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## Referendum on UK's Membership of the European Union - 23 June 2016

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### Notes on S4C Programme Guidelines

#### 1. Preface

The Referendum on the UK's membership of the European Union will be held on 23 June 2016 ("the referendum"). This guidance applies to any programme or material broadcast which is intended for any location where audiences can vote in this referendum.

In the period from **15<sup>th</sup> April 2016** up to **23<sup>rd</sup> June 2016** producers are reminded of the need to ensure compliance with:

- **S4C Programme Guidelines** (especially sections 4, 5 and 7) available on Web pages
- **Ofcom Broadcasting Code** (especially sections 5 and 6)

In addition, guidance notes are available on Ofcom's website, which offer additional guidance in the implementation of the requirements:

<http://stakeholders.ofcom.org.uk/broadcasting/guidance/programme-guidance/bguidance/>.

Producers should refer any uncertainty about the implementation of relevant guidelines to the relevant S4C Commissioner in the first instance. It is the Commissioner that should be consulted when so requested in the notes below.

This guidance is effective from **15<sup>th</sup> April 2016** until the end of the voting period on **23<sup>rd</sup> June 2016**. This is the "referendum period" referred to below.

#### 2. Referendum Period

- 2.1 Producers need to familiarize themselves with the referendum's list of designated organisations so that the producers have advance warning of issues that might arise in connection with the appearance of certain individuals in their programmes. The designated organisations lead the campaigns (for or against) while other campaign groups may be registered as "permitted participants". In addition, it is possible for any individual to campaign without registering. Information on designated organisations, permitted participants and referendum periods can be found on the website of the Electoral Commission, <http://www.electoralcommission.org.uk/cymru>.
- 2.2 Producers should be aware that the S4C Programme Guide (especially section 5) includes, in this context, restrictions on individuals appearing on S4C who represent one of the designated organisations, namely lead activists or permitted participants, whether before or during the referendum period. S4C wishes to avoid a situation where the main campaigners or permitted participants appear in apolitical programmes during the referendum period, or as in section 5.5 of the S4C Programme Guidelines, where a face or editorial person promotes the views of one group on a question that is the subject of the referendum.
- 2.3 During the period between 15<sup>th</sup> April 2016 and 5<sup>th</sup> May 2016 the referendum period and the election period for the National Assembly for Wales Elections 2016 and Police and Crime Commissioner Elections will overlap. During this period each producer is expected

not only to comply with these Guidelines, but also must comply with the Guidelines for National Assembly for Wales Elections 2016 and Police and Crime Commissioner Elections. In complying with both Guidelines, producers must ensure due impartiality is achieved in regards to both the election and the referendum.

The Guidelines for National Assembly for Wales Elections 2016 and Police and Crime Commissioner Elections can be found [here](#).

- 2.4 Each producer is expected to notify the appropriate S4C Commissioner immediately if it is suspected that one of their contributors, even if where a programme has already been recorded, is a lead activist or permitted participant in the referendum. No new appearances of such individuals should be to be organized during the referendum period.
- 2.5 The two groups leading the campaigns for and against have not yet been identified by the Electoral Commission. These will be published here <http://www.electoralcommission.org.uk/cymru>.
- 2.6 No lead campaigners or permitted participants should act as news presenters, interviewers or presenters of any programme during the referendum period. It is important that S4C is notified as far in advance as possible if any of the channel's presenters intends to be a lead campaigner or permitted participants.
- 2.7 Any discussion and analysis of the issues of the referendum should end when the ballot boxes are opened and it cannot restart until the polls have closed.

### **3. Impartiality and Fairness - the Political Parties**

- 3.1 Due weight must be given to the coverage of the designated organisations during the referendum period.
- 3.2 Producers will also need to give due attention to permitted participants and other significant perspectives. The most important guideline in determining 'due prominence' is contemporaneous evidence of significant support or divisions within the designated organisations.
- 3.3 This does not mean that the exact amount of time should be given to all points of view but due impartiality and fairness should be secured over the duration of the referendum period. The intention is to ensure a reasonable balance between the two sides of the debate. But in practice a range of views will emerge during the referendum period and producers should ensure that these views are represented in a balanced way.

### **4. Programmes - General Points**

- 4.1 The purpose of the electoral guidelines is to establish a framework that enables producers and journalists to present information in an impartial and thorough way, but also to create the circumstances in which they can act as freely and as creatively as possible.
- 4.2 It is the responsibility of Producers and editors to ensure that they are aware of how these guidelines apply to their programmes. In any event of uncertainty, please consult the Commissioner.

- 4.3 Save for during the National Assembly election period, all elected bodies such as the National Assembly, the House of Commons, and local councils, will continue to operate during the referendum period. In giving attention to these bodies, producers need to be aware of the potential effects on the referendum campaign. Any impact on the campaign should be made clear to viewers and producers will need to be especially careful that they follow the rules of impartiality where politicians e.g. Assembly Members, Westminster MPs and local councillors or activists who are not permitted participants, give opinions on issues which are relevant to the referendum.
- 4.4 In discussing any major news story that might occur during the referendum period any relevant political element in that story must be treated in a way that reflects the fact that it is being broadcast during a referendum period. The precise way of achieving this depends on the specific circumstances of each case.
- 4.5 Any party leader should not be asked for an interview to discuss the referendum without consulting with the relevant Commissioner S4C in advance.
- 4.6 Coverage should avoid giving an unfair advantage to any lead campaigners or permitted participants, for example, by interviewing prominent individuals or any activist in front of posters or similar material which supports the position of the designated organisations or permitted participants in the referendum.
- 4.7 The S4C Commissioner should be consulted before arranging an audience for a programme in order to discuss the method of selecting the audience to ensure impartiality.

## **5. Political and Electoral Programmes**

- 5.1 All bulletins, programme or series, as well as online services, must ensure impartiality in relation to the designated organisations throughout the whole campaign. If only one programme is broadcast, impartiality must be achieved within that programme. In a series, it can be achieved across more than one programme.
- 5.2 In any series that addresses the referendum in more than one programme, viewers should be reminded of content that has already been broadcast, and content yet to come in the series, to make it clear that impartiality will be achieved over time.
- 5.3 Where the election periods of the National Assembly for Wales Elections 2016 and Police and Crime Commissioner Elections overlap with this referendum, producers must be aware that they must take steps to ensure there is an appropriate balance in certain scenarios. For example if a campaigner in the referendum has another role and is discussing a separate political issue, they must be reminded that they should limit any comments to just that political issue and not the referendum.

## **6. Other Programmes**

- 6.1 The Commissioner should be consulted in advance in the case of any apolitical programme which does not usually discuss political issues or invite politicians to contribute, before proceeding to discuss any content relating to the referendum.
- 6.2 Each of the guidelines in this document apply to these programmes as well.

## **7. Polls**

- 7.1 The Commissioner should be consulted in advance before commissioning any opinion polls regarding the referendum.
- 7.2 Any opinion surveys over the phone, online, by text or by other means, which aim to support the views of designated organisations or permitted participants in the referendum should not be arranged.
- 7.3 Details of the number of calls, emails, text messages or any other messages that are received on any aspect of the referendum campaign should not be broadcast.
- 7.4 It is not permitted to publishing a poll on any issue of the referendum on polling day until after the polls have closed. While the poll is still open it is an offence to broadcast anything about the way people voted.
- 7.5 It is acceptable to draw attention to polls in reporters' packages and reports after the ballot boxes have closed, but they should not be given undue weight.
- 7.6 Producers should be especially careful with vox pops during a referendum period. Producers should ensure that it is clear to the viewer that such interviews do not indicate the strength of opinion on the subject, but rather give colour to the debate. The producer should consider the location of vox pops and should ensure that they represent different aspects of the debate.

## **8. Online**

All guidelines for television programmes apply equally to all material relating to the referendum appearing on an S4C website or any website linked to the S4C website or S4C programme.

## **9. Online and Social Media**

- 9.1 All guidelines for television programmes apply in the same way to all material relating to the referendum on the web and social media.
- 9.2 Faces and Editorial Persons (as defined in the S4C Programme Compliance Guidelines) should not compromise S4C's impartiality or integrity by expressing opinions on matters relating to the referendum on websites or personal accounts on social media. Producers are reminded of the S4C Guidelines on Use of Social Media in this regard.

## **10. Procedure to deal with complaints, comments and political inquiries**

- 10.1 The aim of the Code of Practice on S4C Complaints is to ensure that complaints are dealt with as quickly and as comprehensively as possible. You can make a complaint by contacting the S4C Viewers' Hotline through our website, by telephone, or by mail or by email. [http://www.s4c.co.uk/c\\_complaint\\_procedure.shtml # ID3](http://www.s4c.co.uk/c_complaint_procedure.shtml # ID3) )
- 10.2 If a production company receives any complaint, comment or query on a political issue by an individual, party or organization involving an S4C programme or service, it should be sent immediately to Elin Morris, Director of Commercial and Corporate Policy, S4C,

Parc Ty Glas, Llanishen, Cardiff, CF14 5DU (029 20 7414 79; elin.morris@s4c.co.uk)  
rather than attempt to answer it themselves.