

## **Notes on S4C Programme Guidelines**

### **1. Introduction**

The National Assembly for Wales Election will be held on Thursday, May 5th, 2016. The elections for the Police and Crime Commissioners will be held on the same day.

In the period leading up to the election, producers are reminded of the need to ensure compliance with:

- S4C Guidelines on Programme Compliance, Conflict of Interest and Political Interests (S4C Programme Compliance Guidelines)
- The Ofcom Broadcasting Code (particularly parts 5 and 6, and the Guidance to part 6)

These notes provide additional guidelines for the implementation of those requirements. Producers should refer any uncertainty about the operation of the guidelines to the relevant Content Commissioner at S4C in the first instance. That is the person who should be consulted when the following notes call for consultation. A number of the following comments refer to the pre-election period as well as the election period itself. This document is relevant for both the National Assembly for Wales Election and the elections for the Police and Crime Commissioners.

### **2. The election period and candidates**

- 2.1 The official election period for the National Assembly for Wales Election starts at the point when the dissolution of the National Assembly is announced, and continues until the end of polling day. The National Assembly for Wales Election period will begin at 00.01 on Wednesday 6th of April 2016 and will end at 22.00 on Thursday 5th of May 2016. The election period for the Police and Crime Commissioners elections will begin at 00.01 on Wednesday 30th of March 2016 and will end at 22.00 on Thursday 5th of May 2016.
- 2.2 Campaigning starts before the official election period and therefore we are already in a politically sensitive period in relation to S4C programme content. Producers therefore need to advise us in advance of any plans to use guests in their programmes who have an obvious connection with any political party, and particularly if the person is likely to be a candidate in the election. This comes into effect immediately and applies to S4C content from now until the end of the election.
- 2.3 Producers need to be familiar with the latest list of candidates in order to be aware in advance of problems which may arise with individuals appearing on their programmes.
- 2.4 Producers are reminded that S4C's Programme Compliance Guidelines (particularly section 5) include limitations on politicians or political candidates appearing on S4C, whether before or during an election period. S4C wishes to try and avoid a situation where candidates appear in 'non-political' programmes during the election period. Every producer is expected to advise S4C at once if there is any possibility that any of their contributors, even in programmes recorded in advance, will be a candidate in the election. No 'new' appearances should be organised during the election period.

- 2.5 The final list of candidates will not be available until nominations close on Thursday 7th of April 2016. During the period before that, there will be a need for particular care in relation to contributors who have expressed an intention to stand for election, or who are likely to do so.
- 2.6 In any report which refers to a list of candidates before nominations close, it should be explained that this is the list 'to date'. Any such report should also refer, at the least, to an online list of all candidates who are standing.
- 2.7 Candidates are not permitted to act as news presenters, interviewers, or presenters of any sort of programme during the election period. It is important that S4C knows as far in advance as possible if any of the channel's presenters intends to become a candidate.
- 2.8 There will be no discussion or analysis of election matters on polling day between 00.30 until the polling booths have closed at 22.00. Any coverage will be factual only with nothing which could influence the ballots.
- 2.9 During the period between the 15 April 2016 and 5 May 2016 there will be an overlap between the election period for these elections but also the referendum on UK's membership of the European Union. During this period, producers must also take account of S4C's EU Referendum Guidelines and ensure that due impartiality is achieved in relation to both the elections and the referendum. The EU Referendum Guidelines can be found using the following [link](#).

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

- 3.1 Due weight must be given to the treatment of the main parties during the election period. In Wales, S4C considers the main parties to be the Conservative Party, the Labour Party, Plaid Cymru, the Liberal Democrats and UKIP.
- 3.2 Appropriate coverage must also be given to other parties and independent candidates, whose opinions and views are important. The most important factors in deciding on 'appropriate coverage' are the level of support in previous elections, new parties or divisions within parties, opinion poll data and any additional evidence of current support. The number of candidates which a party fields in an election may also be a factor.
- 3.3 This does not mean that exactly the same amount of time has to be given to everybody nor that every party has to be included in every item, but due impartiality and fairness has to be ensured throughout the election period as a whole.

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

- 4.1 The purpose of election guidelines is to establish a framework which enables producers and journalists to present information in an impartial and thorough way, but also to operate in as free and creative a fashion as possible.
- 4.2 Producers should be aware of the matters of policy which have been devolved to the National Assembly for Wales and which are relevant to the National Assembly for Wales, i.e. those matters which will be talking points in the electoral campaign for all parties. Policing and crime will be obvious matters under discussion in the Police and Crime Commissioner elections.

- 4.3 A number of other elected bodies, such as the Houses of Parliament and local councils, will continue to operate during the election period. In giving normal coverage to these, producers need to be aware of possible effects on the election campaign. It should be made clear to the viewers if any story impacts the campaign, and it will be necessary to be particularly careful to follow the impartiality rules if politicians who are not candidates are talking about matters which are relevant to the election, e.g. Members of Parliament, Members of the European Parliament, and local councillors.
- 4.4 In discussing any major news story which may arise during an election period, any political element in that story has to be treated in a way which reflects the fact that we are in the middle of an election campaign. The exact means of achieving this will depend on the specific circumstances of each case.
- 4.5 In considering the Police and Crime Commissioner Elections, for example, in order to ensure unbiased programmes, where a news story deals with crime or policing, more time than usual can be given to the politicians who deal closely with the matter in hand, full reports can be provided on statements issued in order to explain to the viewers the full context of the discussion and, on some occasions, an explanation on the internal arguments within parties can be reported. Producers will need to take care in including statements from high ranking officers and others that are involved in crime and policing matters.
- 4.6 In cases where candidates are talking about duties or activities which are not part of the election campaign, it should be ensured that they do not gain any unfair electoral advantage over other candidates.
- 4.7 The order in which parties receive coverage in programmes or packages is an editorial matter, but in a series, the order should be varied, if possible.
- 4.8 No interview should be requested with any party leader, without consultation with the relevant Content Commissioner at S4C in advance.
- 4.9 There should also be advance consultation if there is any intention to use a contribution by a politician without giving an opportunity to other parties to respond.
- 4.10 Giving an unfair advantage to any candidate should be avoided, for example by interviewing prominent individuals who support a particular candidate, or if they are wearing a rosette with the name of the candidate, or being interviewed in front of posters or similar material which carries the name of the candidate.
- 4.11 There should be consultation before organising an audience for a programme, in order to discuss the selection of the audience and ways of ensuring impartiality.

## **5. Political and election programmes**

- 5.1 Every bulletin, programme, or series, as well as online services, should ensure impartiality towards parties and candidates, across the whole campaign. If only one programme is broadcast, this must be achieved within the programme. In a series, it can be achieved across more than one programme.
- 5.2 Any series covering the election in more than one programme must remind the audience of content which has already been broadcast, and of content which is to follow in the series, in order to make it clear that impartiality is being achieved over a period of time.

## **6. Constituencies and Regions**

- 6.1 In reports or studio discussions on constituencies, it is possible to use either the candidates or party representatives. As a rule, if one candidate takes part, an opportunity must be offered to candidates of the other main parties as well, and to any candidate - whether a party candidate or an independent candidate - who has received significant electoral support in the past, or where there is evidence of current significant support, in the constituency.
- 6.2 If any candidate is unable to take part, the opportunity should be offered to a representative of the party in the constituency, explaining to the viewers why the candidate is unable to contribute. Where the candidate cannot speak Welsh, then the opportunity may be offered to a candidate in another constituency or another party representative. If the candidate or the party refuses to take part, it is still possible to proceed with the item, but in terms of fairness, steps should be taken to ensure that differences of opinion on constituency matters are reflected.
- 6.3 No candidate should be allowed to make any comment about his or her constituency - in any programme - on any matter when other candidates are not given a similar opportunity. Candidates who are taking part in live televised discussions should be reminded that they are not allowed to refer to constituencies. If they do that, they must be stopped at once.
- 6.4 Every report or discussion about constituencies which is broadcast after the close of nominations must include a list of all of the candidates standing. Such list should include first names, surnames, and any party affiliation, or the fact that they are independent candidates. This can be communicated as audio and/or pictures. In this situation, referring viewers to a website is not adequate.
- 6.5 Sometimes it will be possible for a candidate to contribute to a programme without a contribution from the other candidates in the same constituency. This can happen in a package or discussion on one of the election issues, as long as the candidate does not refer to matters in his or her own constituency, and as long as the other main parties, whether through candidates or representatives, also contribute to the item.
- 6.6 If attention is given to electoral regions or constituencies, rules 6.1 and 6.5 above will be relevant in relation to offering candidates an opportunity to take part in the programme. In these circumstances, a list of all parties that have a candidate in the region or constituency should be provided to the viewer through audio or visual means, but there is no need to list individual candidates. However, any independent candidate who is not standing for a party must be named.
- 6.7 In relation to programmes that include items regarding the Police and Crime Commissioner Elections, producers should take care to ensure that the inclusion of contributions by parties that have candidates in all or some constituencies does not result in unfairness to other candidates (e.g. independent candidates) which are standing in a single constituent.

## **7. Other Programmes**

- 7.1 Any 'non-political' programme which does not usually discuss political matters or invite politicians to contribute, must consult with the Content Commissioner in advance before proceeding to organise any political content.
- 7.2 All of the guidelines in this document apply to these programmes as well.

## **8. Opinion Polls**

- 8.1 The Content Commissioner should be consulted in advance before commissioning any opinion poll on politics or other public issues.
- 8.2 During the election period, no opinion polls should be organised by telephone, online, by text, or through any other medium, which attempt to measure support for politicians, parties, or issues on which parties have policies.
- 8.3 During the election period, no details should be broadcast about the number of calls, e-mails, text messages, or any other messages which have been received about any aspect of the election campaign.
- 8.4 No opinion poll is allowed to be published on any election matter on election day until the polling booths have closed. While polling booths are still open on that day, it is an offence to broadcast anything about the way people have voted.
- 8.5 It is acceptable for journalists to draw attention to opinion polls in packages and reports (but not while the polling booths remain open), but they should not be given too much weight. It is important to use appropriate language when referring to opinion polls e.g. the polls "suggest" NOT "prove" or "show".
- 8.6 There is a need for particular care with vox pops during an election period. It must be made clear that such interviews are not a sign of the strength of opinion on an issue, but are rather contributions which add colour to the debate. Care is also needed on the location of the vox pops, and ensuring that they represent different aspects of the debate.
- 8.7 The origins of materials offered as audience contributions should be rigorously investigated and producers should take responsibility for their authenticity. Contributors must be described clearly, especially where such contributions come from candidates.

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

- 9.1 All guidelines for television programmes apply in the same way to all election material 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 political issues on websites or personal accounts on social media. Producers are reminded of the S4C Guidelines on Use of Social Media in this regard.

## **10. Dealing with complaints, comments, and political enquiries**

- 10.1 The S4C Code of Practice for complaints ([http://www.s4c.cymru/c\\_complaint\\_procedure.shtml](http://www.s4c.cymru/c_complaint_procedure.shtml)) aims to ensure that complaints are dealt with as quickly and as fully as possible. A complaint can be received through the website, over the phone, through the Viewers' Hotline, or by post.
- 10.2 If a production company receives any complaint, comment, or enquiry on a political matter from an individual, a party, or an organisation which relates to an S4C programme or service, they are expected to forward them immediately to:  
Elin Morris, Corporate and Commercial Director, S4C, Parc Tŷ Glas, Llanishen, Cardiff, CF14 5DU (02920 741479; [elin.morris@s4c.cymru](mailto:elin.morris@s4c.cymru)) rather than attempt to respond themselves.