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### **NUJ briefing on the governance of the BBC**

*The NUJ is the voice for journalism and for journalists across the UK and Ireland. It was founded in 1907 and has 30,000 members. It represents people who work for the BBC and all sectors of the media, including staff, students and freelancers.*

- The NUJ believes many of the recent problems in the BBC were caused by the top managers of the organisation being totally disconnected from the journalists and creative programme makers at the corporation. This includes scandals such as the £100m Digital Media Initiative disaster. That is why the NUJ called for staff to be part of whatever governing structure replaced the BBC Trust. A report by the CMS parliamentary committee report also supported staff representative on the body to oversee the BBC. Staff rang the alarm bells when things went wrong, but nobody listened. The new structure should be democratic and accountable. It should include representatives of BBC staff and representatives of the licence-fee payer.
- Whistle-blowers must be allowed to report perceived misdemeanours. The BBC said of its whistle-blowing policy in its response to Dame Janet Smith's review following the Savile scandal: "The aim of the policy is to encourage anyone, whether internal or external to the BBC, to report suspected wrongdoing. It provides guidance as to how to raise any such concerns in an appropriate, effective and confidential way detailed below. All allegations are investigated, primarily by the BBC Investigations Service or by other relevant functions such as Internal Audit or BBC People depending on the nature of the allegations." Staff must feel they can approach the BBC and its board with confidence that there will be no repercussions if they want to raise concerns about the corporation.
- The new governing structure would have to be completely independent of government and part of its role would be to maintain that independence – although subjected to scrutiny by select committees and Parliament. The BBC Trust

- Any new governance structure should take the role of a watchdog to hold to account the BBC, in terms of its workforce and quality of current affairs and programming and to ensure the corporation represents the diversity of its licence-fee payers in front and behind the camera/microphone. It should have access to sanctions if diversity targets are not met.
- There will be five government appointees (including the chair) and four BBC representatives. Director general Tony Hall said there will also be five other independently appointed non-executive directors. The charter says these will be appointed by the board itself (see section 24), and "the non-executive members of the board must, with the agreement of the secretary of state, select one of their number to serve as senior independent director" (section 21). The union believes that this is not an independent structure. Furthermore, the secretary of state has the right to appoint an acting chair of the board if the post of chair is vacant (charter article 22 (6)), and the unfettered right to determine the remuneration of all non-executive board members (articles 27 (3) and (4)).
- The NUJ wants additional safeguards to ensure that members of the board are appointed on merit without political interference or cronyism. The following extract suggests that the new board will be bound to the will of Ofcom, this is likely to discourage people from applying and it is not appropriate for the regulator to be permitted to interfere with matters of governance. "Where it appears to the board that there is a conflict between their obligations under this charter, the framework agreement and the operating framework with any request or decision made by Ofcom, the board must comply with the request or direction made by Ofcom." (Charter, article 20 (8))
- The union has concerns that unitary structure of the new BBC board will make it easier for editorial interference, which was safeguarded under the structure of the BBC board.