of Stories where 'broad balance' may not apply | 6 |
| 3.4 | Language Services | 7 |
| 3.5 | Languages, Images and Analysis | 7 |
| 4. | Debates and Discussions on the Referendum Issue | 8 |
| 4.1 | Strands of Argument and Campaigners declining to take part | 8 |
| 4.2 | Participants in Debates and Discussions | 8 |
| 5. | Coverage of Other Political Issues in the UK During the Referendum Period | 9 |
| 5.1 | Political Issues | 9 |
| 5.2 | Parliaments, Assemblies and Councils | 9 |
| 6. | Online, Social Media and Audience Contributions | 10 |
| 6.1 | BBC Editorial Content | 10 |
| 6.2 | Audience Contributions | 10 |
| 6.3 | Audience Programmes | 11 |
| 7. | Polls and Other Tests of Opinion | 11 |
| 7.1 | Reporting Polls | 11 |
| 7.2 | Commissioning Polls | 12 |
| 8. | Party Leader Interviews | 13 |
| 9. | Polling Day | 13 |

- can operate in as free and creative an environment as possible and
- deliver to audiences impartial and independent reporting of the campaign, providing them with fair coverage and rigorous scrutiny of the policies and campaigns of all relevant parties and campaign groups.

The BBC is required, under the terms of its Charter and Agreement of 2006, to ensure that political issues are covered with due accuracy and impartiality. These Referendum Guidelines supplement the Editorial Guidelines (Chapter 4 “Impartiality” and Chapter 10 “Politics, Public Policy and Polls”). They should, in particular, be read in conjunction with the sections in Chapter 10 on “Reporting UK Election and Referendum Campaigns” as well as “Broadcasting During Elections” which say we must ensure that:

- **news judgements continue to drive editorial decision making in news based programmes.**

Relevant advice is available from the Chief Adviser, Politics.

The Guidelines and the accompanying Guidance are publicly available and the BBC can expect to be held to account for their implementation during the campaign.

1.4 Application of the Guidelines

These Referendum Guidelines apply to any programme or material intended for locations in which audiences will be voting in the Scottish Referendum (ie these Guidelines apply to all UK-wide outlets and to BBC Scotland). They are rooted in the BBC’s Editorial Guidelines, spelling out more specifically the application of those Guidelines in the particular context of this referendum. BBC output which is not directed at audiences in Scotland nevertheless remains under the same obligation of due impartiality in coverage of issues relating to the referendum.

It is the responsibility of each editor, or equivalent senior editorial figure, to ensure that their content producers are aware of how the Referendum Guidelines apply to their output.

Editorial Guidelines (*LINK*) say that any programme which does not usually cover political subjects or normally invite politicians to participate must consult the Chief Adviser, Politics before finalising any plans to do so. In this context, anyone taking an active campaigning role or a public position on the referendum should be regarded in the same way as “politicians”. The reference to the Chief Adviser, Politics applies to such programmes irrespective of what is being discussed (ie even if the topic is not linked directly to the referendum or is not seen as “political”).

News and current affairs output (eg, programmes which do routinely invite politicians to take part) should also take care - especially when live - if they plan to include contributions from politicians or referendum campaigners on topics which are “non-political” and unrelated to the referendum. Such items should not be used to promote either side of the referendum issue.

2. Mandatory Issues

2.1 Mandatory Referrals

- **Any programme which does not usually cover political subjects or normally invite politicians to participate must consult the Chief Adviser Politics before finalising any plans to do so. During the Referendum Period, this includes anyone campaigning in the referendum and any “registered campaigner”.**
- **With the exception of brief news interviews gathered on the day without pre-arrangement, any proposal to interview or profile any of the main party leaders in the UK must be referred in advance to the Chief Adviser Politics. Similarly, offers of interviews from the parties must be referred before they can be accepted. For BBC Scotland, referral in advance should also be made to the Head of News and Current Affairs. (nb this is a mandatory referral from Editorial Guidelines, not just during the Referendum Period).**
- **Any proposal or offer of interviews with leaders of the parties in Scotland should be referred to the Head of News in Scotland, as well as to the Chief Adviser, Politics, in advance.**
- **Any proposal to use a contribution from a campaigner without any corresponding opportunity at some appropriate time for comment or response from the opposing side of the referendum must be referred to a senior editorial figure and the Chief Adviser Politics.**
- **Any proposal to commission an opinion poll on politics or any other matter of public policy for any BBC service must be referred to the Chief Adviser Politics for approval.**
- **Any proposal to conduct text voting on any political issue that could have a bearing on the referendum must be discussed with the Chief Adviser, Politics, as well as being referred to the relevant departmental senior editorial figure and ITACU.**

2.2 Mandatory Guidelines

- **The BBC will not commission voting intention polls regarding the referendum question during the Referendum Period.**
- **There will be no online votes or SMS/text votes attempting to quantify support for or against the referendum issue.**
- **The BBC will not broadcast or publish numbers of e-mails, texts or other communications received on either side of any issue connected to the campaign.**

2.3 Polling day:

- **There will be no coverage of any of the referendum campaign issues on any BBC outlet.**
- **No opinion poll on any issue relating to the referendum may be published.**

3. Due Impartiality covering the Referendum

3.1 Broad balance

Due impartiality is not necessarily achieved by the application of a simple mathematical formula or a stopwatch, but the objective – in a referendum with two alternatives - must be to achieve a proper balance between the two sides. This will be irrespective of indications of relative levels of support. However, referendums are seldom fought purely on the basis of just two opposing standpoints – on each side, where there is a range of views or perspectives, that should be reflected appropriately during the campaign.

Achieving due impartiality during the campaign means finding “broad balance” between the arguments and not necessarily between the designated Campaign Groups. There may be circumstances in which other voices, beyond the formal representatives, are relevant to the arguments: these too should be weighed in terms of the broad balance. The designated Campaign Groups – whilst offering spokespeople to programme-makers and other content producers – cannot dictate who should or who should not appear on BBC output. However, there remains a general obligation of fair treatment to the two Campaign Groups and similar levels of coverage should normally be given to each group during the Referendum Period.

3.2 Responsibility for achieving broad balance and due impartiality

Each editorial area of output – programme, strand, channel etc – will be responsible for ensuring how it achieves an appropriate balance across the campaign as a whole. How that coverage is distributed across the 16 weeks must also be achieved in a fair and appropriate way, but in daily programmes, that will normally mean finding broad balance across each week of the campaign.

For one-off output, due impartiality and broad balance must be achieved within the single programme.

Individual editions of daily programmes or strands should avoid getting out of kilter, unless there is a strong editorial justification:

- there may be days when one side dominates (for instance, because of a particularly high profile event) but in that case, care must be taken to ensure that appropriate coverage is given to any similar or corresponding events organised by the other side;
- where one Campaign Group appears to be making the news (eg an internal disagreement over tactics), that may be reported without necessarily “balancing” coverage for the other designated campaign – providing broad balance is achieved across the campaign as a whole and a consistent editorial approach is taken to such news judgements.

The News Channel and Radio summaries will divide the 24 hour day into appropriate blocks of time and each will aim to achieve due impartiality across a week’s output.

Weekly programmes, or running series within daily sequence programmes, which focus separate items on one side or the other, should trail both forward and backwards so that it is clear to the audience that due impartiality is built in over time.

Due impartiality may be achieved across different programmes or strands on a station or channel – but such an arrangement needs clear sign-posting and should normally be referred to the Chief Adviser, Politics.

3.3 Coverage of stories where “broad balance” may not apply

Where there are significant news stories about individuals or organisations involved in the referendum campaign (but which do not necessarily relate directly to the referendum issue), special care is needed to ensure that they are covered comprehensively and with due impartiality, but also reflect the fact that they are taking place during the Referendum Period. These may fall outside the requirements of “broad balance”, but will depend on the particular circumstances of each case – the priority must be due impartiality, whilst ensuring the audience is

properly informed. The Chief Adviser, Politics, as well as a senior editorial figure, must be consulted before any decision is taken to give coverage only to those associated with one side of the referendum campaign, without similar levels of coverage for the other side.

Similarly, there may be circumstances in which only comments from individuals associated with one side of the campaign may stand alone, where to use those from the other side might appear insensitive or give rise to an inappropriate editorial judgement. This might include interviews about a personal tragedy, a public disaster, or where, for instance, a politician is involved in a newsworthy incident unrelated to the referendum. Any proposal to use a comment in this way must be referred to a senior editorial figure and the Chief Adviser, Politics.

3.4 **Language Services**

There may, in some circumstances, be particular difficulties in achieving broad balance on language services if, for instance, Gaelic speakers are less well represented on one side of the campaign. The priority must be ensuring due impartiality – and such difficulties should not restrict appropriate levels of coverage for the referendum.

3.5 **Language, Images and Analysis**

Content producers must ensure that our use of certain phrases or words, in a particular context, does not inadvertently convey a meaning which may be construed as favouring one side or the other. Where such terms are used, there should be clear attribution. Guidance on terminology and use of language is available from BBC Scotland's Referendum Unit (LINK)

Content producers must take care that one side is not given an undue or unfair advantage in any form, including on-screen images (for instance, through the way posters or rosettes are featured).

The objective of the Guidelines is to give balanced and consistent coverage to the opposing sides in the referendum – that does not prevent the BBC's journalism, where appropriate, from including evidence-based judgements on the progress and content of the Referendum Campaign, for instance, through correspondent two-ways.

In seeking authoritative and impartial voices and research from other organisations outside the BBC and beyond the referendum campaigners, content producers must pay particular attention to their standpoint on independence. Editorial Guidelines (4.4.14) say that programme-makers

“..should not automatically assume that contributors from other organisations (such as academics, journalists, researchers and representatives of charities) are unbiased and we may need to make it clear to the audience when contributors are associated with a particular viewpoint...”

In the context of the referendum on Scottish independence, content producers will need to take all reasonable steps to be sure that contributors are appropriately described, taking account, for instance, of previous public statements on the issue, including comments on social media, how their organisations are funded and the nature of quoted research or polling. *Advice is available from BBC Scotland's Referendum Unit. (link)*

Anyone who is in doubt as to how this applies to their own content should contact the Chief Adviser, Politics.

4. Debates and Discussions on the Referendum Issue

4.1 Strands of Argument and Campaigners declining to take part.

Programmes should have regard for ensuring fair treatment and due impartiality in matching contributors from opposing sides. Where appropriate, they will need to take account of differing strands of argument on each side, especially if they are holding a series of discussions or debates.

Neither side in the referendum campaign should be able to exercise a right of veto on debates or discussions by declining to take part. However, this does not weaken the BBC's obligation of due impartiality in ensuring the audience is informed of both or all strands of argument.

If one side of the campaign declines to take part, output producers must take all reasonable steps to ensure the audience is presented with relevant and appropriate material from both sides of the referendum debate.

4.2 Participants in Debates and Discussions

In making editorial judgements about who might represent each side of the issue, content producers should be aware that how they do so – for instance, in discussions between party politicians and non-party campaigners – may itself have an influence on how each side is portrayed and, therefore, have an effect on due impartiality. Taking account of the extent of their coverage, content producers should plan, where appropriate, to reflect a range of such voices – and combinations of voices – across the campaign.

Although there will be occasions when programmes will, for justifiable editorial reasons, want to reflect each side of the argument by using only party politicians and on other occasions by using non-party campaigners, there is no obligation to match each side in that way on every occasion, providing there is fair treatment overall and editorial justification.

Programmes may decide to use either party politicians or other representatives (eg business people, columnists, academics – non-party campaigners). There is no

requirement for balance between the parties in discussing the referendum issues, though the general obligation for fair treatment, breadth of opinion and due impartiality remains.

The choice of contributors to represent each side of the debate will be made on editorial grounds, but care must be taken over the course of the campaign to ensure that any one individual or perspective – or any one strand of argument – is not unduly favoured at the expense of other parties or perspectives.

For political discussion programmes which are expected to cover both referendum issues and other separate political matters, producers need to ensure that broad balance is achieved across the campaign on the referendum, as well as meeting the general obligation for due impartiality. Specific advice should be obtained from the Chief Adviser, Politics.

5. Coverage of other political issues in the UK during the Referendum Period

5.1 Political issues

The cut and thrust of other political stories, regarding, for example, the economy, foreign affairs, the consequences of the European elections etc, will continue during the referendum campaign. These should be covered in the normal way, with content producers having regard for the general requirement of due accuracy and impartiality, but also aware of any possible influence of other political coverage on the referendum campaign.

In particular, content producers of UK-wide output should take care in considering whether material relating to issues in the rest of the UK, which may not appear to have direct relevance to the referendum debate, does have some bearing in Scotland which may be perceived as relating to the constitutional issues.

Where prominent campaigners have other roles – political or non-political – care should be taken to ensure that they do not gain an unfair advantage in the referendum campaign. Where, for instance, an interviewee (such as a Minister or shadow Minister at Westminster) is discussing a separate political issue and makes a significant reference to the referendum campaign, content producers may need to take steps to ensure there is appropriate balance. It may be necessary for producers – especially in live output – to remind contributors, when they have been invited to take part in items which are not connected to the referendum, to limit their comments to those issues.

5.2 Parliaments, Assemblies and Councils

Coverage of the Westminster and European Parliaments and the Assemblies in Wales, Northern Ireland and London should also continue normally, as should coverage of local government business. However, any issues relating to the referendum which are discussed in these bodies must be reported with care to ensure due impartiality. Issues central to the referendum are likely to be discussed in the Scottish Parliament, as well as in Scottish councils – they should be reported fully and with particular care in ensuring due impartiality.

Relevant advice is available from the Chief Adviser, Politics.

6. Online, Social Media and Audience Contributions

6.1 BBC Editorial Content.

The same guidelines as those for programmes will apply to BBC Editorial content on all bbc.co.uk sites. These will apply to audio and video content as well as text content, e.g. blogs, podcasts and downloads, as well as any social media identified with the BBC, including material that appears on sites operated by third parties.

BBC editorial staff and anyone involved in producing referendum related content must avoid compromising the BBC's impartiality or bringing the BBC into disrepute by their activities, such as by expressing their own views on political matters, either on personal websites or social media, eg personal Twitter accounts.

6.2 Audience contributions

Audience contributions offer immediacy and interactivity to the BBC's output both broadcast and on the web. These contributions are an expression of opinion and are not an indication of the weight of opinion on one side or another of a question. The range selected for inclusion must be chosen to achieve due impartiality, not by the weight of audience activity.

Audience contributions may come by text, social media message or email, or some other interactivity mechanism, including "vox pop". They may be unsolicited, or they may arise from calls to action, in either broadcast output or online. However we receive them, content producers should be rigorous about establishing the origins of material offered as audience contributions and take responsibility for their authenticity. It may be necessary to verify that a contribution apparently from an individual in the public eye is genuine.

All web pages prompting debate on the election will be actively hosted and properly moderated to encourage a wide range of views. Those parts of the BBC's online presence which do not normally engage in political issues should seek advice from the Chief Adviser, Politics, before doing so.

If contributions are edited for length, care should be taken to ensure that the contributor's opinions are fairly and accurately represented.

Content producers should be particularly alert to organised campaigns or lobbying by parties, campaign groups, or people acting on their behalf. If mass mailings or other organised lobbying is suspected during the Referendum Period, contributors may be asked to provide contact details for verification purposes. The bbc.co.uk escalation strategy must be activated immediately, and it may be necessary, for example, to put a message board into pre-moderation or read-only mode.

There will be no online votes attempting to quantify support for a campaign, party, politician or policy issue during the Referendum Period, nor should other quantitative methods, such as a count of the number of texts or social media contributions, be used to assess the level of support.

Producers must ensure that text votes are not translated into anything that could be construed either as a representation of public opinion as a whole, or the BBC's opinion. Any proposal to conduct text voting on any political issue that could have a bearing on the referendum must be discussed with the Chief Adviser, Politics, as well as being referred to the relevant departmental senior editorial figure and ITACU.

Journalists and moderators will have to make fine judgements between remarks that constitute robust debate and personal abuse. The general rule of thumb should be if we would not broadcast it on radio or TV, it should not be online. Filters for harm and offence and personal abuse will operate as usual, but they should not be relied on as a substitute for effective moderation.

Unless specifically hosting referendum discussions, non-news sites should direct users who want to discuss the referendum in message boards or comments to appropriate areas of the news site such as political blogs or relevant news articles. All referendum-related discussion areas on bbc.co.uk must have appropriate moderation, filtering, hosting and escalation in place.

6.3 Audience Programmes

Any programme covering the referendum and planning to use a (studio) audience contributing to the discussion should consult the Chief Adviser, Politics regarding the selection processes and how to achieve due impartiality. All such procedures must stand up to public scrutiny.

7. Polls and other tests of opinion

This section of the Referendum Guidelines should, where appropriate, be read in conjunction with [Chapter 10 of Editorial Guidelines](#) and the Editorial Policy Guidance "[Opinion Polls, Surveys, Questionnaires, Votes, Straw Polls](#)", published in February 2008 and available on the Editorial Policy website.

7.1 Reporting Polls

During the campaign our reporting of opinion polls should take into account three key factors:

- they are part of the story of the campaign and audiences should, where appropriate, be informed about them;
- context is essential, and we must ensure the accuracy and appropriateness of the language used in reporting them;
- polls can be wrong - there are real dangers in only reporting the most “newsworthy” polls – i.e. those which, on a one-off basis, show dramatic movement.

So, the general rules and guidance about reporting polls need to be followed. They are:

- not to lead a news bulletin or programme simply with the results of a voting intention poll;
- not to headline the results of a voting intention poll unless it has prompted a story which itself deserves a headline and reference to the poll’s findings is necessary to make sense of it;
- not to rely on the interpretation given to a poll’s results by the organisation or publication which commissioned it, but to come to our own view by looking at the questions, the results and the trend;
- to report the findings of voting intention polls in the context of trend. The trend may consist of the results of all major polls over a period or may be limited to the change in a single pollster’s findings. Poll results which defy trends without convincing explanation should be treated with particular scepticism and caution;
- not to use language which gives greater credibility to the polls than they deserve: polls “suggest” but never “prove” or even “show”;
- to report the expected margin of error if the gap between each side is within the margin. On television and online, graphics should *a/ways* show the margin of error where applicable;
- to report the organisation which carried out the poll and the organisation or publication which commissioned it;

to take particular care with newspaper reviews. A single poll should not be the lead item in a newspaper review and should always be reported with a sentence of context (e.g: “that’s rather out of line with other polls this week”).

No opinion poll on any subject relating to politics or the referendum may be reported on polling day from 00.01 until after the polls have closed.

7.2 Commissioning Polls

The BBC does not commission voting intention opinion polls during election or referendum campaign periods (ie.the BBC will not commission voting intention polls on the referendum question during the Referendum Period). Editorial Guidelines say “any proposal to commission an opinion poll on politics or any other matter of public policy for any BBC service must be referred to the Chief Adviser Politics for approval”.

Care must be taken to ensure that any poll commissioned by the BBC is not used to suggest a BBC view on a particular policy or issue. A poll may be commissioned to help inform the audience’s understanding of a current controversy, but it should not be used to imply BBC intervention in a current controversy.

8. Party Leader Interviews

The BBC’s Editorial Guidelines set out that any proposal to interview or profile the main party leaders in the UK must be referred in advance to the Chief Adviser, Politics. Similarly, offers of such interviews from the parties must be referred before any can be accepted. This mandatory reference is particularly important during the Referendum Campaign; in addition, such interviews with leaders of the parties in Scotland, should also be referred to the Head of News in Scotland, as well as to the Chief Adviser, Politics.

9. Polling Day

There will be no coverage of any of the issues relating to the referendum on polling day, from 6am until polls close at 10pm on TV, radio or bbc.co.uk. However, online sites will not have to remove archive reports. Coverage will be restricted to factual accounts with nothing which could be construed as influencing the vote.

No opinion poll on any issue relating to politics or the referendum may be Published on polling day from 00.01 until after the polls have closed.

Further information and advice from....

Ric Bailey
Chief Adviser, Politics

07889 852195
0208 00 81805
ric.bailey@bbc.co.uk