

EDITORIAL POLICY GUIDANCE NOTE LIVE OUTPUT

(Last updated: October 2010)

EDITORIAL GUIDELINES ISSUES

This guidance note should be considered in conjunction with the following Editorial Guidelines:

- **Accuracy**
See Editorial Guidelines Section 3 Accuracy
- **Impartiality & Diversity of Opinion**
See Editorial Guidelines Section 4 Impartiality & Diversity of Opinion
- **Harm & Offence**
See Editorial Guidelines Section 5 Harm & Offence
- **Privacy**
See Editorial Guidelines Section 7 Privacy
- **Children & Young People as Contributors**
See Editorial Guidelines Section 9 Children & Young People as Contributors
- **War, Terror & Emergencies**
See Editorial Guidelines Section 10 War, Terror & Emergencies
- **Editorial Integrity**
See Editorial Guidelines Section 14 Editorial Integrity and Independence
- **The Law**
See Editorial Guidelines Section 18 The Law

SUMMARY OF MAIN POINTS

- Live programming, by definition, cannot be fully complied in advance. As such, we must take care to minimise the possible risks.
- Such risk include causing harm and offence; giving undue prominence to products, organisations or services; or creating legal problems.
- This applies to anyone appearing live on-air or online from contributors and presenters to the live audience.

- Once a risk is identified, there mitigation processes should be put in place. This might involve monitoring output at all times or possible moving a programme from post to pre-Watershed.
- Special guidance is in place for when we invite our audiences to interact with our live output.
- Hard and fast rules to deal with individual incidents are not practical. There is, however, general guidance to deal with problems such as strong language, national & international emergencies, impartiality and product placement.
- Once off-air, Programme Editors should debrief the production team and report the incident to the Output Controller, Head of Department or Director, normally within 24 hours.
- Editorial Policy and/or Programme Legal Advice should be informed.
- Action may also have to be taken regarding future re-broadcast or publication online to avoid legal or reputational problems

GUIDANCE IN FULL

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Introduction

This document has been produced by the BBC's Editorial Compliance Working Party to provide you with detailed guidance about how to minimise the risks of "going live".

It is recommended that you tailor this document to reflect the specific needs of your output area and that you detail within it your own referral procedures.

It is also recommended that you produce a "check list" for prominent display in studios/galleries /scanners which details agreed procedures in the event of a serious problem occurring live on air. It should also list office and out of hours contact numbers for senior editorial figures to consult about such issues.

Your compliance manager is available to offer advice about a check list and referral procedures.

This guidance note should be read in conjunction with BBC Editorial Guidelines. In cases of doubt, further assistance can be sought from the duty Editorial Policy Adviser by telephoning 020 8008 1819 or BBC extension (02) 81819.

Overview

We broadcast large numbers of live programmes, including rolling news, radio phone-ins, sporting fixtures and events and other national and international events.

As it is not possible to guarantee the compliance of live programmes in advance of transmission we should take special care to minimise the risks involved such as inadvertently causing harm or offence, giving undue prominence to products, organisations or services or creating legal problems. This applies to anyone appearing live on air or online including our contributors, our own presenters, journalists and reporters, commentators and analysts, and even the live audience.

The risks of live broadcasting may include:

- the inappropriate use of strong language;
- the inadvertent inclusion of strong language in song lyrics (both English and foreign language versions), film clips, poetry readings, extracts from literature and so on;

- issues of portrayal including racism and national stereotyping;
- broadcast of derogatory or libellous comments;
- failure to achieve impartiality;
- misleading of audiences;
- detailed and inappropriate identification of child contributors;
- undue prominence of a product, for example, a film, book or sponsors logo;
- unexpected and potentially inappropriate coverage of injuries and loss of life in national or international emergencies;
- inappropriately graphic or insensitive coverage of sporting fatalities or severe injuries;
- failure to alert viewers who may have photosensitive epilepsy to the inclusion of editorially justified flashing images or strobing.

Although every live programme is different this guidance provides advice to try and ensure we minimise the risks of going live.

Editorial Policy Knowledge

We should try and maximise the editorial policy knowledge of production staff, journalists and presenters to help them make the best judgements in a live situation.

Presenter(s) should be equipped to handle the demands of the programme they are presenting as well as being able to extricate it from a difficult situation with speed and courtesy.

The most up-to-date version of the BBC Editorial Guidelines, along with Editorial Policy advice notes, are available [here](#). The guidelines are also in book form.

All new BBC staff employed on contracts of three months or longer must attend “Upfront” a BBC induction course which includes a session on the BBC Editorial Guidelines.

In addition, there are a range of short training modules available that help with understanding of different aspects of the Editorial Guidelines. These can be accessed from the relevant sections of the Editorial Guidelines website.

Editorial Policy and Programme Legal Advice

The Editorial Policy team is available to offer advice to all content producers on how to interpret and work within the Editorial Guidelines 24 hours a day. The earlier a potentially contentious programme is referred the better. The BBC has its own programme lawyers, the Programme Legal Advice department (PLA) who should be consulted as early as possible about content which may run legal risks.

For new programme teams it may be useful to arrange a briefing session to discuss planning and ways of minimising compliance risks. It should be attended by all the relevant production staff, including presenter(s) and the Editor responsible for the output. It may also be useful to invite colleagues from Editorial Policy and Programme Legal Advice, depending on the complexity of the potential editorial and legal issues raised by the programme.

Where appropriate, the Editor should circulate a note after the briefing session summarising the advice given and procedures to be followed in the event of a problem occurring in the live output.

Referral Procedures

All members of a production team should be aware of the editorial issues which need to be referred to the editor as well as those issues which must be referred (mandatory referrals) normally to Editorial Policy, Heads of Department, Output Controllers, and Directors.

All members of the production team of a live programme should be clear about who has the final editorial control, who is monitoring the output, who is in charge of the gallery/scanner/studio, talkback procedures and so on.

In some circumstances it may be appropriate to establish links with the key playout/presentation editors on the day and also to ensure there is a standby programme in the unlikely event that a live programme has to be abandoned.

Briefings

The presenter(s), contributor(s) and production team should be briefed on editorial issues that may pose a risk prior to the live broadcast. For example, difficult or controversial subjects such as dealing with child abuse or euthanasia which could involve issues of privacy including anonymity, fairness and harm or offence.

Where appropriate a note should be made of the advice given and other actions taken. For example, logging that song lyrics have been checked for suitability for the likely audience and time of day and noting any agreement made with the singer/band about replacement words if there is a language issue.

If the briefing involved legal advice any note should indicate the subject of the legal issue, for example, contempt, privacy and so on, but it should not detail the advice given.

It may also be appropriate to remind people that we should avoid putting phone-in contributors straight on air and that phone-ins are not a vehicle for the personal opinions of presenters, who have obligations to be impartial.

Monitoring of Live Output

We should assess the risk of a problem arising in our live output. It is equally important to make this assessment for a local radio phone in, a high profile event like a big music festival or sporting fixture, or breaking news story of a sensitive nature, for example, a school siege or a plane hijack.

To try and minimise the risk we should consider whether a member of the production team should be nominated to monitor the live output. It should be someone who can react quickly and effectively in the event of a problem.

If a significant risk is identified then the proposed live output should normally be referred to a senior editorial figure, and if appropriate the relevant Output Controller, Head of Department or Director, in order to consider ways in which to minimise that risk. This may include:

- appointing someone to be responsible for monitoring the output at all times. They should have easy access to the senior production team and the presenter. In the event of a problem they should be able to authorise a broadcast apology or use of the studio to pull away from a performance, should inappropriate strong language occur unexpectedly;
- considering whether it is more appropriate to broadcast live material which has the potential to cause offence post-Watershed rather than pre-Watershed, or when children are less likely to be in our radio audience. This would clearly depend on the BBC having editorial control in relation to, for example, choice of acts, running orders and the material to be performed.

There may be very rare occasions when the BBC as the host broadcaster of an event does not have a say in the choice of acts, their running order or the material to be performed. When such constraints apply and we identify a significant risk, for example in the case of a high profile live event featuring particular performers or bands known for their use of strong language, then unusually we may need to consider whether it is appropriate to implement a short delay to allow time to dip strong language when broadcast pre-Watershed or when children are particularly likely to be in our radio audience.

The decision to implement any delay must be taken in the full knowledge that this is not normal BBC practice.

Audience Interactivity including Competitions, Votes and Awards

When we invite our audiences to interact with our live output, it is important to ensure that they are treated with respect, honesty and fairness. Interactive competitions and votes must be handled with rigorous care and integrity, in accordance with the BBC's *Code of Conduct for Competitions and Voting*

Live programmes proposing to include competitions, voting or awards must complete an Approval Form and have this authorised by the relevant Controller (or equivalent) before going on air.

(See Guidance: Audience Interactivity)

All live output areas should read and follow this prior to including audience activity in their content.

Additionally, all staff who are to be involved in the running of competitions and votes must have undertaken the relevant face-to-face and online training prior to doing so.

How To Deal With A Serious Incident In A Live Broadcast

It is important that everyone involved in a live programme is adequately prepared for dealing with a serious incident if it arises. However, as every incident will be different, hard and fast rules are not practical. The following are examples of ways of dealing with some of the problems which may arise:

- Harm and Offence
- Strong Language
- Offensive Comments
- Streakers
- Sporting Fatalities and Severe Injuries
- Demonstrations, Disturbances and Riots
- National and International Emergencies
- Obituaries
- Threats and Hoaxes
- Factual Errors
- Children
- Impartiality
- Sponsorship and Product Placement
- Defamation
- Flashing Images, Strobings and Photosensitive Epilepsy.

Harm and Offence

See Section 5 of the BBC Editorial Guidelines for how to deal with Harm and Offence issues.

(See Editorial Guidelines Section 5 Harm and Offence)

Strong language

We should make an on-air apology at the earliest opportunity if the strongest language is used ('fuck' or its derivatives, 'motherfucker', or 'cunt') pre-Watershed or when children are particularly likely to be listening.

We should normally dip the sound and/or move to a different camera if there is an outburst of the strongest language, for example, by a competitor, referee or spectators at a sporting event. We should normally avoid showing close-ups where the strongest language may be easily lip-read, unless it is clearly editorially justified.

We should consider whether it is appropriate to give an apology at the end of the programme if it was not possible to give one within the programme itself.

If strong language is used inappropriately on radio the producer should normally make sure the presenter apologises. It may also be necessary, depending on the incident, to play a music track, or move onto another live or pre-recorded item.

Whilst this is being broadcast the producer should remind the presenter/contributor of their responsibilities and issue a first warning. If the interview is resumed and once again strays into unsuitable language or subject matter, it may be appropriate to create a "cooling off" period and issue a second and final warning. It should be made clear at this stage that any further breaches will result in the interview being brought to an immediate end.

It should also be noted that strong language can be a particular source of offence in subtitles, so care is required in relation to live subtitling.

Offensive Comments

If offensive comments are expressed during live interviews, the interviewer should normally intervene, challenge the comments where appropriate and/or distance the BBC from the comments. If this doesn't happen we should make an on-air apology at the earliest opportunity. Potentially offensive comments include remarks that may be interpreted as, for example, racist, sexist, homophobic, prejudiced against a religious group, or reflecting an unflattering national stereotype. If offensive comments are made when, for example, football fans chant racist abuse we should consider making an on-air apology for broadcasting the comments.

Streakers

If a streaker interrupts a sporting event or other outside broadcast we should normally only show wide angles and when editorially justified.

Sporting fatalities and severe injuries

We should avoid showing replays of the incident until the extent of the injury is known and close-up shots should be used with discretion. Commentary should reflect the seriousness of the incident but avoid speculation.

If the injury occurs to an animal, for example in a race horse, we should show wide angles where possible and avoid unnecessary replays of the incident.

Demonstrations, Disturbances and Riots

Sometimes events and sporting fixtures are the focus of protest which occasionally turns violent and escalates into a riot situation. Our main coverage should be the event itself, although where the protest has materially affected the running of the event then it will normally be editorially justified to reflect this in our coverage.

However, we should try and avoid inflaming the situation and showing graphic scenes of violence, particularly in close-up.

We should consider the time of transmission and the likely audience.

National and International Emergencies

When a live non-news programme finds itself covering a major incident or disaster it will usually be appropriate to hand over to BBC News, although staff may well be asked to continue operating cameras and directing.

If News does not take over editorial control, we should apply the following principles:

- report the facts and avoid speculation
- source our information, for example, “the police have released the following casualty figures”
- take care with language. Our credibility is undermined by the careless use of words which carry emotional or value judgements. The word “terrorist” itself can be a barrier rather than an aid to understanding. We should try to avoid the term, without attribution
- ensure, as far as is reasonably practicable, that names of people who have been killed, injured or are missing are not broadcast unless we

are satisfied that next of kin have been informed. There may be exceptions for prominent figures

- balance the public interest in full and accurate reporting against the need to be compassionate and to avoid any unjustified infringement of privacy. It is rarely justified to broadcast scenes in which people are dying. It is always important to respect the privacy and dignity of the dead. We should avoid the gratuitous use of close ups of faces and serious injuries or other violent material
- avoid putting people who are injured or grieving following an accident or disaster under pressure to provide interviews.

Obituaries

This guidance does not include any information about the procedure to be followed in the event of the death or suspected death of a member of the Royal Family or other major international figures. It is important that individual output areas are conversant with their own rules concerning the treatment of obituaries.

Threats and hoaxes

We should not normally report incidents until we have confirmed whether they are genuine bomb threats or merely hoaxes unless they are having a serious and evident effect, such as a major and very visible disruption of a high profile live sporting event.

Then we should make a careful judgement about the need to inform and warn the public, against giving publicity to the perpetrators.

If we receive a bomb warning or other credible and specific threat the first priority is to pass it on to the appropriate authorities. We must not reveal the current code-words normally used by groups giving bomb warnings.

Factual errors

If it is established during a live programme that a factual error has been made and we can accurately correct it then we should admit our mistake clearly and frankly. Saying what was wrong as well as putting it right can be an important element in making an effective correction. Where the inaccuracy is unfair, a timely correction may dissuade the aggrieved party from complaining. Any serious factual errors or potential defamation problems should be referred immediately to Programme Legal Advice.

Children

When children appear live on air it is important that careful consideration is given to the following:

- issues of informed consent;
- advice given to children before they go on air, for example, in relation to not normally identifying themselves beyond a first name and not swearing;
- Production of a studio checklist detailing what to do in particular circumstances, for example, if a child admits to taking drugs, smoking or alcohol presenters could say *“Smoking/drugs/alcohol can harm you and you may be breaking the law. We can give you numbers of organisations that might be helpful after the programme.”*

Impartiality

Due impartiality lies at the heart of the BBC’s standards. It is a core value and no area of programming is exempt from it. It is vital that any package or interview broadcast during a live event is impartial and fair. Care should be taken to ensure that there is no suggestion of bias. This can be achieved by careful casting and ensuring the presenter/interviewer is properly briefed to conduct a robust interview.

Sponsorship and Product Prominence

Where an event televised by the BBC has been sponsored by an outside body we need to strike a balance between reasonable on-air reflections of sponsorship and undue prominence. We should try and minimise the impact of signage and logos as much as possible by the appropriate framing and duration of shots.

Defamation

If we broadcast anything that harms the reputation of an individual, a group, or an organisation we may be sued for defamation. The risk exists whether the defamatory statements are scripted or spoken off the cuff. Subject to the defence of innocent dissemination (the “live defence”), the BBC can be liable, as broadcaster, regardless of who makes the defamatory comments. Any potential defamation problem should be dealt with immediately by referring the matter to Programme Legal Advice. It may be appropriate for the presenter to attempt to defuse the situation and distance the programme from the defamatory remarks. Depending on the circumstances, an apology or correction may also be appropriate but when dealing with a potentially defamatory situation advice from PLA must be sought before any action is taken. An inappropriate apology or correction could exacerbate the defamation or create a new one.

Flashing images, strobing and photo-sensitive epilepsy

If we are proposing to broadcast live on television a press conference or any other event which may be attended by stills photographers using flashes then we should consider giving a verbal, and if appropriate, a text warning at the start of the event to minimise the risk to viewers who have photo-sensitive epilepsy.

What To Do When You Come Off Air

Programme Editors should, as soon as reasonably possible, debrief the production team and report the incident to the Output Controller, Head of Department or Director. This should normally be achieved within 24 hours.

Editorial Policy and/or Programme Legal Advice should be informed about any particularly sensitive problems and whether an apology has been made and other actions taken. A legal issue must be reported to Programme Legal Advice. If a written note of the incident is made then it should only indicate the subject of the legal issue, for example, contempt and privacy, without giving specific details. The press office should also be informed.

Live events are often repeated in highlights programmes and are increasingly available on various 'On Demand' platforms (for example on the Radio Player, Interactive Television, Video On Demand or the iPlayer). Programme Editors should ensure that any derogatory remarks which caused concern on transmission are edited from any repeat or online provision. Where a defamatory remark has been made, programme editors should ensure they comply with all legal advice given. It is also the responsibility of the programme editors to ensure that, where appropriate, programmes with unexpected legal issues are not repeated or made available 'On Demand'.

Programme Editors should also ensure that any strong language or other particularly challenging material (such as nudity or violence) is appropriately edited or labelled for any repeat or 'On Demand' provision of the programme. Repeat programmes must be appropriate for their slot. For instance, strong language must not be repeated pre-Watershed on television.

To ensure that the appropriate label is given for 'On Demand' provisions, or to ensure an unedited version is not made available online,

For Television content:

- Immediately you become aware there is an issue with the programme, contact the Playout Editor in Red Bee Media on 020 849 55001 (from a BBC building call 0680 55001). The Playout Editors are located in Playout 1 of the Broadcast Centre which is staffed 24 hours a day. They will, if necessary, contact the relevant TV Compliance Manager for advice about the appropriate guidance label to use and will then

instruct the EPG Scheduler (also based in Playout 1) to implement the change;

- Inform ASAP the On-Demand Scheduler on 020 822 59163 (02 59163) or mobile 07900 928 536.

For Radio & Music content:

- Immediately contact the Duty Executive for the network concerned;
- If there is any difficulty in contacting them, call the Broadcast Duty Manager (02 54899)

Other BBC Editorial Guidelines Relevant To Live Output

- The BBC is obliged by law to keep recordings of all broadcast output including programmes, trails and continuity announcements: television for 90 days and radio for 42 days;
- The BBC should not normally use live unscripted two-ways to report allegations;
- In cases of hijacking, kidnapping, hostage taking and sieges:
 1. we do not interview a perpetrator live on air;
 2. we do not broadcast any video and/or audio provided by a perpetrator live on air;
 3. we broadcast recordings made by perpetrators, whether of staged events, violent acts or their victims, only after referral to a senior editorial figure;
 4. we may install a delay when broadcasting live material of sensitive stories, for example a school siege or plane hijack. This is particularly important when the outcome is unpredictable and we may record distressing material that is unsuitable for broadcast without careful editing or contextualisation.
- When reporting live from demonstrations, disturbances and riots we cut away and record material for use in an edited report, if the level of violence or disorder becomes too graphic, or we may install a delay;
- Any proposal to feature people in a live broadcast without their knowledge, whether in person or on the phone for comedy and entertainment programmes, (including wind-up calls) must be approved in advance by Director, Editorial Policy & Standards;
- Any proposal to broadcast live an unsolicited call from a prisoner must be referred to a senior editorial figure or for Independents to the commissioning editor who may consult Director, Editorial Policy & Standards;
- We should follow the Ofcom guidance referred to in rule 2.12 of the Ofcom Broadcasting Code to minimise the risk to viewers who have photo-sensitive epilepsy which may be triggered by flashing images or strobing. However in live output when such content is unavoidable and editorially justified but impossible to remedy technically, for example a news report or press conference featuring flash photography, it may

not be reasonably practicable to follow this guidance. In such rare cases we must give our audience a verbal and, if appropriate, a text warning at the start of the live programme or live programme item.