HOUSE OF LORDS

Select Committee on Communications

2nd Report of Session 2014-15

Women in news and current affairs broadcasting

Ordered to be printed 7 January 2015 and published 16 January 2015

Published by the Authority of the House of Lords

London: The Stationery Office Limited

£price

The Select Committee on Communications

The Select Committee on Communications was appointed by the House of Lords on 12 June 2014 with the order of reference "to consider the media and the creative industries".

Membership

The Members of the Select Committee on Communications are:

Baroness Bakewell Baroness Healy of Primrose Hill

Lord Best (Chairman) Lord Horam

Lord Clement-Jones The Bishop of Norwich

Baroness Deech Lord Razzall

Lord DubsBaroness Scotland of AsthalBaroness FookesLord Sherbourne of Didsbury

Baroness Hanham

Declaration of interests

See Appendix 1

A full list of Members' interests can be found in the Register of Lords' Interests: http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests

Publications

All publications of the Committee are available at: http://www.parliament.uk/hlcommunications

Parliament Live

Live coverage of debates and public sessions of the Committee's meetings are available at: http://www.parliamentlive.tv

Further information

Further information about the House of Lords and its Committees, including guidance to witnesses, details of current inquiries and forthcoming meetings is available at: http://www.parliament.uk/business/lords

Committee staff

The staff who worked on this inquiry were Anna Murphy (Clerk), Nicole Mason (Second Clerk), Helena Peacock (Policy Analyst) and Rita Logan (Committee Assistant).

Contact details

All correspondence should be addressed to the Communications Committee, Committee Office, House of Lords, London SW1A 0PW. Telephone 020 7219 6076/8662. Email holcommunications@parliament.uk

CONTENTS

	Page
Chapter 1: Introduction	7
Our inquiry	7
Overview of the current situation for women in news and current	ıt
affairs broadcasting	7
Female employees	7
Female experts	9
Available data	9
Comparisons in Europe and beyond	10
Female employees	10
Female experts	11
Representation of women outside news and current affairs	
broadcasting	11
News and current affairs broadcasters—a particular	4.0
responsibility?	12
Public Service Broadcasters' responsibilities	13
Acknowledgments	14
Chapter 2: Current obligations and measures	15
Legal and regulatory framework	15
Equality Act 2010	15
Equality and Human Rights Commission	16
Communications Act 2003	16
The Broadcasting Training and Skills Regulator (BTSR)	18
Broadcasters' policies	18
Voluntary measures	19
Box 1: Creative Diversity Network	19
Box 2: Other measures to achieve gender equality	20
Chapter 3: Women's employment in the industry	22
Recruitment policies	22
Caring responsibilities	24
Freelance workers	26
Older women	28
Where are all the older women?	28
Why do we need older women on air?	31
Culture	32
Chapter 4: Women as experts and participants	34
Representation of female experts	34
Why is this a potential problem?	35
A lack of female experts in society?	35
Barriers to equality of representation?	36
Voluntary initiatives to address the imbalance	38
Portrayal of women in broadcast news and current affairs	39
Box 3: Ratio of expert interviewees by topic	39
- × -	
Chapter 5: Making a change	41
Current voluntary measures and broadcasters' policies: are they	
working?	41
Monitoring and transparency Transparency	42 42
LI ALISUAL CHEV	42

Role of Ofcom and the Broadcast Equality and Training Regulato	r
(BETR)	43
Box 4: Cost of data collection	44
Quotas and mandatory measures	45
Appendix 1: List of Members and declarations of interest	52
Appendix 2: List of witnesses	54
Appendix 3: Call for evidence	56
Appendix 4: Glossary	58

Evidence is published online at http://www.parliament.uk/women-in-news and available for inspection at the Parliamentary Archives (020 7219 5316)

Q in footnotes refers to a question in oral evidence

SUMMARY

Watching or listening to a news broadcast might give the impression that there are plenty of women involved in news and current affairs broadcasting. On the surface women appear to be well represented. However, a closer look at the statistics shows that, despite making up 51 per cent of the population and a larger proportion of the TV and radio audience, women are severely underrepresented both on and off air in news and current affairs broadcasting. A recent study showed that, in the UK, there were three male reporters on flagship news programmes for every female one. The situation is even worse for women as experts: in a 2010 study, women made up only 26 per cent of experts or commentators.

We are particularly concerned about the representation of women in news and current affairs broadcasting because of the genre's wide reach and role in shaping public perceptions about society. In our view, news and current affairs broadcasters have a particular responsibility to reflect society by ensuring a gender balance. This is especially incumbent on the BBC and other Public Service Broadcasters which receive statutory benefits.

There are a number of obstacles to the progression of female employees in the industry. The fast-paced, responsive nature of news and current affairs broadcasting presents difficulties for those with caring responsibilities, largely women. Broadcasters could address this by doing more to promote flexible working. We were also told that sexist bullying still exists in the industry, and that older women in the sector have experienced particular discrimination. We have not been able to test fully all of these allegations, but condemn any such attitudes and practices. We urge broadcasters to take further steps to ensure they are eradicated. We also recommend that job and promotion opportunities are awarded on the basis of fair and open competition.

We believe the current situation is unsatisfactory, and needs to be addressed. This cannot be done without a robust body of data. The current monitoring system, where data are not collected routinely or in comparable formats, is insufficient. Ofcom should require broadcasters to collect annual, comparable gender equality data on permanent and freelance staff, categorised by age, role and genre. Ofcom should also require broadcasters to set their own short, medium and long term targets for the use of experts, which should be monitored. This proactive use of Ofcom's powers should be reviewed in one year. If the situation has not improved, Ofcom should consider delegating its powers to promote gender equality to a new body with this as its focus.

Gone are the days when women were seldom heard or seen in news and current affairs broadcasts. Nevertheless, in this era of equality we were surprised and disappointed at how much further broadcasters, Ofcom and the Government have to go to achieve genuine gender balance.

Women in news and current affairs broadcasting

CHAPTER 1: INTRODUCTION

Our inquiry

- 1. Women make up 51 per cent of the population of the UK,¹ but they are underrepresented in many areas of the media. We acknowledge that there are other groups who are not proportionately represented in the media such as disabled people and black and minority ethnic people. These are, however, minority groups. It is the underrepresentation of the majority of the population that is the subject of this inquiry.
- 2. We have focused on women in news and current affairs broadcasting, rather than the representation of women in the media as a whole, because of the genre's wide reach and important role in shaping public perception and national life.
- 3. We were motivated to undertake this inquiry because we believed that there was a problem in the industry which did not appear to be being addressed. Although the small number of high-profile female appointments mean that, on the surface, the issue appears to have been resolved, in reality, statistics show that there is more work to be done.
- 4. We recognise that the underrepresentation of women is an issue in business and society more broadly and that there is a continuing need for gender equality to be improved in many public and private sector organisations.

Overview of the current situation for women in news and current affairs broadcasting

5. There have long been concerns about the representation of women in television and radio news and current affairs broadcasting with respect to employment, casting and participation. Studies have focused on two key issues: the first is the representation of women who work within the broadcasting industry on news and current affairs—either on air (as presenters or reporters) or behind the scenes (in newsgathering production or corporate affairs). The second issue is the representation of women as experts on news and current affairs programmes.

Female employees

6. At first glance the statistics on the representation of women are encouraging. Data from the BBC showed that 48.8 per cent of their total workforce were women; and 47.5 per cent of those working in the field of news and current affairs broadcasting were women.² ITN and ITV had similar numbers of

Office for National Statistics, '2011 Census': http://www.ons.gov.uk/ons/rel/census/2011-census/population-and-household-estimates-for-the-united-kingdom.html [accessed 7 January 2015]

² The total BBC workforce and News and Current Affairs figures cover the period August 2013–September 2014. Written evidence from the BBC (<u>WNC0021</u>).

female staff.³ Figures from Creative Skillset,⁴ a UK-wide strategic skills body, showed that in television, women represented 51 per cent of the newsgathering and presentation workforce and 44 per cent of the production workforce.⁵ In radio, these figures were 44 per cent and 38 per cent respectively. Academics have acknowledged that the representation of women in news and current affairs has been improving, albeit at a slow rate.⁶

- 7. Nevertheless, a closer look at what women are actually doing in news and current affairs broadcasting shows that they are still significantly underrepresented in key areas and roles.
- 8. The Global Media Monitoring Project (GMMP)⁷ has, since 1995, collected data on the representation of women in news media across the world. Its 2010 report monitored 108 countries over one day (10 November 2010), and found that, although women made up around 51 per cent of presenters in the UK, they were underrepresented as news reporters, making up only 30 per cent of television reporters and only 36 per cent of radio reporters.⁸ Furthermore, it has been well documented that although women make up a significant share of broadcasters' workforces, they are underrepresented in flagship news. One study showed that there were three male reporters in flagship news for every female reporter.⁹ Data from Sound Women, a network set up to promote women in radio, indicated that women presenting alone are more likely to be on air at weekends than during the week, and that during peak time breakfast and drive time hours, only 1 in 8 solo voices on radio was female.¹⁰
- 9. Statistics showed that women tended to cover "softer" news stories. For example, the 2010 GMMP study showed that in the UK women made up only 15 per cent of reporters covering news stories related to government and politics, and only 27 per cent of reporters covering stories related to the economy, while they made up 48 per cent of reporters covering stories related to "celebrity, arts, media and sports." 11
- 10. Evidence from Creative Skillset also suggested that women are less well represented at senior levels in production and corporate roles in television and radio broadcasting.¹² This picture was reinforced by a 2011 report by the International Women's Media Foundation (IWMF)¹³ which looked at
- Written evidence from ITV (<u>WNC0017</u>) and ITN (<u>WNC0014</u>)
- 4 Creative Skillset is a UK-wide strategic skills body that works with employers, individuals, trade associations, unions, learning and training providers, Government and other key organisations to ensure that the UK's Creative Industries have access now, and in the future, to the skills and talent they require.
- Written evidence from Creative Skillset (<u>WNC0015</u>). These figures represent a snapshot of the gender balance across the industry over one day (4 July 2012) for editorial journalism and sport.
- 6 Karen Ross and Cynthia Carter, 'Women and news: a long and winding road', Media, Culture and Society, vol. 33, (2011) p.1149: http://mcs.sagepub.com/content/33/8/1148.abstract [accessed 7 January 2015]
- 7 Global Media Monitoring Project, Who makes the news? (2010): http://www.genderclearinghouse.org/upload/Assets/Documents/pdf/gmmp_global_report_en.pdf [accessed 7 January 2015]
- 8 Ibid.
- 9 City University website, 'Women on Air': http://www.city.ac.uk/centre-for-law-justice-and-journalism/projects/women-on-air [accessed 7 January 2015]
- 10 Written evidence from Sound Women (<u>WNC0005</u>)
- 11 Who makes the news?
- 12 Written evidence from Creative Skillset (WNC0015)
- 13 International Women's Media Foundation, Global Report on the Status of Women in the News Media (2011): http://www.iwmf.org/wp-content/uploads/2013/09/IWMF-Global-Report-Summary.pdf [accessed 7 January 2015]. It should be noted that this study also included gender balance in the print media, which is outside the scope of this inquiry.

the representation of women in the television, radio and newspaper media. It found that in the UK, women working in the news media faced a "glass ceiling" that was fixed at the junior professional level. It also found that in terms of salary, women in the UK were compensated at rates relatively similar to those of men at the "average low range" but were seriously under compensated at most "average high" salary ranges.¹⁴

11. The view that a "glass ceiling" prevents women from reaching senior positions in news and current affairs broadcasting is borne out by the BBC's figures for women in leadership positions. Despite the fact that women make up almost half the BBC's total workforce, they represent only 37.3 per cent of the leadership in network news and 35.1 per cent of leadership in global news. Figures from Ofcom, the regulator for broadcasting and telecommunications, show that this is reflected in the industry more widely; in 2010 women made up 43.9 per cent of the total industry workforce, but only 36.2 per cent of senior managers and 26.2 per cent of board members. In Chapter 3 we consider the underrepresentation of women as employees in the broadcast news and current affairs industry in more detail.

Female experts

- 12. Women are also poorly represented as experts. The 2010 GMMP study found that, in the UK, women made up only 26 per cent of the people interviewed as experts or commentators and 26 per cent of those interviewed as spokespersons. A recent report found that, in a typical month, about 72 per cent of BBC 'Question Time' contributors were men and 84 per cent of reporters and guests on Radio 4's Today programme were men. We recognise that for some expert interviews, for example with the current Prime Minister, it is not possible to select a woman.
- 13. We consider in detail the problems faced by women as experts in Chapter 4.

Available data

- 14. Although the figures give an indication of the situation for women in news and current affairs broadcasting, it is difficult to get an accurate picture. Broadcasters provided us with their own data on the gender of their employees and experts, but they collected the data in different ways and used different metrics. For example, the BBC categorised the data according to gender and department, while other broadcasters categorised the data according to gender and role. The broadcasters also used different role categories. This made comparison difficult.
- 15. Some witnesses argued that this lack of comparable data posed a problem for building solutions to the issue of gender balance in news and current

¹⁴ Global Report on the Status of Women in the News Media

The figures for leadership in Network News and Global News are taken from the BBC's Employee Information Appendices Profile Data for the year up to September 2013. Written evidence from the BBC (<u>WNC0021</u>)

¹⁶ Written evidence from Ofcom (WNC0007)

¹⁷ Who makes the news?

¹⁸ Fawcett Society, Sex and Power 2013: Who Runs Britain? (2013): http://www.fawcettsociety.org.uk/wp-content/uploads/2013/02/Sex-and-Power-2013-FINAL-REPORT.pdf [accessed 7 January 2015]

Written evidence from ITN (<u>WNC0014</u>), Sky (<u>WNC0003</u>), ITV (<u>WNC0017</u>), BBC (<u>WNC0021</u>) and Channel 5 (<u>WNC0008</u>)

²⁰ *Ibid*.

affairs broadcasting.²¹ We address this problem and possible solutions to it in Chapter 5.

Comparisons in Europe and beyond

Female employees

- 16. Respondents observed that in some countries outside the UK women were better represented in news and current affairs broadcasting.
- 17. Dr Cynthia Carter, senior lecturer at the Cardiff School of Journalism, Media and Cultural Studies, Cardiff University, told the Committee that, "Nordic countries,²² especially Sweden and Norway, are somewhat more successful than the UK in terms of gender representation on screen and in the production of news, current affairs and factual broadcasting".²³ She cited the 2011 IWMF report, which showed that women were found to occupy 43.3 per cent of the senior professional jobs, 42.6 per cent of the middle management jobs and 40.5 per cent of the production and design jobs. However, the report could not identify the reasons for this.²⁴
- 18. Dr Carter suggested that the relative success enjoyed by Nordic countries was a result of the combination of greater cultural acceptance of women in the newsroom, national gender policies on work, maternity and paternity leave, and training for reporters.²⁵ Professor Karen Ross, Professor of Media at Northumbria University, said that, "the reasons things work better in the Scandinavian²⁶ countries is because there is a genuine cultural attitude, not simply within broadcasting, but within the country more generally, that equality is in and of itself a good thing".²⁷
- 19. The National Union of Journalists (NUJ) told us that women in news and current affairs broadcasting were also better represented in Estonia and Lithuania than the UK. It cited a UNESCO study, which found that as far back as 1995, women in Estonia and Lithuania had reached 50 per cent of the workforce.²⁸ However, the NUJ and Professor Ross made clear that the high representation of women in such countries was not necessarily positive.²⁹ The NUJ pointed out that in countries which were formerly members of the Soviet Union, the profession had "an altogether different status from that in Western Europe".³⁰ It said that in some of the countries where women were well represented, the profession of journalism could be referred to as, in the words of the NUJ, "feminised".³¹ At the very least, this demonstrates that it is difficult to compare the situation in different countries looking solely at statistics.
- 20. In any case, a 2012 report by the International Federation of Journalists found that, regardless of the share of the female workforce in news and

²¹ QQ 5–9 (Professor Ross), Q 58 (Penny Marshall), QQ 11–14 (Jane Martinson), written evidence from NUJ (WNC0006), and Creative Skillset (WNC0015)

²² Denmark, Finland, Norway and Sweden.

²³ Written evidence from Dr Cynthia Carter (WNC0012) citing Global Report on the Status of Women in the News Media

²⁴ Global Report on the Status of Women in the News Media

²⁵ Written evidence from Dr Cynthia Carter (WNC0012)

²⁶ Norway, Denmark and Sweden: which are also part of the Nordic group of countries that includes Finland.

²⁷ O 9 (Professor Ross)

²⁸ Written evidence from the NUJ (WNC0006)

²⁹ Written evidence from NUJ (<u>WNC0006</u>) and <u>QQ 5–9</u> (Professor Ross)

³⁰ Written evidence from the NUJ (WNC0006)

^{31 &}lt;u>Q 17</u>

current affairs broadcasting, women were still not in receipt of the same level of remuneration as men. It looked at data in 16 countries (within Europe and beyond)³² and found that, although almost 40 per cent of all working journalists in these countries were women, in none of them did female journalists' wages and benefits equal those of male journalists.³³

Female experts

21. The Government told us that in a number of countries across the world, women were also underrepresented as experts. It referred to a 2013 study by the Economic and Social Research Council³⁴ which found that in the 10 countries surveyed³⁵ news coverage was heavily weighted towards male news sources, with women only interviewed or cited in 30 per cent of TV news stories. The report also found that in all 10 countries, female sources tended only to appear in longer news items and were preferred for soft news topics such as family, lifestyle and culture.

Representation of women outside news and current affairs broadcasting

- 22. A number of respondents noted that the underrepresentation of women was not simply an issue relating to news and current affairs broadcasting. They made clear to the Committee that women were underrepresented in the wider media sector and in other areas of industry and society.³⁶
- 23. Government figures published in October 2014 showed that the current percentage of women on the boards of UK FTSE 100 companies was 22.8 per cent.³⁷ A 2014 report by the Centre for Women and Democracy showed that women were underrepresented in a number of areas, including in the Government, where they made up just 23 per cent of cabinet ministers.³⁸ Astute Radio, a not-for-profit radio platform which represents women, observed that "Business and industries such as STEM³⁹ also experience gender imbalances."⁴⁰
- 24. Evidence from Ofcom suggested that the number of women on boards in the broadcast industry was increasing. It referred to a 2011 report by the Broadcast Equality and Training Regulator (BETR)⁴¹ which had found that, "over the last five years the [broadcasting] industry has maintained and built upon its representation of women in board and senior roles, outperforming
- 32 Argentina, Belarus, Belgium, Brazil, Czech Republic, Finland, Germany, Indonesia, Kazakhstan, Mexico, Netherlands, Russian Federation, South Africa, Spain, Ukraine and the United Kingdom.
- 33 Central European Labour Studies Institute, Gender Pay Gap in Journalism: Wage Indicator Global Report (2012): http://www.loonwijzer.nl/home/documents/120307-IFJ-WageIndicator-PayGap-lournos-2009-2011.pdf [accessed 7 January 2015]
- 34 Written evidence from Government Equalities Office (<u>WNC0020</u>), citing Curran, James et al., Gender Matters Globally: An Examination of Gaps in Political Knowledge in a 10-Nation Comparative Study (2013)
- 35 Australia, Canada, Colombia, Greece, Italy, Japan, Korea, Norway, the United Kingdom and the United States.
- Written evidence from Dr Cynthia Carter (WNC0012), Astute Radio (WNC0009), Government Equalities Office (WNC0020) and Sky (WNC0003)
- 37 Department for Business, Innovation and Skills, Women on boards 6 months monitoring report (2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363077/bis-14-1121-women-on-boards-6-months-monitoring-report-october-2014.pdf [accessed 7 January 2015]
- 38 Centre for Women and Democracy, Sex and Power 2014: Who runs Britain? (2014): http://www.hansardsociety.org.uk/wp-content/uploads/2014/08/Sex-and-Power-2014.pdf [accessed 7 January 2015]
- 39 STEM refers to the academic disciplines of science, technology, engineering, and mathematics.
- 40 Written evidence from Astute Radio (WNC0009)
- 41 See Chapter 2 for more information about the BETR.

FTSE 100 companies."⁴² The report showed that in 2010, 26 per cent of board roles were held by women, compared with 22.6 per cent in 2005, and that 36 per cent of senior managers were women, compared with 34.5 per cent in 2005.⁴³

25. Although these figures show a promising increase in the number of women represented in broadcasting at board level, they also suggest that change is happening at a slower rate in broadcasting than in the business sector. The number of women on FTSE 100 boards has increased by 10 per cent in four years, 44 as compared to an increase of just over 3 per cent in five years in the broadcasting industry.

News and current affairs broadcasters—a particular responsibility?

26. A number of witnesses broached the question of whether news and current affairs broadcasters had a particular responsibility to ensure gender balance, because of the genre's impact on society. Respondents suggested that the reach of news and current affairs broadcasting, and its ability to shape opinion meant that gender balance was more important in this sector than in others. Astute Radio acknowledged that there were issues of gender balance in other industries, but said:

"the nature of the [news and current affairs] industry is important ... News and current affairs aims to inform, reach and engage large audiences ... [and] ... can also shape public opinion. For these reasons we believe that news and current affairs broadcasting must accurately reflect the levels of female expertise and authority in society".⁴⁷

The Government agreed with this view, stressing the role of the media in "perpetuating or challenging cultural and societal norms." 48

- 27. Respondents also pointed to the role that the news and current affairs media could play in reinforcing, challenging or creating negative gender stereotypes. ⁴⁹ The Government cited a study which indicated that stories by female reporters were more likely to challenge gender stereotypes than those by male reporters. It stated that women working in the media could play an important role by offering a "balanced perspective" to their male colleagues. ⁵⁰
- 28. There are many issues in which women may be more interested than men. It is therefore important to have a gender balance off as well as on air to ensure the discussion of a wide range of issues. Channel 4 gave evidence about the role female journalists such as Cathy Newman had in ensuring that female-focused

⁴² Written evidence from Ofcom (<u>WNC0007</u>) citing Broadcast Equality & Training Regulator, *Training & Skills and Equal Opportunities Report 2010* (2011): http://www.betr.org.uk/documents/BETR-Report-2010.pdf [accessed 8 January 2015]

⁴³ *Ibid*.

⁴⁴ Lord Davies of Abersoch, Women on Boards (2011): https://www.gov.uk/government/uploads/system/uploads/system/uploads/attachment_data/file/31480/11-745-women-on-boards.pdf [accessed 7 January 2015]. In 2010 women made up only 12.5 per cent of the members of the corporate boards of FTSE 100 companies.

Written evidence from Astute Radio (<u>WNC0009</u>), Dr Cynthia Carter (<u>WNC0012</u>), Government Equalities Office (<u>WNC0020</u>), Sky (<u>WNC0003</u>) and <u>Q 21</u> (ITN)

⁴⁶ Written evidence from Astute Radio (WNC0009) and Government Equalities Office (WNC0020)

⁴⁷ Written evidence from Astute Radio (WNC0009)

Written evidence from Government Equalities Office (<u>WNC0020</u>)

Written evidence from Government Equalities Office (<u>WNC0020</u>), Astute Radio (<u>WNC0009</u>), and Dr Josephine Dolan and Professor Estella Tincknell (<u>WNC0018</u>)

⁵⁰ Written evidence from Government Equalities Office (<u>WNC0020</u>)

stories were brought to the fore. ITV stated that recent coverage of the debate on the practice of Female Genital Mutilation "would probably not have been presented so openly and frankly a decade ago". Similarly, ITN said that on issues such as childcare costs or family budgets, women were judged to "have 'merit' to speak with authority." This suggests that it is important to have women in newsgathering roles, whether on or off air.

- 29. We agree with witnesses that the reach of news and current affairs broadcasting and its propensity to shape social norms mean that there is a particular responsibility on news and current affairs broadcasters to reflect society. The involvement of women in newsgathering roles on and off air is central to achieving this, through offering a balanced perspective.
- 30. Other witnesses focused on the gender balance on air. Respondents broadly agreed that news and current affairs broadcasters had a responsibility to ensure that the gender balance on air broadly reflected the audience.⁵³
- 31. Channel 5 said that the "news is distinct because it has to report on the issues of the day" but maintained that all genres of programmes "need to reflect the diversity of modern Britain." ITN told the Committee that, "it is both an ethical and a commercial imperative to be better representative of the audience we serve ... when people watching [ITN] see people on screen that they can identify with and see are like themselves ... that makes it a stronger programme". The BBC agreed that "we do have a special responsibility because it's about portraying society properly." 56
- 32. Magic Radio's DJ Angie Greaves highlighted the fact that the majority of the radio and TV audience were women. She said, "It's always baffled me why the majority of listeners to radio are women, but they're a minority of presenters."⁵⁷
- 33. Broadcasters should ensure a gender balance in their wider workforce to facilitate coverage of issues which affect both men and women in varied ways.

Public Service Broadcasters' responsibilities

34. There are two types of broadcasters in the UK; the Public Service Broadcasters (PSBs)⁵⁸ and the commercial sector broadcasters. The PSBs have a statutory duty under section 337 of the Communications Act 2003 to promote equality of opportunity. This statutory requirement is not applicable to the commercial broadcasters, although they are subject to equality law which applies to all private companies. We explain the intricacies of this in Chapter 2.

⁵¹ Written evidence from Channel 4 (<u>WNC0019</u>)

⁵² Written evidence from ITN (<u>WNC0014</u>)

⁵³ Q11 (NUJ), Q 12 (Jane Martinson), Q 21 (BBC, Sky and ITN), Q 39 (Sonita Alleyne), written evidence from Channel 5 (WNC0008) and Sound Women (WNC0005)

⁵⁴ Written evidence from Channel 5 (WNC0008)

^{55 &}lt;u>Q 21</u>

Q31. See also our report on Media Plurality (Select Committee on Communications, *Media Plurality* (1st Report, Session 2013–14, HL Paper 120) in which we said, "if there is sufficient media plurality, we can expect that citizens have the opportunity to be informed through access to a diversity of viewpoints".

⁵⁷ Written evidence from Sound Women (WNC0005)

⁵⁸ BBC, ITV, Channel 4, Channel 5 and S4C.

- 14
- 35. We consider, because news and current affairs has such scope to inform society, that all broadcasters have a duty of responsibility in this area. PSBs, including the BBC, have a particular responsibility because of the statutory benefits they receive.⁵⁹
- 36. Some respondents said that the BBC had a particular responsibility to reflect its audience on as well as off air. The BBC Trust told us that although it was important to "benchmark" across the industry, "the BBC has a special onus on it to really reflect the licence fee payer." The BBC also accepted that, because of its funding model, it had a greater responsibility in this area than the other broadcasters. Fran Unsworth, Deputy Director of News and Current Affairs at the BBC said, "Everybody pays the licence fee, so therefore everybody has the right to see themselves reflected back in our editorial choices and in how we present what we are doing."
- 37. Jane Martinson, Chair of Women in Journalism (a network for women in print media) and Women's editor of the Guardian, told us that licence fee payers should be the focal point for the BBC. 62 In discussing wage differentials between men and women across the industry, the NUJ compared the BBC with the other broadcasters saying, "the BBC ... is a public body and it should have much higher standards". 63
- 38. The BBC receives funding from a universal licence fee, paid by public households that watch live TV. The other Public Service Broadcasters (PSBs) receive certain statutory benefits. Therefore, the BBC and other PSBs have a responsibility to reflect society by setting the standard in ensuring gender balance. We consider that, because news and current affairs has such scope to inform society, all broadcasters have a particular duty of responsibility in this area.

Acknowledgments

39. We would like to thank everyone who gave evidence to us, both at oral evidence sessions, which we held between October and December 2014, and in writing. We also wish to thank our Specialist Advisers, Professor Lis Howell and Andrew Worthley, whose expertise greatly enhanced our work.

⁵⁹ See Chapter 2.

^{60 &}lt;u>Q 39</u>

⁶¹ O 21

^{62 &}lt;u>Q 12</u>

^{63 &}lt;u>Q 11</u>

CHAPTER 2: CURRENT OBLIGATIONS AND MEASURES

- 40. The key legal obligations on news and current affairs broadcasting are primarily set out in two statutes:
 - (a) The Equality Act 2010, and
 - (b) The Communications Act 2003.
- 41. The Equality Act 2010 is a piece of equality legislation that consolidated all previous discrimination legislation into one streamlined regime, superseding older statutes such as the Sex Discrimination Act 1975. The Equality and Human Rights Commission (established in 2007) has a mandate to challenge discrimination, to protect and promote human rights and to enforce equality and non-discrimination laws. The Communications Act 2003 sets out the more specific regulatory obligations on the industry, and the roles and responsibilities of the regulator for the sector, Ofcom.

Legal and regulatory framework

Equality Act 2010

- 42. Section 149 of the Equality Act 2010 sets out the 'Public Sector Equality Duty' whereby a public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 43. Although the BBC, Channel 4 and S4C⁶⁴ all fall within the remit of this Public Sector Equality Duty, Schedule 19 of the Equality Act provides that it does not affect the BBC's functions "relating to the provision of a content service" (within the meaning given by section 32(7) of the Communications Act 2003).
- 44. This is recognised in Ofcom's evidence: "Ofcom, the BBC, Channel 4 and S4C are also subject to the public sector equality duty contained in section 149 of the Equality Act 2010 (except that, in the case of the BBC, Channel 4 and S4C, the duty does not apply in respect of their functions relating to the provision of content services)." 65
- 45. Sections 158–159 further set out permitted 'positive action' which allows (but does not require) "any action" to be taken to support those with a protected characteristic, as long as it is a "proportionate means". This is not 'positive discrimination', which remains unlawful. Section 159 specifically provides

⁶⁴ S4C is a Welsh-language public-service television channel based in Cardiff and broadcast throughout Wales.

Written evidence from Ofcom (WNC0007). The meaning of content services is defined in section 32(7) of the Communications Act 2003 as: (a) the provision of material with a view to its being comprised in signals conveyed by means of an electronic communications network; (b) the exercise of editorial control over the contents of signals conveyed by means of such a network.

for what the Equality and Human Rights Commission⁶⁶ terms the 'tipping factor' whereby employers can treat a candidate from a disadvantaged or under-represented group more favourably than another so long as both candidates are 'as qualified' as each other.

Equality and Human Rights Commission

46. Private and public sector guidance is given by the Equality and Human Rights Commission in relation to all equality and discrimination legislation, and is freely available on its website.⁶⁷ ITV told us in their response that their understanding of this guidance is that employers should have an equal opportunity and diversity policy that is regularly monitored, "to help ensure legal obligations are met and legal action avoided."⁶⁸

Communications Act 2003

- 47. Under section 27(2) of the Communications Act 2003, Ofcom has a duty to "take all such steps as they consider appropriate for promoting equality of opportunity in relation to both—
 - (a) employment by those providing television and radio services; and
 - (b) the training and retraining of persons for such employment."69
- 48. Subsection 4 of section 27 expressly provides that, "the reference in subsection (2) to equality of opportunity is a reference to equality of opportunity between men and women."⁷⁰
- 49. One of Ofcom's key duties under the Communications Act 2003 is "to promote training and equality of opportunity" ⁷¹ for people providing TV and radio services.
- 50. Section 337 of the Communications Act 2003 also provides that Ofcom must require the licence holder to:

"make and from time to time review arrangements for: promoting, in relation to employment with the relevant licensee

- (i) equality of opportunity between men and women and between persons of different racial groups; and
- (ii) the equalisation of opportunities for disabled persons."72
- 51. In accordance with section 337 of the Communications Act 2003, Ofcom has included conditions in all relevant broadcasting licences to require relevant licensees to make and from time to time review arrangements for promoting gender diversity and training employees, as provided for

⁶⁶ The Equality and Human Rights Commission is a non-departmental public body in Great Britain that was established by the Equality Act 2006 and came into being on 1 October 2007. The Commission has responsibility for the promotion and enforcement of equality and non-discrimination laws in England, Scotland and Wales.

⁶⁷ Equality and Human Rights Commission, 'Private and public sector guidance': http://www.equalityhumanrights.com/private-and-public-sector-guidance [accessed 7 January 2015]

⁶⁸ Written evidence from ITV (WNC0017)

⁶⁹ Written evidence from Ofcom (WNC0007)

⁷⁰ Communications Act 2003, section 27(4)

⁷¹ *Ibid*.

⁷² *Ibid*.

by the Act.⁷³ They also include conditions for at least annual publication of the licensee's observations on the current operation and effectiveness of these arrangements in such manner as the relevant licensee considers appropriate.⁷⁴

- 52. Although the BBC and S4C are not licensees, equivalent requirements pertain to them under section 23 (or for S4C, schedule 12) of the Communications Act 2003 and Clause 83 of the 2006 Agreement between the Secretary of State for Culture, Media and Sport and the BBC. Ofcom said that, in any case, both the BBC and S4C have participated in the arrangements put in place by Ofcom on a voluntary basis.⁷⁵
- 53. Channel 4 has its own specific statutory remit provided for by section 265(3) of the Communications Act 2003 to appeal to culturally diverse groups, offer alternative perspectives and nurture new talent.
- 54. The PSBs⁷⁶ are required under section 279 of the Communications Act 2003 to provide news and current affairs programming. The specific quota for each channel is set by Ofcom as part of the channel's licence. This sets out the hours per year of news (national and international) and current affairs that the channels must provide. The 2013 quotas for news were; BBC 1: 1380, ITV: 365, Channel 4: 208 and Channel 5: 280.⁷⁷ The 2013 quotas for current affairs are; BBC 1 and 2: 365, ITV: 43, Channel 4: 208 and Channel 5: 130.⁷⁸
- 55. It is worth noting that a proportion of programmes are made by independent producers who are not subject to the regulatory conditions placed on the PSBs through the Communications Act 2003. They are, of course, subject to the Equality Act 2010. Ofcom research shows that the percentage of spend by the PSBs on news and current affairs in 2013 was 75 per cent in-house and 25 per cent external.⁷⁹ The total spend in this area last year was £303 million.
- 56. There are disclosure requirements on gender and diversity for FTSE listed companies at board and senior management level. Sky and ITV are subject to these requirements. 80 Companies in the UK are required to disclose the numbers of men and women on boards, in senior management and in the business as a whole.
- 57. In addition to this, the UK Corporate Governance Code requires companies to explain their policies on boardroom diversity. These requirements came

⁷³ Ofcom, Office of Communications Television Licensable Content Service Licence: http://licensing.ofcom.org.uk/binaries/tv/tlcs_licence.pdf [accessed 7 January 2015]

⁷⁴ Communications Act 2003, section 337

⁷⁵ Written evidence from Ofcom (WNC0007)

⁷⁶ BBC, ITV, Channel 4, Channel 5 and S4C.

⁷⁷ This was recently increased following the sale of Channel 5 to Viacom. Ofcom, 'Ofcom completes Channel 5 sale review' (23 October 2014): http://media.ofcom.org.uk/news/2014/channel-5-sale-review/ [accessed 7 January 2015]

⁷⁸ Ofcom, PSB Compliance Reporting 2013 (2014): http://stakeholders.ofcom.org.uk/binaries/broadcast/reviews-investigations/psb-review/psb2013/compliance.pdf [accessed 7 January 2015]

⁷⁹ Ofcom, *The Communications Market Report*, (August 2014): http://stakeholders.ofcom.org.uk/binaries/research/cmr/4/2014_UK_CMR.pdf [accessed 7 January 2015]. Data based on spend by the main five PSBs (BBC, ITV, Channel 4, Channel 5 and S4C) on first run originated content broadcast all day, and excluding regional output.

⁸⁰ Companies Act 2006 (Strategic Report and Directors' Report) Regulations 2013 (SI 2013/1970)

into force on 1 October 2012.81

The Broadcasting Training and Skills Regulator (BTSR)

- 58. In 2005 Ofcom established the Broadcasting Training and Skills Regulator (BTSR) to carry out Ofcom's duty under the Communications Act 2003 to provide training and development. It did so in response to recommendations from a working group including broadcasters and Creative Skillset. Its role was at this point limited to training and development, with Ofcom retaining the statutory obligations to promote equality.
- 59. In January 2009 Ofcom extended BTSR's remit to cover equality of opportunity in employment⁸² and the BTSR was renamed the Broadcast Equality and Training Regulator (BETR). It devised a new framework to help broadcasters assess the current status of their efforts and how they could make further progress. It issued annual reports on the state-of-play in both training and equal opportunities.
- 60. In 2010 the Government announced its intention to make changes to a number of Ofcom's statutory duties, including removing its responsibilities under section 27 of the Communications Act 2003 (which deals with equality of opportunity). Ofcom told us that it was because of the Government's intention to remove this duty that it had decided to close down BETR in June 2011.⁸³ The Government's intention was not in the event implemented due to views expressed in Parliament. The last BETR report was published in July 2011 (based on 2010 data).
- 61. We consider this issue further in Chapter 5.

Broadcasters' policies

- 62. All of the PSB broadcasters have published diversity policies and strategies. It should be noted that although this inquiry is concerned with gender equality rather than diversity, the term diversity is often used to refer to gender as well as ethnicity, disability and other characteristics.
- 63. We recommend that broadcasters should have distinct policies which differentiate between gender equality and diversity.
- 64. ITV's website stated, "As well as management through policy and procedure, ITV has carried out a number of industry and non-industry benchmarks to measure its equality and identify areas for improvement." It said that, "Our policies and procedures are inclusive, regardless of sex or gender; therefore supporting our colleagues' progress in their careers equally."
- 65. Both the BBC and ITV told us that they included gender balance in some of their employees' annual objectives. ITV stated that "Specialist journalists and news management across ITV regional news have included in their annual objectives a target to make sure the stories they bring in reflect the

⁸¹ Financial Reporting Council, *The UK Corporate Governance Code* (September 2014): https://www.frc.org.uk/Our-Work/Publications/Corporate-Governance/UK-Corporate-Governance-Code-2014.pdf [accessed 7 January 2015]

⁸² Ofcom, 'Equal Opportunities': http://stakeholders.ofcom.org.uk/broadcasting/guidance/equal-opps/ [accessed 7 January 2015]

⁸³ Written evidence from Ofcom (WNC0007)

⁸⁴ ITV, 'How we operate': http://itvresponsibility.com/responsibility/people/how-we-operate/ [accessed 7 January 2015]

⁸⁵ Written evidence from ITV (<u>WNC0017</u>)

diversity of the region—this includes gender."⁸⁶ The BBC said it was, "in all our senior editors' objectives".⁸⁷

- 66. In 2013 the BBC published its third equality information report. Included in its list of diversity strategy objectives were "Delivering high quality programming which reflects modern Britain accurately and authentically" and "Advancing equal opportunities to diversify and develop our workforce at all levels to better reflect our audiences."88
- 67. The BBC has higher expectations placed upon it due to its funding by the licence fee. As one of its trustees, Richard Ayre, said, "Clearly, we all accept that the BBC, by virtue of being publicly funded by virtually the entire population, has a special responsibility to reflect the entire population, whether it is in news and current affairs or in any other genre of its output."89
- 68. Although Channel 4's commitment to diversity is enshrined in its remit, the broadcaster's diversity strategy states that they will "Continue to increase the diversity of Channel 4 staff through programmes such as our Internship Programme, Production Trainee Scheme, All Inclusive 4 events and our involvement in the [Creative Diversity Network]."90

Voluntary measures

Box 1: Creative Diversity Network

Creative Diversity Network:⁹¹ Current members include BAFTA, BBC, Channel 4, Creative Skillset, PACT, ITN, ITV, Media Trust, S4C, Sky and Turner Broadcasting. The Creative Diversity Network (CDN) is a forum, paid for by its member bodies. Its role is to bring together organisations, who employ and/or make programmes across the UK television industry in order to promote, celebrate and share good practice around the diversity agenda;

Project Diamond (formerly Silvermouse): In July 2014, the CDN revealed plans for a project to improve equality monitoring and tracking. The Project Manager told us that, "Project Diamond aims to capture everyone working on a programme, with role types identified so we can look at diversity for different roles." However, although the ambition is for this system to monitor news it will not be able to do so from the start due to "particular differences in production processes".

⁸⁶ *Ibid*.

⁸⁷ Q 25

⁸⁸ BBC, Sharing Our Story: Equality and Diversity at the BBC 2013 (2014): http://downloads.bbc.co.uk/diversity/pdf/Our Story Equality and diversity at the BBC 2013.pdf [accessed 7 January 2015]

⁸⁹ Q 35

⁹⁰ Channel 4, Channel 4 Equality Objectives (2012): http://www.channel4.com/media/documents/corporate/C4 Equality Objectives 2012.pdf

⁹¹ Creative Diversity Network: http://creativediversitynetwork.com/ [accessed 7 January 2015]

⁹² Written evidence from Creative Diversity Network (WNC0023)

⁹³ *Ibid*.

Box 2: Other measures to achieve gender equality

BBC Academy Expert Women: A series of free training days for female experts which took place in 2013 and has come to an end;

BBC Global Women in News group: A volunteer network set up by the BBC in February 2014. It is run by BBC employees and has the twin aims of increasing the representation of women in news and current affairs and increasing opportunities for women throughout the BBC;

PACT: 94 Trade body representing the UK's independent production sector. PACT works closely with broadcasters and producers groups to promote diversity and create training opportunities and fair access for all;

Television Collective: 95 a membership organisation "supporting 'visible diverse talent' to achieve their creative endeavours within the UK creative media industry";

The Women's Room:⁹⁶ an online, searchable database of women experts; Women in Film and Television:⁹⁷ an organisation for women working in UK creative media;

Sound Women: a membership organisation which encourages, supports and promotes women in UK radio.

- 69. In addition to the initiatives detailed above, each broadcaster provided us with details of training and schemes. ITV stated, "ITV News has Regional Diversity Panels to strengthen links with the communities we serve, along with a Diversity Champion in each region." Channel 4 said that it "runs a number of initiatives aimed at strengthening the diversity of the broadcasting industry and providing people from all backgrounds (and genders) with an opportunity to gain entry into the creative industries."
- 70. Creative Skillset told the Committee that it had funded initiatives such as workshops and mentoring schemes between 2009 and 2012. 100 It also managed the 'Employer Ownership of Skills Pilot'. This was set up on behalf of the industry, and offered the opportunity to provide financial support (co-investment) for training to women under-represented in the workforce, including women from Black and Minority Ethnic (BAME) or Lesbian, Gay, Bisexual and Transgender (LGBT) backgrounds and women with disabilities.
- 71. The Government told us about an initiative called 'Think, Act, Report' which "asks employers to think about equality between men and women in their workforces, and collect and review data on issues like recruitment, retention, promotion and pay." The aim was that greater transparency will help decrease the pay gap between men and women. ITV, S4C and Virgin Media were signed up to this. 102

⁹⁴ PACT: http://www.pact.co.uk/about-us/ [accessed 7 January 2015]

⁹⁵ Television Collective: http://www.thetvcollective.org/about/ [accessed 7 January 2015]

⁹⁶ The Women's Room: http://thewomensroom.org.uk [accessed 7 January 2015]

⁹⁷ Women in Film and Television: http://www.wftv.org.uk/ [accessed 7 January 2015]

⁹⁸ Written evidence from ITV (WNC0017)

⁹⁹ Written evidence from Channel 4 (WNC0019)

¹⁰⁰ Written evidence from Creative Skillset (WNC0015)

¹⁰¹ Written evidence from Government Equalities Office (<u>WNC0020</u>)

¹⁰² Government Equalities Office, 'Guidance: Companies signed up to Think, Act, Report': <a href="https://www.gov.uk/government/publications/companies-signed-up-to-think-act-report/companies-signed-up-to-think-act-report/companies-signed-up-to-think-act-report/companies-signed-up-to-think-act-report [accessed 7 January 2015]

72. We commend these measures but, in the following chapters, we look at the wider landscape and whether more needs to be done to achieve a better gender balance in news and current affairs broadcasting.

CHAPTER 3: WOMEN'S EMPLOYMENT IN THE INDUSTRY

73. This chapter examines the barriers to women's involvement in broadcast news and current affairs. These relate mainly to the obstacles experienced by women as news and current affairs employees, rather than as expert guests. However, some of the barriers examined in this chapter, particularly those related to older women, have implications for female experts.

Recruitment policies

74. Studies show that the majority of journalism students are women. 103 Nevertheless, the figures show that broadcast journalism is dominated by men. This point was made by Professor Franks, Professor of Journalism at City University, who said:

"Overwhelmingly, it is women who are studying journalism ... when I look out at the classroom and see that it is predominantly female, year after year after year, I then wonder where all these women are going to go and why is it that this is not being reflected then when they go much later into the workplace and rise up the hierarchy". 104

- 75. We wanted to understand whether broadcasters' recruitment policies and practices promoted gender equality. The broadcasters told us that their recruitment policies were open and transparent and that they ensured equal pay and equal opportunities. ¹⁰⁵ John Hardie, Chief Executive, ITN, said that they had a yearly review of the pay of each individual "to see if, for any reason, any group or person has fallen out of line from the benchmarking". ¹⁰⁶ While this was not just done to ensure gender equality, ITN acknowledged that maternity leave could sometimes mean that those that have stepped off the career ladder for an amount of time fall behind. ¹⁰⁷ Fran Unsworth said, "There is no question at the BBC that people are appointed on merit. That is not the issue and it is an open and transparent process." ¹⁰⁸
- 76. Other respondents disagreed with this view, suggesting that the broadcasters' recruitment policies did not sufficiently promote equality. The NUJ said that one of the reasons female journalists "still earn less than their male counterparts and are denied the same promotion opportunities" was the unfair recruitment processes. Similarly, Creative Skillset told us that, "it is the barriers to entry and progression that are problematic in achieving diversity and inclusion in broadcasting, rather than the lack of talent."
- 77. Respondents also commented that in some cases an unexplained pay differential persisted. In its 2010 report *Tuning Out*, Sound Women¹¹¹ found that, while women working in radio were better qualified than men (73 per cent of women have degrees, compared to 60 per cent of men), they were paid less—they earned on average £2,200 less per year.¹¹² The NUJ and Kate

¹⁰³ Suzanne Franks, Women and Journalism, University of Oxford (Reuters Institute for the Study of Journalism, 2006)

¹⁰⁴ Q 1

¹⁰⁵ Written evidence from Channel 4 (<u>WNC0019</u>), ITN (<u>WNC0014</u>), ITV (<u>WNC0017</u>), <u>Q 22</u> (Sky)

^{106 &}lt;u>Q 22</u>

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Written evidence from NUJ (<u>WNC0006</u>)

¹¹⁰ Written evidence from Creative Skillset (WNC0015)

¹¹¹ See Box 2.

¹¹² Written evidence from Sound Women (WNC0005)

- Kinninmont, Chief Executive of Women in Film and Television, 113 noted that similar pay differentials existed across broadcast journalism. 114
- 78. Professor Ross made the point that it was difficult to see why more women were not more involved in the news and current affairs broadcasting industry without seeing broadcasters' recruitment and promotion monitoring statistics. She distinguished between broadcasters' policies and their implementation—what actually takes place in practice. Indeed, we received evidence from Olenka Frenkiel, a BBC broadcast journalist, whose own experience was that the BBC's appraisal and redundancy process operated differently in practice as compared to the policy. She described the BBC as hiding "its own questionable systems and practices", and said that she had been given no explanation for the fact that her manager had not filled in her last three years of appraisal forms, or lodged them with Human Resources. 117
- 79. Greater transparency is needed around broadcasters' recruitment and progression processes, and around pay and reward to ensure that, all other factors being equal, women are given the opportunities to enter and progress at the same pace as their male colleagues, and receive equal pay for equal work.
- 80. All appointments and promotions should be advertised either internally or externally, and awarded on the basis of fair and open competition. Public Service Broadcasters (PSBs) should be required to provide a statement annually confirming this, which should be monitored by Ofcom (or in the case of the BBC, by the BBC Trust). Where appointments are made on the basis of an interview panel, in accordance with best practice, it should be a mixed gender panel.
- 81. It is legal for private businesses to recruit and promote at their own discretion. However, due to the important role of broadcast news and current affairs in society, broadcasters (both PSBs and commercial broadcasters) have a particular responsibility to ensure that they act responsibly and recruit and promote on merit. PSBs have a more onerous obligation to recruit and promote on merit because of the requirement, under section 337 of the Communications Act 2003, that they promote equality of opportunity between men and women.
- 82. The wording of s.159(4)(b) of the Equality Act 2010 means that any systematic deployment of "positive action" in recruitment and promotion can only be lawful on a case-by-case basis rather than as a blanket practice or policy. It is unlawful to adopt a policy of treating persons who share a protected characteristic more favourably in connection with recruitment or promotion than persons who do not share it. However, it is our view that it would be lawful to adopt a policy that considers the use of positive action for each individual case of promotion or recruitment rather than a policy that mandates its use. This would still enable an employer to only exercise

¹¹³ See Box 2.

¹¹⁴ Written evidence from NUJ (WNC0006), Q 11

¹¹⁵ QQ 5-9

^{116 03}

¹¹⁷ Written evidence from Olenka Frenkiel (WNC0022)

¹¹⁸ The meaning of "positive action" is set out in Chapter 2, paragraph 45.

¹¹⁹ Equality Act 2010, c.15, Part 2, Chapter 1, section 4 The protected characteristics are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

positive action in the individual cases that meet the tests of "proportionate means" and "relevant aims" set out in s.159(4)(b) of the Act.

83. Public Service Broadcasters should consider adopting a policy which promotes (but does not mandate) the use of positive action in favour of women for all relevant recruitment and promotion opportunities in broadcasting.

Caring responsibilities

- 84. Many witnesses said that childcare and other caring responsibilities presented difficulties for women in the news and current affairs industry. 120 Respondents observed that the immediacy of news and current affairs broadcasting meant that caring responsibilities could be an acute problem for broadcast journalists.
- 85. Miriam O'Reilly, who had worked at the BBC for 25 years, said that:

"In BBC News you have to be available 24/7, including nights. Women wanting to push through cannot contest overnight working, even when their children are very young ... you can always say no and find other friendlier patterns, but the risk is that your career gets parked and opportunities to develop dry up." ¹²¹

Penny Marshall, news reporter for ITV, echoed this view, saying that the "got to be there, got to do it" atmosphere in the newsroom meant that it could be seen as "unacceptable" to turn down work due to childcare arrangements. 122

- 86. Of course men may also have caring responsibilities and broadcast news and current affairs is not the only sector to be affected. Nonetheless, the majority of our witnesses held that the issue disproportionately affected women, a view which was bolstered by academic research on the subject. ¹²³ In her book *Women in Journalism*, Suzanne Franks observed that successive surveys have found that women in journalism are less likely than male journalists to have children, and that "those female journalists who do have families and reach senior levels very often have what are still considered to be non-standard domestic arrangements." ¹²⁴ Penny Marshall pointed out that even where men might have adopted childcare responsibilities, older women in the industry are often restricted by caring for elderly parents later on. ¹²⁵
- 87. The broadcasters recognised that caring responsibilities were an issue. ITN's written evidence to the Committee set out personal pen portraits from a number of journalists who mentioned that family responsibilities could present a challenge for women. The BBC told us that, in a recent survey undertaken by its Global Women in News group, 85 per cent of the group members felt that having children or caring responsibilities affected their career prospects. Fran Unsworth said that childcare responsibilities could result in women ruling themselves out of senior roles, "because some of them

¹²⁰ Written evidence from NUJ (<u>WNC0006</u>) and Janet Graves (<u>WNC0001</u>)

¹²¹ Q 43

^{122 &}lt;u>Q 44</u>

¹²³ QQ 43-44 (Penny Marshall, Cathy Newman), written evidence from Eve Ahmed (WNC0002), Sound Women (WNC0005) and Janet Graves (WNC0001)

¹²⁴ Suzanne Franks, Women and Journalism

¹²⁵ Q 48

¹²⁶ Written evidence from ITN (WNC0014)

¹²⁷ There are currently 800 members of Global Women in News Group in total.

are absolutely full on, time consuming". The suggestion was that this was part of the reason that the number of women in leadership roles (in Network News) was only at 37 per cent.

- 88. The BBC told us that it had made a number of changes to enable women to combine childcare responsibilities with work. It had launched a job share register across its news group, and was changing the way it advertised jobs to make it clear that all jobs could be taken up on the basis of a 'job share' arrangement. ITN said that flexible terms of employment, such as part-time work and more regular hours had helped women get back into work, although it maintained that "to be successful in any career requires sacrifice". Similarly, Jonathan Levy, Head of News Gathering at Sky News said that in his time at Sky, he could not think of one instance where they had not found "an accommodation" to enable a woman to work flexibly after having children. We commend these measures.
- 89. The Government has also introduced measures to enable people in all industries to combine work with caring responsibilities. The right to request flexible working has been extended to all employees and a system of shared parental leave will be introduced from 2015.¹³²
- 90. Nonetheless, witnesses told us that these measures failed to support adequately women pursuing careers in this area. The NUJ said that, in practice, the BBC was not sympathetic to women's childcare arrangements, and that many women had faced "bullying" after raising requests for flexible working hours and raising childcare issues. ¹³³ A number of other respondents raised concerns that taking maternity leave or opting for flexible and part-time working arrangements could affect their career prospects. ¹³⁴ A recent BBC survey reiterated these views, showing that 70 per cent of women felt that working part-time had a disproportionate effect on a woman's career prospects. ¹³⁵
- 91. Women who had been successful in the industry told us that there was pressure to work anti-social hours despite childcare responsibilities. Jackie Long, Social Affairs Editor at Channel 4 News, said that when she was offered her job, women she barely knew congratulated her because "we were all stunned—that someone who'd been part-time and had children (quite a few of them) was being offered a really good, senior role".

^{128 &}lt;u>O 22</u>

¹²⁹ Written evidence from BBC (WNC0021)

¹³⁰ Written evidence from ITN (WNC0014)

^{131 &}lt;u>O 29</u>

¹³² For parents of babies born or placed for adoption on or after 5 April 2015 there will be new rights granted by the Shared Parental Leave Regulations 2014 to 'shared parental leave'. This essentially allows both parents to share up to 50 weeks' leave, which can be taken at the same time, or separately. The regulations place a duty on employers to ensure that their employees are not penalised for using their entitlement or put under pressure to cancel or change a leave notification. Parents will remain entitled to take maternity, paternity and adoption leave. However, an eligible mother or adopter may now choose to reduce their maternity/adoption leave early and opt in to shared parental leave instead. Standard rules pertaining to eligibility and length of continuous employment will still apply. It can be taken in 3 separate blocks but must be taken between the baby's birth and first birthday (or within the first year of adoption).

¹³³ Written evidence from NUJ (WNC0006)

¹³⁴ Written evidence from NUJ (<u>WNC0006</u>) and from Jackie Long and Ronke Phillips in ITN (<u>WNC0014</u>)

¹³⁵ Written evidence from BBC (WNC0021)

¹³⁶ Written evidence from Janet Graves (WNC0001) and ITN (WNC0014)

¹³⁷ Written evidence from ITN (<u>WNC0014</u>)

- 26
- 92. Penny Marshall suggested that employers could address the issue of women feeling side-lined after having children by doing more to encourage them to come back to work. She said that in her case, ITV's decision to allow her to take five years off to be at home with her children, but do five weeks of reporting per year, meant that she had "stayed in the hot seat" while caring for her children. She said, "It was a very imaginative scheme and I would like to see, for men and women who choose to have gaps, that opportunity". Likewise, the Commission on Older Women recounted that other countries used imaginative schemes to relieve the pressure of caring responsibilities, and that UK employers could consider schemes such as the German *Familienpflegezeit* system, which allows employees to reduce hours temporarily while smoothing pay over a longer period. 139
- 93. Women are more likely than men to have caring responsibilities. The challenges faced by those seeking to combine caring responsibilities with a career are particularly acute in news and current affairs broadcasting. The dynamic nature of news means that employees are often required to work hours that are incompatible with caring responsibilities. Broadcasters should ensure they have in place policies on flexible working practices which encourage women to have fulfilling careers alongside caring responsibilities.
- 94. A widespread view that women will be "side-lined" after having children persists. To address this perception, efforts should be made to ensure that women who return from maternity leave receive appropriate training. Employers should also consider using other flexible solutions such as allowing women to choose to continue working on an *ad hoc* basis during an extended period of maternity leave.
- 95. Broadcasters should make every effort to ensure support for childcare arrangements, both culturally and financially. Support mechanisms such as childcare vouchers, childcare advisers, and crèches to accommodate women with young children working usual hours are examples of good practice.

Freelance workers

- 96. Data from Creative Skillset¹⁴⁰ showed that in 2012, freelancers made up 17 per cent of the workforce in terrestrial broadcasting, 44 per cent of the workforce for cable and satellite broadcasting and 54 per cent of the workforce of independent TV producers. Although freelancers comprise just 12 per cent of the workforce in broadcast radio, they make up 67 per cent of the independent radio production workforce.
- 97. Despite the fact that freelancers made up a significant share of the workforce, there was a lack of data on the age and gender of the freelance workforce.

¹³⁸ Q 45

¹³⁹ Commission on Older Women, *Interim Report* (2013): http://www.yourbritain.org.uk/uploads/editor/files/Commission_on_Older_Women_- Interim_Report.pdf [accessed 7 January 2015]. Familienpflegezeit ('family caring time') allows eligible employees to reduce their working week to a minimum of 15 hours for up to two years if they need to care for a dependent, but 'smooth' their income. They are paid at a higher rate of pay during the period of reduced hours but a lower rate when they return to full hours to compensate. The scheme offers job security and flexibility for employer and employee.

¹⁴⁰ Creative Skillset, Employment Census of the Creative Media Industries (2012): http://creativeskillset.org/ assets/0000/5070/2012 Employment Census of the Creative Media Industries.pdf [accessed 7 January 2015]

Most broadcasters did not provide data on their freelance workers. ITV told the Committee that "our freelancer[s] ... have a huge impact on the representation of our industry" but, "The nature of the way in which they interact with us makes collecting data of this sort [on freelancers] difficult". ¹⁴¹ ITN was able to provide some limited data, but could not provide in-depth information on freelancers. ¹⁴²

- 98. A number of respondents raised concerns about this issue, including Penny Marshall, who said there needed to be more data on the number of freelancers. 143 Liz Leonard, who had worked for the BBC for 16 years, said that she was not aware of any research specifically covering the freelance market. 144 The Government agreed with respondents that data on freelancers was essential. The Hon. Ed Vaizey MP, Minister for Culture and the Digital Economy, said that, "[any monitoring system] has to include monitoring of freelancers because freelance work is so prevalent in this industry". 145
- 99. A number of witnesses claimed that women were disproportionately affected by the particular challenges posed by the nature of freelance work and that a freelance work pattern is incompatible with women's family responsibilities.

 146 Eve Ahmed, a former BBC radio journalist, moved to a freelance contract after her manager "denied" her permission to work part-time. She said that she had found the night shifts expected of her as a freelancer incompatible with her parenting duties. 147 Janet Graves, also a former BBC journalist, told the Committee that because most freelance jobs are in production (rather than management and support roles), female freelancers have to take contracts at any place of employment. She said, "This makes their attempts to have a stable career and a family life very difficult", 148 adding that broadcasters should allow women to undertake production posts on a part-time, permanent (as opposed to freelance) basis in order to encourage more women to thrive in the news and current affairs industry.
- 100. Penny Marshall highlighted the lack of financial stability freelance work provided for women about to have children. She said, "the rise of freelancers ... means that women who do have children have much less support when they have to make critical decisions about whether they return and how long they take off, so they kind of disappear. I would like to see more work on where they go and why." Kate Kinninmont pointed out that freelance workers were usually not entitled to benefits such as pensions and paid maternity leave.
- 101. Some witnesses argued that the relative instability of freelance work affected women without caring responsibilities as well because it made them hesitant to report discrimination based on gender. Michelle Stanistreet, General Secretary of the NUJ said, "if you have a problem ... it is very hard to put your head above the parapet and to complain about that when next week's

¹⁴¹ Written evidence from ITV (WNC0017)

¹⁴² Written evidence from ITN (<u>WNC0014</u>)

¹⁴³ Q 58

¹⁴⁴ Written evidence from Liz Leonard (WNC0013)

^{145 &}lt;u>Q 62</u>

¹⁴⁶ Written evidence from Eve Ahmed (<u>WNC0002</u>), Janet Graves (<u>WNC0001</u>) and Sound Women (<u>WNC0005</u>), O 44 (Penny Marshall)

¹⁴⁷ Written evidence from Eve Ahmed (WNC0002)

¹⁴⁸ Written evidence from Janet Graves (WNC0001) and Sound Women (WNC0005)

^{149 &}lt;u>Q 44</u>

¹⁵⁰ Q 15

shifts could dry up as a consequence". 151

- 102. The Rt Hon Nicky Morgan MP, Minister for Women and Equalities, was one of the few witnesses who suggested, that in some scenarios, freelance work could offer men and women positive opportunities to work flexibly.

 Indeed, Miriam O'Reilly said that she moved to a freelance contract when her daughter was born because it enabled her "to strike that balance and be there with the family and still work".

 153
- 103. Whilst some women may choose to work in freelance positions, the weight of the evidence we received suggested that this was not the case for a significant number. Kate Kinninmont said that many people who were freelancers were not so out of choice. She suggested that it was an industry preference. ¹⁵⁴ Janet Graves also said that in her view, "the BBC prefers freelance employment to the stability of staff production posts". ¹⁵⁵
- 104. There is currently insufficient data on the gender of freelancers, and whether women are adversely affected by the widespread use of freelance contracts in the industry. Given the prevalence of freelancers in the news media, we consider that Ofcom should use its power under section 337 of the Communications Act 2003 to require broadcasters to collect data on the age and gender of the freelance workers they employ. This data should be used to review the processes by which broadcasters appoint freelance workers, to ensure that women, particularly those with children, are not disadvantaged by freelance contracts.

Older women

Where are all the older women?

- 105. Various studies have shown that there is a dearth of older women in journalism.¹⁵⁶ The analyses show that the female workforce in this area is considerably younger than the average male journalist cohort. A recent report found that although the majority of over 50s in the UK are women (53 per cent), men still make up 82 per cent of TV presenters over the age of 50.¹⁵⁷
- 106. In her book *Women in Journalism*, Suzanne Franks said that, "over the past few years the issue of older women disappearing from TV screens has become something of a cause célèbre in the UK." She noted that Moira Stewart, Anna Ford, Selina Scott and Julia Somerville sall asserted that they had been pushed aside because of their age. Referring to the low number of older female TV reporters, Penny Marshall described herself as "kind of the last woman standing". This situation was reflected in radio broadcasting with only 9 per cent of women in radio broadcasting aged 50 and above, compared to 19 per cent of men. 160
- 151 <u>Q 15</u>
- 152 <u>Q 62</u>; see also <u>Q30</u> (ITN)
- 153 <u>Q 49</u>
- 154 Q 15 (Kate Kinninment) and private written evidence
- 155 Written evidence from Janet Graves (WNC0001)
- 156 Suzanne Franks. Women and Journalism
- 157 Commission on Older Women, Interim Report, p.33
- 158 Suzanne Franks, Women and Journalism, p.16
- 159 Moira Stewart, Anna Ford, Selina Scott and Julia Somerville are all women over 50, who were television presenters.
- 160 Written evidence from Astute Radio (<u>WNC0009</u>), citing Creative Skillset Creative Media Workforce Survey.

- 107. The situation for older women is particularly stark in the UK as compared countries such as the US and Australia. Laura Frey, a female radio presenter, said that in Australia, older women seem to appear on TV and radio more regularly and "according to their merit as good presenters." Suzanne Franks said that, although the same age profile amongst journalists could be seen in the US, there were a "handful" of very high-profile older female anchors. Furthermore, in the US, there have been more high-profile successful cases brought against broadcasters on grounds of age discrimination: at least 10 women in the US have won such cases as compared to one woman in the UK. While this does not necessarily mean the situation is better in the US, it suggests that age discrimination in the broadcasting industry has a higher profile.
- 108. Not all broadcasters provided statistics for age, but those that did reinforced the view that older women were not well represented. 11 per cent of ITN's female workforce was over 50, compared to 26.5 per cent of their total male workforce. ITN, who provide the news content for Channel 5, Channel 4 and ITV, provided a breakdown by age of its news staff for all these programmes. This showed a low number of women over 50 compared to men. 165
- 109. Fran Unsworth observed that there was "something in" the view that there was a lack of older women. She said that the BBC had assumed that having few older women on air was an audience preference without properly exploring whether this was the case. John Hardie agreed that there was an underrepresentation of women over 60. 167
- 110. Neither the BBC nor ITN attributed the lack of older women to a policy of removing older women from their posts. John Hardie of ITN said there was no "sell by date" for either gender with respect to news presenting. Fran Unsworth accepted that there had been a cultural mindset which had been biased against older women on television, but said that this was not now the case. The BBC also said that they had put in place policies to address the low numbers of older women, although they would not come to fruition until the current generation of women reached an older age. Cathy Newman, a Channel 4 presenter, said that she thought things were changing for older women, although she conceded that she had not had direct experience of women being removed from their jobs because of their age.
- 111. A number of witnesses disagreed with the broadcasters' view that the situation for older women was improving. They said that, regardless of formal policies, older women in news and current affairs broadcasting commonly experienced

¹⁶¹ Written evidence from Laura Frey (WNC0010)

¹⁶² Suzanne Franks, Women and Journalism

^{163 &#}x27;Age Discrimination on TV: 10 Anchors Who Were Replaced by Younger Women', *Business Insider*, 8 August 2012: http://www.businessinsider.com/age-discrimination-on-tv-10-anchors-who-were-replaced-by-younger-women-2012-8 [accessed 7 January 2015]

¹⁶⁴ In the case of Miriam O'Reilly. See 'Countryfile's Miriam O'Reilly wins BBC ageism claim' *The Guardian*, 11 January 2011: http://www.theguardian.com/media/2011/jan/11/countryfile-miriam-oreilly-tribunal [accessed 7 January 2015]

¹⁶⁵ Written evidence from ITN (WNC0014)

¹⁶⁶ Q 28

^{167 &}lt;u>Q 30</u>

^{168 &}lt;u>Q 30</u>

¹⁶⁹ Q 31

¹⁷⁰ Ibid.

¹⁷¹ QQ 43-51

age-based discrimination within their roles. 172

- 112. Focussing her comments on the BBC, Janet Graves reported that the industry strived for a "youthful" image, and that it did not value "the age and experience of their women workforce". 173 We heard evidence from Miriam O'Reilly, who won an ageism case against the BBC, after having worked for them for over 25 years. She told the Committee that the tribunal had found that the BBC had victimised her for speaking out against ageism. She also told the Committee that older women had been "forced out" 174 of their jobs, and had signed confidentiality agreements regarding their treatment.
- 113. Penny Marshall disagreed with this view saying that, as an older woman, this had not been her experience or that of her colleagues at ITV. The However, we received four letters, which we accepted as private evidence, from individuals who supported Miriam O'Reilly's view. Additionally, Olenka Frenkiel told us that, despite a successful career spanning 30 years, she was coerced into leaving the BBC. She said that the BBC told her that if she did not take voluntary redundancy and sign a confidentiality agreement, she would be mandated to resign without the full redundancy package that she had been promised. The said that the BBC told her that if she would be mandated to resign without the full redundancy package that she had been promised.
- 114. The evidence from Miriam O'Reilly and Olenka Frenkiel suggested that (at least in the case of the BBC) an informal policy of discriminating against older women was in existence. They suggested that this discrimination was unique to older women, and that older men could "continue to function as normal, permitted to be ugly, grizzly, fat, old, and peculiar". 177
- 115. The private evidence received by the Committee¹⁷⁸ suggested that there had been cases of older women being coerced into leaving the BBC and other broadcasting organisations as a result of their age. These were from well-established employees in the industry, and echoed the concerns voiced by Miriam O'Reilly and Olenka Frenkiel that women are commonly asked to sign confidentiality agreements restricting them from speaking about their treatment.
- 116. Since all but one of these allegations related to the BBC, we asked the BBC for information on its settlement agreements, compromise agreements and/or COT3 agreements¹⁷⁹ for the last five years. We were told that the BBC does not maintain a central record of such agreements, and that to provide a complete record of such agreements entered into by the BBC over the past five years would be very difficult. We were also told that, for the same reasons, there was no available information on the number of these agreements which contained confidentiality or 'gagging clauses' 180 or references to Equality Act claims. The

¹⁷² Written evidence from NUJ (<u>WNC0006</u>), Dr Josephine Dolan and Professor Estella Tincknell (<u>WNC0018</u>) and Olenka Frenkiel (<u>WNC0022</u>)

¹⁷³ Written evidence from Janet Graves (WNC0001).

¹⁷⁴ Q 42

^{175 &}lt;u>Q 54</u>

¹⁷⁶ Written evidence from Olenka Frenkiel (WNC0022)

¹⁷⁷ O 51

¹⁷⁸ Private written evidence

¹⁷⁹ A COT3 agreement is a settlement agreement that is reached with the help of an ACAS conciliator.

¹⁸⁰ Written evidence from the BBC (<u>WNC0025</u>). The BBC told us that it distinguishes between 'confidentiality clauses' and any reference to 'gagging clauses'. It said: "'Gagging clauses' relate to restrictions on making disparaging or derogatory statements about the organisation publicly. A confidentiality clause is in relation to information such as trade secrets, or the terms on which a former employee may be leaving the BBC."

BBC told us that confidentiality clauses and 'gagging clauses' were:

"Previously included in BBC compromise/settlement agreements and in BBC senior manager and executive employment contracts. This was changed following the Director General's announcement on 2 May 2013 that so called 'gagging clauses' would no longer feature in new contracts. The BBC has continued to use confidentiality clauses and agreements where appropriate to protect trade secrets, or the terms on which a former employee may be leaving the BBC. It should be noted that these restrictions do not prevent protected disclosure, often called 'whistleblowing', which has a clear status in law." ¹⁸¹

Why do we need older women on air?

- 117. In Chapter 1, paragraph 29, we noted that broadcasters have a duty to reflect society. The current representation of older women is not reflective of society, a fact that has been observed by audiences. ¹⁸²A study by Age UK found that as many as 80 per cent of viewers of all ages were aware that TV favours younger women over older women. ¹⁸³ 71 per cent of viewers said they would be happy to see a greater number of older women on TV. ¹⁸⁴
- 118. In Chapter 1 we also set out the role of news and current affairs broadcasting in forming views and norms of society. We heard evidence from the Government and others suggesting that the exclusion or stereotyping of older women could "help to institutionalise both sexism and sexist ageism and to naturalise the ways in which women and men experience profound differences in their access to recognition and power." 185
- 119. In its report, published in 2013, the Commission on Older Women found that older women were "depicted in stereotyped ways in public life". ¹⁸⁶ Citing the case of Professor Mary Beard, who received online abuse after appearing as an expert on BBC Question Time, ¹⁸⁷ the study concluded that, "whilst men are described as 'rugged' or 'distinguished' ... For women, the physical signs of ageing are frequently negatively stereotyped." ¹⁸⁸ Several witnesses agreed with this view. ¹⁸⁹
- 120. Some respondents argued that the absence of older women from public life had implications for younger women in the industry. ¹⁹⁰ Janet Graves told us that the lack of older women deprives young female journalists of role models in the industry. ¹⁹¹
- 121. We also heard evidence to suggest that ruling older women out of news and

¹⁸¹ Written evidence from the BBC (WNC0025)

¹⁸² Commission on Older Women, Interim Report (2013) p.32

¹⁸³ Cited in Commission on Older Women, *Interim Report* (2013), p.32: http://www.yourbritain.org.uk/uploads/editor/files/Commission on Older Women - Interim Report.pdf [accessed 7 January 2015]

¹⁸⁴ Ibid.

¹⁸⁵ Written evidence from Government Equalities Office (<u>WNC0020</u>)

¹⁸⁶ Commission on Older Women, Interim Report (2013) p.31

^{187 &#}x27;Mary Beard suffers 'truly vile' online abuse after Question Time', *The Guardian*, 21 January 2013: http://www.theguardian.com/media/2013/jan/21/mary-beard-suffers-twitter-abuse [accessed 7 January 2015]

¹⁸⁸ Commission on Older Women, Interim Report (2013) p.31

¹⁸⁹ Private written evidence, Written evidence from Dr. Josephine Dolan and Professor Estella Tincknell (WNC0018), Mary Nightingale in ITN (WNC0014) and Liz Leonard (WNC0013)

¹⁹⁰ Written evidence from Astute Radio (WNC0009)

¹⁹¹ Written evidence from Janet Graves (<u>WNC0001</u>)

current affairs could prove particularly problematic for women who wish to have a family life. Miriam O'Reilly told us that her career had progressed most rapidly between her late 30s and 50s, because her daughter was settled in school and she could concentrate on her career. Sky noted that this was a common pattern, and that the careers of some of their female employees had flourished once the children [had] grown up. 193 The BBC also observed that, quite often people start to progress their career as they get older. Notably, the BBC has seen this trend at their senior and editorial levels—suggesting that broadcasters need to encourage older women to stay on in their jobs, in order to increase the low number of women in senior editorial roles. We would encourage broadcasters to adopt this approach.

- 122. The Rt Hon Nicky Morgan MP said, "There is no reason why broadcasters cannot, when they are recruiting, look for older women and it is now for the broadcasters to realise themselves that there is a need or a demand from consumers of the media for older women to be on our screens and in our radio studios." ¹⁹⁵
- 123. The number of older women in news and current affairs broadcasting is too low. Evidence we have received suggests there is an informal culture of discrimination against older women within the BBC and other broadcasting organisations. We conclude that this culture is contributing to the lack of women in news and current affairs broadcasting.
- 124. In the context of gender balance and older women, a number of people presented us with private evidence that Public Service Broadcasters had unfairly discriminated against older women and improperly used confidentiality clauses in settlement agreements to prevent this being disclosed to the public. We have not been able to test fully all of these allegations. However we think it would be inappropriate for the BBC, funded by the licence fee, or other PSBs, to use confidentiality clauses in such agreements to shield bad practice such as coercion or bullying of former employees. We recommend that PSBs should be required to disclose figures to Ofcom on the number of settlement agreements issued annually.

Culture

- 125. Many witnesses suggested that a key barrier to greater representation of women within broadcast news and current affairs was the sector's culture. The NUJ suggested that John Simpson's comment in August this year that, "the BBC is even more grotesquely managed now than it was then with tough women running the place now", ¹⁹⁶ reflected a view that having women in management roles was a source of problems.
- 126. The NUJ and other witnesses¹⁹⁷ argued that within the broadcasting industry there was a unique culture of gender-based bullying and discrimination. The NUJ told the Committee that because broadcasting is seen as a "glamourous"

¹⁹² Q 49

^{193 &}lt;u>Q 29</u>

¹⁹⁴ Ibid.

¹⁹⁵ Q 6

¹⁹⁶ Written evidence from NUJ (<u>WNC0006</u>)

¹⁹⁷ Private written evidence

career [and] people are desperate to have jobs in TV and radio"¹⁹⁸ it is a hotspot for gender-based bullying. It undertook a survey of 400 workers in the media and arts and found that on average, 70 per cent of respondents working in television broadcasting had been bullied, harassed or discriminated against, as had 73 per cent of respondents working in radio broadcasting. Of these figures, 81 per cent of the female respondents had said that their gender was a factor. ¹⁹⁹

- 127. As already noted, the Committee received private evidence containing allegations of gender-based bullying. A number of individuals told us in private evidence that they had experienced gender-based bullying at the BBC and, in one case, at Channel 4.²⁰⁰
- 128. Evidence from Charlene White, a presenter at ITN, supported these claims. She said that in some places she had worked in the industry, she had been made to feel her views were less important because she was a woman, although she emphasised that this had not been her experience at ITN.²⁰¹
- 129. The private evidence we received was supported by the findings of the BBC's own 'Respect at Work' Review, which the NUJ referred to in their written evidence. The review found evidence of inappropriate behaviour and bullying at the BBC, and that some employees were fearful of raising complaints, "because of the potential impact on their career, reputational damage, and concern about encouraging more of the same treatment". It also said that inappropriate behaviour was often left unchallenged by senior management.²⁰²
- 130. We have heard evidence to suggest that some of the issues related to the underrepresentation of women in news and current affairs broadcasting stem from the culture in the industry, where sexist attitudes and gender-based bullying persist. We condemn such behaviour and we urge broadcasters, especially the BBC, to take further steps to eradicate bullying in the workplace.
- 131. We also urge broadcasters to ensure that their Human Resources departments take responsibility for supporting employees to identify gender-based bullying at work, so that it can be directly addressed. Allocating a 'women's champion' to advise women being bullied at work might be a helpful solution.

¹⁹⁸ Written evidence from NUJ (WNC0006)

¹⁹⁹ Ibid.

²⁰⁰ Private written evidence

²⁰¹ Written evidence from ITV (WNC0017)

²⁰² BBC, Respect at Work Review (2013): http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/bbcreport_dinahrose_respectatwork.pdf [accessed 7 January 2015]

CHAPTER 4: WOMEN AS EXPERTS AND PARTICIPANTS

Representation of female experts

- 132. The lack of consistent and specific terminology used by the industry makes understanding the data on the gender balance of experts difficult. Words such as expert, contributor and guest are often used interchangeably. None of the broadcasters provided their definitions of these terms in their written evidence. The Oxford English Dictionary defines "expert" as "One whose special knowledge or skill causes him to be regarded as an authority; a specialist." Women in Journalism defined expert as "anyone speaking/mentioned in their professional capacity, i.e., politicians, sports pundits, health professionals, business executives, and so on." 204
- 133. The main external source of data on this topic is a study carried out by City University. This is an ongoing study which monitors the same programmes for the same week every month.²⁰⁵ The definition they used was "any interviewee used for her or his knowledge, expertise or achievement ... we don't class case study or vox pop contributors as experts."²⁰⁶
- 134. The first set of data from City University's study was published in 2012. It led to several broadcasters signing a pledge to improve their ratio from nearly 5:1 to 3:1. Those signed up to the pledge included Channel 4 and Sky News.²⁰⁷ The latest data from this study, published in 2014, found that across flagship news programmes²⁰⁸ male experts outnumbered female experts by 4:1. These data were gathered from a period covering January and February 2014.
- 135. However, these data contrasted with the more encouraging figures provided by the broadcasters. ITV told us that on ITV National News, for the period most recently measured (which they did not specify), 41 per cent of contributors to news stories were female. On ITV's current affairs programmes, guests, contributors and experts over the past year were 48 per cent female and 52 per cent male.²⁰⁹ It was unable to provide figures for the regions as it was in the process of implementing a new standardised monitoring system across the regions in order to increase the number of female contributors.²¹⁰
- 136. Channel 5 did not make a distinction between "expert" and "contributor". It stated that over a three month period, 42 per cent of the main contributors to 5 News were women and that, in the period cited, there were an equal number of panellists on its flagship current affairs show, The Wright Stuff.²¹¹
- 137. The BBC did not provide us with any data on female experts. City University's

²⁰³ Oxford English Dictionary: http://www.oed.com/view/Entry/66551 [accessed 7 January 2015]

²⁰⁴ Women in Journalism, Seen but not heard: how women make front page news (2012): http://womeninjournalism.co.uk/wp-content/uploads/2012/10/Seen but not heard.pdf [accessed 7 January 2015]

^{205 &#}x27;Women still without a voice', Broadcast Magazine (7 March 2014)

²⁰⁶ Ibid.

²⁰⁷ Written evidence from Sky (<u>WNC0003</u>) and Channel 4 (<u>WNC0019</u>)

²⁰⁸ These were BBC News at Ten, C4 News, BBC Radio 4's Today, ITV News at Ten, Sky News evening shows.

²⁰⁹ Written evidence from ITV (WNC0017)

²¹⁰ *Ibid*.

²¹¹ Written evidence from Channel 5 (WNC0008)

- study showed the male to female ratio of experts on BBC News at Ten was almost 5:1 and on the Today programme, almost 4:1.²¹²
- 138. The problem of definition was compounded by the use of different reporting periods, which rendered meaningful analysis and comparisons difficult. Channel 4 stated that for the months of June, July and August 2014 its news programme had an expert contributor ratio of 2:1.²¹³ However the academic data from City University for January and February of the same year found the ratio was 5:1.²¹⁴
- 139. A similar study by Women in Journalism was conducted into the print media.²¹⁵ The study analysed the front pages of the major national daily newspapers. It discovered that out of the sample of women, "some 61 per cent of them were mentioned or quoted in their capacity as 'experts'" and "corresponding figures for men were: 82 per cent, 'experts'."²¹⁶
- 140. As we discuss in more detail in Chapter 5, it is our view that standardised monitoring and reporting is urgently needed.

Why is this a potential problem?

- 141. As we indicated in Chapter 1, paragraph 27, we received a considerable amount of evidence about the negative consequences of an unequal gender representation in news and current affairs. Several respondents pointed to the role news and current affairs plays in providing role models for society. Astute Radio emphasised the importance of female experts in this connection, writing that, "Authority figures are role models and it is imperative to give confidence and inspiration for girls who may want to become experts in particular fields ... many experts ... were influenced to enter their field of expertise because of role models they encountered during their lives, including on television and radio." 217
- 142. As expressed in Chapter 1, paragraph 26, a majority of witnesses agreed that news and current affairs had a particular responsibility to reflect society and that the BBC had a greater responsibility in this area than the other broadcasters, because of its funding structure.

A lack of female experts in society?

- 143. A number of witnesses told us that there could only be a roughly equal number of female and male experts appearing on television and the radio if there was a roughly equal number of male and female experts in society.²¹⁸ Fran Unsworth explained, "some of the people you will be putting on air are self-selecting. There is not much you can do about the fact that the Governor of the Bank of England is a man or the Prime Minister."²¹⁹
- 144. The overriding view from the broadcasters was that an "underrepresentation of women in British public life" prevented them from a better representation of women in broadcasting.²²⁰ There was consensus among the broadcasters

^{212 &#}x27;Women still without a voice'

²¹³ Written evidence from Channel 4 (WNC0019)

^{214 &#}x27;Women still without a voice'

²¹⁵ Seen but not heard: how women make front page news

²¹⁶ Ibid.

²¹⁷ Written evidence from Astute Radio (WNC0009)

²¹⁸ Q 24 (Sky) and written evidence from ITN (WNC0014)

^{219 0 23}

²²⁰ Written evidence from ITN (WNC0014)

who appeared as witnesses that there was a "supply problem." 221

- 145. Sky provided a case study from Budget Day 2014 when they had almost a 50–50 split between male and female contributors. It said it had achieved this by, "going beyond Westminster to small businesses, to families, to areas where we are more likely to find female guests and experts." However, it said that this had proved to be "very challenging". 223
- 146. Research conducted by City University found that two agencies providing expert witnesses for courts reported a 70/30 per cent male to female ratio.²²⁴ This suggests that the disparity in the use of experts in news and current affairs is larger than in some other industries in which experts are used.
- 147. We received evidence that women are underrepresented in several areas of professional society including business and aviation,²²⁵ which meant that it was less likely that there were female experts on these subjects. This was borne out by a BBC Trust review published in 2011²²⁶ which found that only 17 per cent of science contributors to news were female.
- 148. Other witnesses rejected the idea that there was a lack of female experts. Professor Ross, said that there were many available female experts, but "the problem is getting them on air". ²²⁷ Creative Skillset pointed out that "it is the barriers to entry and progression that are problematic in achieving diversity and inclusion in broadcasting, rather than the lack of talent." ²²⁸
- 149. We examine possible reasons for this difficulty below.

Barriers to equality of representation?

- 150. Professor Ross said that there was a tendency for those in decision-making roles tend to appoint people similar to themselves. The impact of this was that journalists tended to rely on a narrow range of sources, "most of whom are white, middle-class and middle-aged professional males". 229
- 151. Broadcasters claimed that the companies or organisations had to accept some responsibility for the gender imbalance amongst experts. ITV told us that:
 - "When offering a speaker for interview, companies are most likely to suggest their most senior member of staff, who is often a man. Indeed, it is often policy to allow only their most senior staff to speak on camera ... We find we have to proactively seek women experts."²³⁰
- 152. Witnesses also pointed to the nature of news broadcasting as a possible reason for the inequality. In her evidence Professor Ross suggested that one of the issues was the fast-paced nature of a news environment, which meant that it was easier for producers to contact tried and trusted experts that they knew

²²¹ Q 26

^{222 &}lt;u>Q 24</u>

²²³ Ibid.

^{224 &#}x27;Women on Air'

²²⁵ Q 23 (ITN) and Q 24 (Sky)

²²⁶ BBC Trust, Trust Conclusions on the Executive Report on Science Impartiality Review Actions (2014): http://downloads.bbc.co.uk/bbctrust/assets/files/pdf/our_work/science_impartiality/trust_conclusions.pdf [accessed 7 January 2015]

²²⁷ Q 4

²²⁸ Written evidence from Creative Skillset (<u>WNC0015</u>)

^{229 &#}x27;Women and news: a long and winding road'

²³⁰ Written evidence from ITV (<u>WNC0017</u>)

would be reliable.²³¹ ITN shared this view saying that, "There is often very little time in newsrooms to spend time discussing who our best contributors are."²³² Fran Unsworth of the BBC echoed this saying that, "producers up against deadlines reach for their contacts book and they go for the tried and tested".²³³

- 153. Sky reminded us that 24 hour news channels face a greater challenge because they work "at a faster pace to other news programmes". ²³⁴ It is clear that news programmes must be produced at greater speed than other factual genres and that this can impact on the ability to consider the gender balance of contributors.
- 154. Other witnesses pointed to a confidence gap between men and women which led to fewer women putting themselves forward as experts. A number of respondents suggested that men generally have more self-belief than women. Liz Leonard stated, "As a producer, I have noticed ... a reluctance on the part of women experts to put themselves forward, even when ... they are more knowledgeable than their male counterpart." 235
- 155. Similarly, the BBC told the Committee that research had shown that women were more likely than men to consider themselves "not expert enough". Professor Ross observed that women often needed "a little bit more nurturing and encouraging", which was difficult for producers under time constraints to provide.
- 156. A number of witnesses cited financial pressures as a reason for the gender inequality amongst experts. Creative Skillset said that "Lower budgets and other pressures in news production and broadcasting in general may often be a barrier for using new people, rather than 'those already in the system'." ²³⁶
- 157. Liz Leonard explained that "As production budgets have been slashed, pressures to identify contributors as quickly as possible have increased. It takes time to both identify and nurture new female talent." ²³⁷
- 158. We were interested to learn that the publicity and notoriety which may result from television and radio appearances can deter women in greater numbers than it does men. City University's study showed that, "71 per cent [of women] said lack of self-confidence and fear of criticism deterred them from appearing as experts." 238
- 159. There have been several recent incidents of online abuse of female presenters and experts. Fran Unsworth explained that, "There is a level of abuse sometimes that people get when they put themselves forward. Not everybody is up for this and all credit to the ones who have stood up to it, such as Mary Beard, who defended herself and raised it as an issue".²³⁹

^{231 &}lt;u>Q 4</u>

²³² Written evidence from ITN (WNC0014)

²³³ O 23

²³⁴ Written evidence from Sky (WNC0003)

²³⁵ Written evidence from Liz Leonard (WNC0013)

²³⁶ Written evidence from Creative Skillset (WNC0015)

²³⁷ Written evidence from Liz Leonard (WNC0013)

^{238 &#}x27;Women on Air'

²³⁹ Bomb threat tweet sent to Classicist Mary Beard, BBC News (4 August 2013): http://www.bbc.co.uk/news/23565145 [accessed 7 January 2015]

Voluntary initiatives to address the imbalance

- 160. There are no mandatory obligations imposed on the broadcasters related to the gender balance of experts. We received evidence about a number of voluntary initiatives.
- 161. The BBC Academy ran training days for female experts in 2013 in London, Salford, Glasgow and Cardiff. The result of these training days was that 164 women joined the BBC Expert Women database. 73 of those women have gone on to make about 347 appearances (195 on radio and 152 on television).²⁴⁰ We are not aware of any plans to repeat the initiative.
- 162. The BBC also ran the '100 Women' project which was a season of special reports, programmes and discussion held throughout October 2013. It culminated in a global conference where 100 women from around the world assembled at New Broadcasting House in London to discuss some of the crucial issues facing women today."²⁴¹
- 163. ITV is a member and current Chair of the CDN. It said it has "Regional Diversity Panels to strengthen links with the communities we serve, along with a Diversity Champion in each region".²⁴²
- 164. Broadcast Magazine ran an Expert Women campaign²⁴³ which encouraged the TV and radio industry to sign a pledge to increase the number of female experts interviewed on screen.
- 165. The broadcasters were concerned about the impact any mandatory measures might have on editorial independence. In discussing the possibility of quotas, John Hardie of ITN said that, "we also are mindful ... of the importance of the freedom of journalistic expression. We want to make sure ... the editor is putting on television exactly the contributors they believe will tell the story and do the news best that day." Fran Unsworth of the BBC echoed this, "It is best if one sticks to the idea that we are going to give the audience the person who explains their point of view in the best possible way." Nonetheless, she stated that the BBC had adopted voluntary measures. Nonetheless
- 166. Sky, uniquely amongst the broadcasters, had "set an internal target to have 35 per cent of female guest experts represented on screen." This increased the number of contributors from 22 per cent pre-2012 to over 35 per cent. The BBC Trust were in favour of targets as a "managerial tool" but not as a "governance tool". 247
- 167. Respondents discussed agencies and directories which sought to encourage broadcasters to use more female experts, in particular 'The Women's Room', a database for expert women. Dr Carter concluded that this database had been unsuccessful because companies were unaware of it.²⁴⁸

²⁴⁰ Written evidence from BBC (WNC0021)

²⁴¹ *Ibid*.

²⁴² Written evidence from ITV (WNC0017)

^{243 &#}x27;Broadcast launches expert women campaign' *Broadcast Magazine* (9 February 2012): http://www.broadcastnow.co.uk/news/people/broadcast-launches-expert-women-campaign/5037709.article [accessed 7 January 2015]

^{244 &}lt;u>Q 23</u>

^{245 &}lt;u>Q 25</u>

²⁴⁶ Written evidence from Sky (WNC0003)

²⁴⁷ O 39

²⁴⁸ Written evidence from Dr Cynthia Carter (<u>WNC0012</u>)

- 168. Some broadcasters told us that they did not use agencies or directories.²⁴⁹ Channel 5 said that, "Our news programme has contact with a wide range of experts, many of them women, and does not feel the need to go to a specialist agency."²⁵⁰ ITV did refer to The Women's Room, but only as "a useful additional tool".²⁵¹
- 169. We recognise the problems of using mandatory quotas. Given the dangers quotas could pose to editorial content, we do not recommend the use of mandatory quotas for female experts in broadcast news and current affairs at this time. If no progress is made in this regard the issue of quotas should be revisited. Broadcasters should create internal databases to ensure they have enough female experts represented in news and current affairs programmes. Where internal databases prove inadequate, they should be supplemented by external databases.

Portrayal of women in broadcast news and current affairs

- 170. Evidence from a number of witnesses suggested that, when women are featured on news and current affairs programmes, it is often in a way which perpetuates stereotypes. ITN told us that on Channel 5 News, female experts dominated topics such as education, parenting and health.²⁵² The Government's evidence backed this up, citing a study of 10 countries (including the UK) which showed that female sources tended only to appear in longer news items and were preferred for "soft" news topics such as family, lifestyle and culture.²⁵³
- 171. The figures relating to political news were particularly stark. City University discovered "Ten times more men experts than women experts are interviewed about politics, but only twice as many men experts are interviewed about health, in 38 programmes sampled." Box 3 shows the data from this study categorised by topic.

Box 3: Ratio of expert interviewees by topic

• Business: 4 men to 1 woman

• Home news: 5 men to 1 woman

• Foreign news: 5 men to 1 woman

• Entertainment: 4 men to 1 woman

• Sport: 6 men to 1 woman

• Other topics: 7 men to 1 woman

Source: City University²⁵⁵

172. Dr Carter cited a study²⁵⁶ which found that women are often portrayed as, "victim, wife, mother, daughter, or sister of a famous man, so not in their own right for their own accomplishments." She suggested that the underrepresentation of women contributed to a negative portrayal of women

²⁴⁹ Written evidence from Channel 5 (<u>WNC0008</u>) and ITN (<u>WNC0014</u>)

²⁵⁰ Written evidence from Channel 5 (WNC0008)

²⁵¹ Written evidence from ITV (WNC0017)

²⁵² Written evidence from ITN (WNC0014)

²⁵³ Written evidence from Government Equalities Office (<u>WNC0020</u>)

^{254 &#}x27;Women on Air'

²⁵⁵ *Ibid*. This data was collected over a three week period in 2013.

²⁵⁶ Who makes the news?

- 40
- in the media: "women's under representation at senior professional and management levels has an impact on what is reported in the news and how it is reported—in ways that typically marginalise women's voices in the news." ²⁵⁷
- 173. The Government agreed with Dr Carter's view, saying that unbalanced gender portrayals can perpetuate cultural norms about what society expects of men and women. In its evidence it referred to a recent All Party Parliamentary Group (APPG) on Women in Parliament which found that the negative way in which female parliamentarians are represented in the media was a significant barrier to increasing the number of female candidates.²⁵⁸
- 174. We do not consider an increase in the number of women featured in news and current affairs broadcasting enough. Broadcasters have a responsibility to ensure that women receive parity of treatment.
- 175. The BBC told us that it had recently started monitoring female portrayal and representation on its *Wales Today* programme with the aim of ensuring that audiences are more fairly reflected.²⁵⁹
- 176. We commend the *Wales Today* scheme to monitor female portrayal and would like to see it rolled out further.

²⁵⁸ Written evidence from Government Equalities Office (WNC0020)

²⁵⁹ Written evidence from BBC (WNC0021)

CHAPTER 5: MAKING A CHANGE

177. In this chapter we assess whether the existing measures and policies discussed in Chapter 2 are working, and where they are not, make recommendations as to what should be done to improve gender balance in the news and current affairs broadcasting sector.

Current voluntary measures and broadcasters' policies: are they working?

- 178. On the whole, broadcasters took the view that historic measures had not been sufficient, but that the current set of measures were working well. In cataloguing successes, broadcasters focused on their internal policies to improve gender balance. There was little discussion of collaborative efforts such as the Government's 'Think, Act, Report' initiative, which we outlined in paragraph 71, although broadcasters mentioned their work with the CDN when discussing monitoring and transparency.
- 179. ITV told us that, "voluntary initiatives have been successful in improving gender balance and increasing the number of women employed by ITV News and Current Affairs at all levels including on-screen, editorial and technical production and management." It said that through monitoring and proactive planning, gender equality for expert contributors to its programmes was starting to be achieved.²⁶⁰
- 180. The BBC also believed that its voluntary measures were having an impact: it wrote that, as of October 2014, 44 per cent of local breakfast shows were presented by women. This meant that it was on track to achieve the ambition set out by the Director-General, that 50 per cent of all breakfast radio programmes should have a female presenter by the end of 2014.²⁶¹
- 181. ITN said that voluntary in-house initiatives such as job-shares and changes to working patterns had been a success, resulting in an increased ratio of male to female staff. Sky focused mainly on the efficacy of its internal policies, which it believed had been successful. As set out in Chapter 4, it set a target to have 35 per cent of female guest experts represented on screen which it exceeded in quarter two of 2014.
- 182. Other than the broadcasters, most respondents felt that the existing voluntary initiatives were not working or that voluntary initiatives did not work in general.²⁶² Astute Radio wrote that voluntary initiatives are "rarely a motivating force for change especially when there is little accountability". It believed research showed that voluntary initiatives had not been sufficient, pointing out that, "This call for greater gender balance in radio has been going on for 50 years. Many radio insiders continue to quote the argument that 'listeners prefer to hear the voices of men'. These attitudes are difficult to change voluntarily."²⁶³
- 183. Professor Ross similarly said that, "what we have seen is self-regulation tends not to happen, because if they are left to their own devices, nothing is going to change". 264

²⁶⁰ Written evidence from ITV (WNC0017)

²⁶¹ Written evidence from BBC (<u>WNC0021</u>)

²⁶² Written evidence from Astute Radio (WNC0009), NUJ (WNC0006) and Q 9 (Professor Ross),

²⁶³ Written evidence from Astute Radio (WNC0009)

²⁶⁴ Q 9

Monitoring and transparency

- 184. In Chapter 1, paragraphs 14–15, we mentioned that the lack of data on the gender balance of the broadcasting workforce creates a problem for ensuring equality in news and current affairs broadcasting. This is compounded by the specific difficulties with collecting data on the gender and age of the freelance workforce (see Chapter 3, paragraph 97).
- 185. A number of respondents were concerned that there was no single industry standard for collecting data. The NUJ told us, "there is plenty of data which show women lose out to men in broadcasting jobs and promotions throughout their careers ... there are no definitive or official statistics collected industrywide which give the total picture". ²⁶⁵
- 186. Respondents also highlighted the impact that the lack of data could have on trying to find meaningful trends in the industry. Penny Marshall said that the industry needed "hard data that tells a story...When people are leaving; who is hiring whom; how many freelancers there are. We cannot have this discussion anecdotally". Creative Skillset agreed with this, saying that transparent monitoring of gender balance across the industry was important, and could "reveal situations that have grown over time, as with gendered roles regarding technical skills". Of com told us that issues with data were in part the reason that it had been "difficult to identify any meaningful trends" in the final report it published in 2008 before delegating regulation of gender balance in the sector to the BTSR. 169
- 187. The Broadcasters cited the CDN's Project Diamond (previously Silvermouse) initiative (see Chapter 2. Box 1) as a means of addressing the data problem. In its written evidence, ITV observed that the lack of an industry-wide standard for collecting and publishing data was limiting effective change in the industry. However, it said that, as the Chair of the CDN, it would work to establish a standardised method to address this issue.²⁷⁰
- 188. The BBC Trust also hoped that the CDN would address the problem of inadequate data. Sonita Alleyne, a BBC Trustee, described the Project Diamond toolkit as, "a real step forward" in benchmarking diversity across the industry. She said that, "at the end of 2015, I would like to be able to have a set of data that we can properly look at".²⁷¹

Transparency

189. As well as monitoring, respondents also emphasised the importance of the data being transparent. Creative Skillset said that although in previous years the Independent Television Commission²⁷² was required by the conditions of broadcasting licences to publish these data, Ofcom had chosen not to do the same and was permitted to keep these data secret, publishing only

```
265 Written evidence from NUJ (WNC0006)
```

^{266 &}lt;u>Q 58</u>

²⁶⁷ Written evidence from Creative Skillset (<u>WNC0015</u>)

²⁶⁸ Written evidence from Ofcom (WNC0007)

²⁶⁹ Written evidence from Ofcom (WNC0007)

²⁷⁰ Written evidence from ITV (WNC0017)

²⁷¹ Q 39

²⁷² The Independent Television Commission (ITC) licensed and regulated commercial television services in the United Kingdom (except S4C in Wales) between 1 January 1991 and 28 December 2003. The ITC was formed by the Broadcasting Act 1990 to replace the television regulation functions of the Independent Broadcasting Authority (formed by the Sound Broadcasting Act, 1972) and Cable Authority. From 1 January 1991 it regulated the existing ITV network.

a summary.²⁷³ Kate Kinninmont spoke about the secrecy behind rates of pay within the BBC, which meant that a news correspondent may have a negotiated pay package that no one else knew about. She suggested that greater transparency could drive change, saying, "If we had transparency people would have to step up".²⁷⁴

- 190. An industry-wide standard is urgently needed in order to monitor properly the rate of change in the industry. Current monitoring of the gender balance within news and current affairs broadcasting is unsatisfactory. We welcome the work being undertaken through the Creative Diversity Network (CDN), to bring about a standardised set of data. We recognise that this has yet to report, and we look to it to provide data on this area as soon as possible. However, we keep in mind that such voluntary initiatives have proved unsuccessful in the past.
- 191. We therefore recommend that Ofcom uses its power under section 337 of the Communications Act 2003 to require broadcasters, through the Creative Diversity Network (CDN) or otherwise, to record annually the gender balance within their organisations, in line with an industry-wide standard. This data should include information on rates of pay, age, promotion, and should be categorised by role and genre. As recommended in Chapter 3, paragraph 104, this data should include figures for freelance workers, who make up a large proportion of the workforce. The data should be made public.
- 192. Current voluntary initiatives conflate gender equality and diversity. We recommend that broadcasters distinguish between gender equality and diversity in their voluntary initiatives. Gender equality is concerned with the proper representation of women, who form the majority of the population. Diversity is concerned with ensuring better representation of minority groups. Gender equality and diversity often require different solutions and, therefore, should be dealt with as separate issues.

Role of Ofcom and the Broadcast Equality and Training Regulator (BETR)

- 193. In Chapter 2 we outlined Ofcom's duties relating to training and equality of opportunity and the role formerly played by the BETR.
- 194. The NUJ said that it "cannot understand the lack of input on this issue from Ofcom"²⁷⁵ referring to a statement made by Ofcom that enforcing the requirement under Section 337 of the Broadcasting Act was too "draconian" and "too resource intensive."²⁷⁶
- 195. The NUJ also said that Ofcom should insist on all broadcasting organisations completing a universal diversity questionnaire which should be published on a regular basis. It suggested that the existing voluntary diversity information gathering was "not fit for purpose",²⁷⁷ and that "The regulator should set targets on the employment policies of broadcasting organisations and levy penalties if they are not met."²⁷⁸

²⁷³ Written evidence from Creative Skillset (<u>WNC0015</u>)

²⁷⁴ O 11

²⁷⁵ Written evidence from NUJ (<u>WNC0006</u>)

²⁷⁶ Ibid.

²⁷⁷ Ibid.

²⁷⁸ Ibid.

- 44
- 196. A draft Public Bodies (Modification of Functions of Ofcom) Order was laid before Parliament in 2013 (but subsequently withdrawn in 2014) which, amongst other things, sought to remove from Ofcom the duty to promote development opportunities for training and equality of opportunity. The Government's explanatory document, produced following a consultation, said that all respondents who discussed this issue, "agreed with its removal [from Ofcom], especially in light of the role that Skillset already plays for employees and businesses in the media sector." 279
- 197. The Government therefore sought to remove this duty from Ofcom, explaining that, "It is unusual for a regulator to have such a duty, especially when there are other bodies which are placed to fulfil this role, such as Skillset." ²⁸⁰
- 198. As a result of the announcement of the Public Bodies Order by the Government, and financial pressures, Ofcom decided to stop carrying out this monitoring and dissolve the BETR. Despite the Order being withdrawn by the Government in 2014, the monitoring has not been reinstated. When questioned on the draft Order, The Hon. Ed Vaizey MP said, "Ofcom still maintains some statutory duties ... given the pressure on public finances in 2010, there were certain areas where Ofcom had to place more emphasis than on others."²⁸¹

Box 4: Cost of data collection

The costs to Ofcom of the BETR were, "£300,000 p.a. in contributions from broadcasters, and £150,000 p.a. in contributions from Ofcom. The one-off costs of this in terms of Ofcom savings in staff costs were £60,000." Ofcom stated there would be two ways in which they would be able to collect diversity monitoring data and provide rough costs:

- (1) "Through an enhancement to our existing system which collects information on the broadcasters' compliance with their programming quotas. This would likely incur set up costs above £10,000 (covering IS work, stakeholder engagement, training etc.). Once established, the on-going running cost might be relatively low and consist of some secure data hosting + some staffing costs. While it is difficult for us to quantify this, the cost to broadcasters is likely to be much higher and, in order to cover off-screen costs from the production sector, would include the costs of any systems they use to gather the relevant data from production companies.
- (2) If we used a bespoke monitoring system, then set up costs would be at least £100,000+. In both this scenario and the previous scenario, it is likely that we would collect data directly from the broadcasters and they would be responsible for gathering any data from the production sector. As in the first scenario, costs to industry would be substantial."

Source: Ofcom²⁸²

²⁷⁹ Draft Public Bodies (Modification of Functions of OFCOM) Order 2013: http://www.legislation.gov.uk/ukdsi/2013/9780111101919/contents. Explanatory memorandum: https://www.legislation.gov.uk/ukdsi/2013/9780111101919/contents. Explanatory memorandum: <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224604/130717_Explanatory_document_Final_1707_6 .pdf [accessed on 8 January 2015

²⁸⁰ Ibid.

²⁸¹ O 63

- 199. While the Committee acknowledges there are well supported industry initiatives, we also recognise their limitations. For example, Creative Skillset's data relate primarily to training and employment, whereas there are currently no standard systems for measuring on-screen representation for groups that are not employees, for example, experts (although we are aware of plans for such a system via the CDN).²⁸³
- 200. Contrary to the NUJ's view, Ofcom argued that the powers given to it by Parliament, related to the representation of women in news and current affairs, were limited. We recognise that the duties outlined above are limited in scope in that they only relate to training and employment. Furthermore, there are currently no specific requirements on Ofcom to oversee gender equality for non-employees (for example experts) or independent production companies.
- 201. We asked Ofcom how much it had cost to run the BETR and how much it would cost for Ofcom itself to carry out the monitoring. Its response is shown in Box 4.
- 202. The Government should make clear to Ofcom that it no longer wishes to remove the power Ofcom has to ensure gender equality under section 337 of the Communications Act 2003 and that Ofcom should not hesitate to use this power.
- 203. It is imperative that Ofcom gives greater priority to its duties to monitor gender balance. Ofcom, through an enhancement to its existing monitoring system, should collect and publish information on the broadcasters' progress towards greater gender equality. This should be reviewed after a period of one year. If it does not prove to be successful in changing behaviours, we would recommend that Ofcom should reinstate a body focused on monitoring gender equality, such as the Broadcast Equality and Training Regulator (BETR) without its earlier training role.

Quotas and mandatory measures

- 204. Respondents discussed both quotas and targets for greater gender equality. In our view, a distinction should be drawn between mandatory quotas which focus on outcomes (whether a certain threshold has been reached) and targets which are focused on process (whether sufficient steps have been taken to work towards the threshold). Nevertheless, some respondents conflated the two concepts. On the whole, respondents were not in favour of quotas for either employees or expert commentators, although there was one witness who advocated their use.²⁸⁴
- 205. The broadcasters' discussion of quotas focused mainly on putting them in place for on air experts. They opposed quotas for experts for two main reasons: the first was that the immediacy of news meant that it was not always possible to obtain a balance and therefore quotas would be disproportionate. Channel 5 told us, "A quota system would seem particularly heavy handed: news programmes in particular have to report on the day's events, and on some issues there are inevitably many more potential contributors of one gender than of the other." The second reason broadcasters opposed quotas

²⁸³ Written evidence from Creative Skillset (WNC0015)

²⁸⁴ Written evidence from Dr. Josephine Dolan and Professor Estella Tincknell (WNC0018)

²⁸⁵ Written evidence from Channel 5 (WNC0008)

- for experts was the gender imbalance in society more widely, which they perceived as reducing the pool of women available. ²⁸⁶ There were also concerns that the use of quotas risked interfering with editorial independence. ²⁸⁷
- 206. The Government was also opposed to mandatory quotas. It said that improvements should be about long term culture change, and needed to be driven by industry itself. Professor Ross seemed to agree with this view, noting that the Austrian broadcaster ORF had been "experimenting with quotas" but that she was not sure they had been successful. In her view, this was because prescriptive measures were not enough: elements such as guidance and recommendations were also important.²⁸⁸
- 207. There was a concern that the use of quotas for employees specifically could undermine the authority of women in news and current affairs broadcasting. Miriam O'Reilly said that she did not agree with the use of quotas because they risked building "resentment in the newsroom". She said that it was more important to ensure that women were nurtured and supported as they came through the industry. Cathy Newman agreed with this view, adding that quotas (or targets) were also unhelpful for experts.
- 208. Whilst Professor Ross acknowledged that there were "all sorts of issues with quotas", ²⁹¹ she pointed to the introduction of quotas for prospective parliamentary candidates as an example that, "sometimes you cannot make an appeal for gender justice. You have to force something to happen. When it has happened, after a few years it has become so normalised that people just think 'why did we not do this 10, 20, 30, 40 or 50 years ago'?"²⁹²
- 209. Although only one respondent suggested quotas,²⁹³ the idea of setting non-binding targets was offered as an alternative means of ensuring that broadcasters were measured against their stated aims of increasing gender diversity.
- 210. Creative Skillset wrote, "We share the view with many other organisations promoting diversity in the industry, that the use of tailored targets and performance measures set by the industry ensures accountability for results." 294 Jonathan Levy said that in Sky's experience, targets were useful in order to "focus the minds of the people booking guests". 295
- 211. Fran Unsworth of the BBC did not agree with the use of targets. She said that it was difficult to decide what the appropriate target was, and that deciding on the wrong target could create complacency.²⁹⁶
- 212. The fast-paced nature of news and current affairs broadcasting means that mandatory quotas for women in news and current affairs broadcasting could prove to be unworkable. It seems to us, however, that non-binding targets represent a realistic alternative, and would

```
286 Written evidence from Sky (<u>WNC0003</u>)
```

²⁸⁷ Q 24 (BBC), ITN (<u>WNC0014</u>) and BBC (<u>WNC0021</u>)

^{288 0 9}

^{289 &}lt;u>Q 57</u>

^{290 &}lt;u>Q 57</u>

^{291 0 5}

²⁹² O 5

²⁹³ Written evidence from Dr Josephine Dolan and Professor Estella Tincknell (<u>WNC0018</u>)

²⁹⁴ Written evidence from Creative Skillset (<u>WNC0015</u>)

^{295 &}lt;u>Q 24</u>

²⁹⁶ QQ 22-25

- help focus broadcasters on achieving a better gender balance for expert commentators and employees.
- 213. We recommend Ofcom (or a body similar to the Broadcast Equality and Training Regulator (BETR)) should use its power under the Communications Act 2003 to require public service broadcasters to set their own short term, medium term and long term targets for gender balance of expert commentators and employees. Ofcom should also encourage commercial broadcasters to set targets in this area, given the key role of news and current affairs in shaping social norms. Ofcom should exercise the power it has to levy sanctions, if appropriate, where a broadcaster is not making sufficient progress.
- 214. In Chapter 2 we outlined that Public Service Broadcasters (PSBs) are making increased use of independent broadcasting companies. We encourage broadcasters to consider, before signing contracts with independent production companies, whether obligations relating to recruitment and promotion policies should be incorporated into their contracts.

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

Chapter 1: Introduction

- 1. We agree with witnesses that the reach of news and current affairs broadcasting and its propensity to shape social norms mean that there is a particular responsibility on news and current affairs broadcasters to reflect society. The involvement of women in newsgathering roles on and off air is central to achieving this, through offering a balanced perspective. (Paragraph 29)
- 2. Broadcasters should ensure a gender balance in their wider workforce to facilitate coverage of issues which affect both men and women in varied ways. (Paragraph 33)
- 3. The BBC receives funding from a universal licence fee, paid by public households that watch live TV. The other Public Service Broadcasters (PSBs) receive certain statutory benefits. Therefore, the BBC and other PSBs have a responsibility to reflect society by setting the standard in ensuring gender balance. We consider that, because news and current affairs has such scope to inform society, all broadcasters have a particular duty of responsibility in this area. (Paragraph 38)

Chapter 2: Current obligations and measures

4. We recommend that broadcasters should have distinct policies which differentiate between gender equality and diversity. (Paragraph 63)

Chapter 3: Women's employment in the industry

- 5. Greater transparency is needed around broadcasters' recruitment and progression processes, and around pay and reward to ensure that, all other factors being equal, women are given the opportunities to enter and progress at the same pace as their male colleagues, and receive equal pay for equal work. (Paragraph 79)
- 6. All appointments and promotions should be advertised either internally or externally, and awarded on the basis of fair and open competition. Public Service Broadcasters (PSBs) should be required to provide a statement annually confirming this, which should be monitored by Ofcom (or in the case of the BBC, by the BBC Trust). Where appointments are made on the basis of an interview panel, in accordance with best practice, it should be a mixed gender panel. (Paragraph 80)
- 7. Public Service Broadcasters should consider adopting a policy which promotes (but does not mandate) the use of positive action in favour of women for all relevant recruitment and promotion opportunities in broadcasting. (Paragraph 83)
- 8. Women are more likely than men to have caring responsibilities. The challenges faced by those seeking to combine caring responsibilities with a career are particularly acute in news and current affairs broadcasting. The dynamic nature of news means that employees are often required to work hours that are incompatible with caring responsibilities. Broadcasters should ensure they have in place policies on flexible working practices which encourage women to have fulfilling careers alongside caring responsibilities. (Paragraph 93)

- 9. A widespread view that women will be "side-lined" after having children persists. To address this perception, efforts should be made to ensure that women who return from maternity leave receive appropriate training. Employers should also consider using other flexible solutions such as allowing women to choose to continue working on an *ad hoc* basis during an extended period of maternity leave. (Paragraph 94)
- 10. Broadcasters should make every effort to ensure support for childcare arrangements, both culturally and financially. Support mechanisms such as childcare vouchers, childcare advisers, and crèches to accommodate women with young children working usual hours are examples of good practice. (Paragraph 95)
- 11. There is currently insufficient data on the gender of freelancers, and whether women are adversely affected by the widespread use of freelance contracts in the industry. Given the prevalence of freelancers in the news media, we consider that Ofcom should use its power under section 337 of the Communications Act 2003 to require broadcasters to collect data on the age and gender of the freelance workers they employ. This data should be used to review the processes by which broadcasters appoint freelance workers, to ensure that women, particularly those with children, are not disadvantaged by freelance contracts. (Paragraph 104)
- 12. The number of older women in news and current affairs broadcasting is too low. Evidence we have received suggests there is an informal culture of discrimination against older women within the BBC and other broadcasting organisations. We conclude that this culture is contributing to the lack of women in news and current affairs broadcasting. (Paragraph 123)
- 13. In the context of gender balance and older women, a number of people presented us with private evidence that Public Service Broadcasters had unfairly discriminated against older women and improperly used confidentiality clauses in settlement agreements to prevent this being disclosed to the public. We have not been able to test fully all of these allegations. However we think it would be inappropriate for the BBC, funded by the licence fee, or other PSBs, to use confidentiality clauses in such agreements to shield bad practice such as coercion or bullying of former employees. We recommend that PSBs should be required to disclose figures to Ofcom on the number of settlement agreements issued annually. (Paragraph 124)
- 14. We have heard evidence to suggest that some of the issues related to the underrepresentation of women in news and current affairs broadcasting stem from the culture in the industry, where sexist attitudes and gender-based bullying persist. We condemn such behaviour and we urge broadcasters, especially the BBC, to take further steps to eradicate bullying in the workplace. (Paragraph 130)
- 15. We also urge broadcasters to ensure that their Human Resources departments take responsibility for supporting employees to identify gender-based bullying at work, so that it can be directly addressed. Allocating a 'women's champion' to advise women being bullied at work might be a helpful solution. (Paragraph 131)

Chapter 4: Women as experts and participants

16. As we discuss in more detail in Chapter 5, it is our view that standardised monitoring and reporting is urgently needed. (Paragraph 140)

- 50
- 17. We recognise the problems of using mandatory quotas. Given the dangers quotas could pose to editorial content, we do not recommend the use of mandatory quotas for female experts in broadcast news and current affairs at this time. If no progress is made in this regard the issue of quotas should be revisited. Broadcasters should create internal databases to ensure they have enough female experts represented in news and current affairs programmes. Where internal databases prove inadequate, they should be supplemented by external databases. (Paragraph 169)
- 18. We do not consider an increase in the number of women featured in news and current affairs broadcasting enough. Broadcasters have a responsibility to ensure that women receive parity of treatment. (Paragraph 174)
- 19. We commend the *Wales Today* scheme to monitor female portrayal and would like to see it rolled out further. (Paragraph 176)

Chapter 5: Making a change

- 20. An industry-wide standard is urgently needed in order to monitor properly the rate of change in the industry. Current monitoring of the gender balance within news and current affairs broadcasting is unsatisfactory. We welcome the work being undertaken through the Creative Diversity Network (CDN), to bring about a standardised set of data. We recognise that this has yet to report, and we look to it to provide data on this area as soon as possible. However, we keep in mind that such voluntary initiatives have proved unsuccessful in the past. (Paragraph 190)
- 21. We therefore recommend that Ofcom uses its power under section 337 of the Communications Act 2003 to require broadcasters, through the Creative Diversity Network (CDN) or otherwise, to record annually the gender balance within their organisations, in line with an industry-wide standard. This data should include information on rates of pay, age, promotion, and should be categorised by role and genre. As recommended in Chapter 3, paragraph 104, this data should include figures for freelance workers, who make up a large proportion of the workforce. The data should be made public. (Paragraph 191)
- 22. Current voluntary initiatives conflate gender equality and diversity. We recommend that broadcasters distinguish between gender equality and diversity in their voluntary initiatives. Gender equality is concerned with the proper representation of women, who form the majority of the population. Diversity is concerned with ensuring better representation of minority groups. Gender equality and diversity often require different solutions and, therefore, should be dealt with as separate issues. (Paragraph 192)
- 23. The Government should make clear to Ofcom that it no longer wishes to remove the power Ofcom has to ensure gender equality under section 337 of the Communications Act 2003 and that Ofcom should not hesitate to use this power. (Paragraph 202)
- 24. It is imperative that Ofcom gives greater priority to its duties to monitor gender balance. Ofcom, through an enhancement to its existing monitoring system, should collect and publish information on the broadcasters' progress towards greater gender equality. This should be reviewed after a period of one year. If it does not prove to be successful in changing behaviours, we would recommend that Ofcom should reinstate a body focused on monitoring

- gender equality, such as the Broadcast Equality and Training Regulator (BETR) without its earlier training role. (Paragraph 203)
- 25. The fast-paced nature of news and current affairs broadcasting means that mandatory quotas for women in news and current affairs broadcasting could prove to be unworkable. It seems to us, however, that non-binding targets represent a realistic alternative, and would help focus broadcasters on achieving a better gender balance for expert commentators and employees. (Paragraph 212)
- 26. We recommend Ofcom (or a body similar to the Broadcast Equality and Training Regulator (BETR)) should use its power under the Communications Act 2003 to require public service broadcasters to set their own short term, medium term and long term targets for gender balance of expert commentators and employees. Ofcom should also encourage commercial broadcasters to set targets in this area, given the key role of news and current affairs in shaping social norms. Ofcom should exercise the power it has to levy sanctions, if appropriate, where a broadcaster is not making sufficient progress. (Paragraph 213)
- 27. In Chapter 2 we outlined that Public Service Broadcasters (PSBs) are making increased use of independent broadcasting companies. We encourage broadcasters to consider, before signing contracts with independent production companies, whether obligations relating to recruitment and promotion policies should be incorporated into their contracts. (Paragraph 214)

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Baroness Bakewell

Lord Best (Chairman)

Lord Clement-Jones

Baroness Deech

Lord Dubs

Baroness Fookes

Baroness Hanham

Baroness Healy of Primrose Hill

Lord Horam

Bishop of Norwich

Lord Razzall

Baroness Scotland of Asthal

Lord Sherbourne of Didsbury

Declarations of Interest

Baroness Bakewell

Freelance broadcaster and journalist. Works on a freelance basis for a number of companies, including the BBC and Sky.

Lord Best (Chairman)

No relevant interests declared

Lord Clement-Jones

No relevant interests declared

Baroness Deech

Daughter was a BBC journalist but left the job in April 2014

Lord Dubs

No relevant interests declared

Baroness Fookes

No relevant interests declared

Baroness Hanham

No relevant interests declared

Baroness Healy of Primrose Hill

No relevant interests declared

Lord Horam

No relevant interests declared

Bishop of Norwich

No relevant interests declared

Lord Razzall

Daughter is a BBC employee

Baroness Scotland of Asthal

No relevant interests declared

Lord Sherbourne of Didsbury

No relevant interests declared

A full list of Members' interests can be found in the Register of Lords' Interests: http://www.publications.parliament.uk/pa/ld/ldreg.htm

Specialist Adviser

Lis Howell, Director of Broadcasting at the City University London, acted as Specialist Adviser for this inquiry. Andrew Worthley, Lecturer at the City Law School, City University London, acted as Specialist Legal Adviser for this inquiry.

APPENDIX 2: LIST OF WITNESSES

Evidence is published online at http://www.parliament.uk/women-in-news and available for inspection at the Parliamentary Archives (020 7219 5314).

Evidence received by the Committee is listed below in chronological order of oral evidence session and in alphabetical order. Those witnesses marked with ** gave both oral evidence and written evidence. Those marked with * gave oral evidence and did not submit any written evidence. All other witnesses submitted written evidence only.

Oral evidence in chronological order

*	Professor Suzanne Franks, City University	<u>QQ 1-9</u>
*	Professor Karen Ross, Northumbria University	
**	Michelle Stanistreet, General Secretary, National Union of Journalists	QQ 10-18
*	Kate Kinninmont, Women in Film and Television	
*	Jane Martinson, Women in Journalism	
**	Fran Unsworth, Deputy Director of News and Current Affairs, BBC	QQ 19-31
**	John Hardie, Chief Executive Officer, ITN	
**	Jonathan Levy, Head of News Gathering, Sky News	
*	Sonita Alleyne, Trustee, BBC Trust	QQ 32-41
*	Richard Ayre, Trustee, BBC Trust	
*	Penny Marshall	QQ 42-59
*	Cathy Newman	
*	Miriam O'Reilly	
*	The Hon Ed Vaizey MP, Minister of State for Culture and the Digital Economy, Department for Culture, Media and Sport	QQ 60-68
**	The Rt Hon Nicky Morgan MP, Secretary of State for Education and Minister for Women and Equalities, Department for Education	

Alphabetical list of all witnesses

	Eve Ahmed	WNC0002
	Astute Radio	WNC0009
**	BBC (QQ 19-31)	<u>WNC0021</u>
		WNC0025
*	BBC Trust (QQ 32-41)	
	Dr Cynthia Carter	WNC0012
	Channel 4	WNC0019
	Channel 5 Broadcasting Ltd	WNC0008
	Creative Diversity Network	WNC0023
	Creative Skillset	WNC0015
*	Department for Culture, Media and Sport (QQ 60-68)	
	Dr Josephine Dolan	<u>WNC0018</u>
*	Professor Suzanne Franks (QQ 1-9)	

	Olenka Frenkiel	WNC0022
	Laura Frey	<u>WNC0010</u>
	Janet Graves	<u>WNC0001</u>
**	Her Majesty's Government, Government Equalities Office	<u>WNC0020</u>
**	ITN (QQ 19-31)	<u>WNC0014</u>
	ITV Plc	<u>WNC0017</u>
	Liz Leonard	<u>WNC0013</u>
*	Penny Marshall (QQ 42-59)	
**	National Union of Journalists (QQ 10-18)	<u>WNC0006</u>
*	Cathy Newman (QQ 42-59)	
	Ofcom	<u>WNC0007</u>
		<u>WNC0024</u>
	Deirdre O'Neill	<u>WNC0004</u>
*	Miriam O'Reilly (QQ 42-59)	
*	Professor Karen Ross (QQ 1-9)	
**	Sky (QQ 19-31)	<u>WNC0003</u>
	Sound Women	
	Estella Tincknell	<u>WNC0018</u>
*	Women in Film and Television (QQ 10-18)	
*	Women in Journalism (QQ 10–18)	

APPENDIX 3: CALL FOR EVIDENCE

The House of Lords Select Committee on Communications, under the chairmanship of Lord Best, is to conduct an inquiry into women in news and current affairs broadcasting on television and radio. The Committee thus invites any interested organisation or individual to submit written evidence to the inquiry. Written evidence must be submitted by 12 noon on 1 October 2014.

The Committee expect to hear oral evidence from invited witnesses in October and November 2014. The Committee intend to report before the end of the year. Reports are made for the information of the House but may also make recommendations. The Government has undertaken to respond in writing to reports from select committees.

Background

A number of studies have indicated concern about the representation of women in television and radio news and current affairs broadcasting in terms of employment, casting and participation. For example, one recent study reported that in a typical month, about 72 per cent of BBC Question Time contributors were men and 84 per cent of reporters and guests on Radio 4's Today programme were men.²⁹⁷ Another study has found that male experts interviewed on flagship news programmes outnumber female experts by 4–1.

Concerns are also regularly expressed about the employment of women in public-facing and behind the scenes and editorial roles in news and current affairs broadcasting. For example, although not specific to these genres, the percentage of women in editorial, journalism and sport was 39 per cent in 2012, down from 43 per cent in 2009 and obviously lower than men.²⁹⁸ Women are under-represented in flagship news where there are 2.5 male presenters and/or reporters to every female presenter and/or reporter. There are also issues to do with the employment of women and their age. While TV presenters under 50 in general programming are broadly representative of the gender balance in the population, (48 per cent are women) women over 50 are under-represented both on and off screen.²⁹⁹

Views are unlikely to diverge on the question of whether women should be represented in news and current affairs broadcasting. There may however be different perspectives on the urgency and on realisable practical routes to achieving a more equal footing between women and men as presenters, expert guests, employees in production teams and in editorial roles in news and current affairs broadcasting on television and radio.

The Committee invites interested people and organisations to respond in writing to the following questions and any other they think important. The Committee are focusing on news and current affairs, but those offering evidence are welcome to offer lessons from and for other areas of broadcasting, especially serious factual.

Data

(It would be helpful if broadcasters and others with the data felt able to provide them to the committee direct.)

²⁹⁷ Who Runs Britain? (2013)

²⁹⁸ Creative Skillset, Employment Census of the Creative Media Industries (2012): http://creativeskillset.org/assets/0000/5070/2012 Employment Census of the Creative Media Industries.pdf [accessed 7 January 2015]

²⁹⁹ Commission on Older Women, Interim Report (2013), p.33

- 1. What data exist (both in terms of absolute numbers and ratios) on gender balance in news and current affairs broadcasting for a) presenters, b) reporters, c) editorial roles, d) behind the scenes production roles, and e) guests invited as experts or authority figures?
- 2. How do these data break down by age?
- 3. What other research helps to paint a picture of gender balance across news and current affairs broadcasting? What concerns arise from the facts presented by this research?

Regulation

4. What legal and regulatory obligations affect broadcasters in relation to gender balance in this genre? To what extent are those obligations observed or circumvented?

Self-regulation

- 5. What, if anything, are broadcasters doing voluntarily to try to achieve gender equality in this genre?
- 6. How successful are broadcasters' voluntary initiatives and are they sufficient?
- 7. When participants in news and current affairs broadcasting are chosen on "merit", what constitutes "merit" and does this appropriately reflect the levels of female expertise in society?
- 8. Are there any significant commercial initiatives in response to this issue, e.g. agencies providing contributors, or directories of women experts? Are these initiatives appropriate? If so, what are the barriers to their success?

Nudge

9. To the extent that voluntary initiatives are insufficient, what effective and proportionate policy levers are available to effect change?

Other genres, especially serious factual broadcasting

- 10. Are these concerns particular to news and current affairs broadcasting? Does this genre have a particular and different responsibility to reflect accurately the levels of female expertise and authority in society? Do news and current affairs broadcasters have a responsibility to reflect their audiences? How should these values be determined?
- 11. What implications do these questions have for serious factual broadcasting with a high proportion of expert and authority figures?

Abroad

12. Does the issue exist in other cultures? If so, is there evidence that any other culture is more successful in representing female expertise and authority both on screen and in the production of news, current affairs and serious factual broadcasting? If so, how?

This document sets out the broad questions on which the committee would be interested to receive written evidence. A person submitting written evidence need not address all of the questions and is also free to raise other issues. Practical instructions about in what form and how to submit written evidence are attached to this document.

APPENDIX 4: GLOSSARY

BAFTA British Academy of Film and Television Arts

BAME Black, Asian, and Minority Ethnic
BBC British Broadcasting Corporation

BBC Trust is the governing body of the British

Broadcasting Corporation (BBC)

BETR Broadcast Equality and Training Regulator

(formerly BTSR)

BTSR Broadcast Training and Skills Regulator

CDN Creative Diversity Network

COT3 agreement A settlement agreement that is reached with the

help of an ACAS conciliator

GMMP Global Media Monitoring Project

Familienpflegezeit German family care leave scheme affording

employees the opportunity to combine work and

care for a period of up to 2 years

FTSE 100 Stock market index of the top 100 companies listed

on the London Stock Exchange who have the

highest total value of shares outstanding of publicly

traded companies

ITN Independent Television News

ITV Independent Television

IWMF International Women's Media Foundation LGBT Lesbian, Gay, Bisexual and Transgender

NUJ National Union of Journalists
Ofcom Office of Communications

PACT Producers Alliance for Cinema and Television

PSB Public Service Broadcaster

Welsh language public service television channel

broadcast throughout Wales

STEM The academic disciplines of science, technology,

engineering and mathematics

UNESCO United Nations Educational, Scientific and

Cultural Organisation