[GB] Ofcom publishes report on diversity and equal opportunities in television

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Ofcom has produced its first annual Diversity in Broadcasting monitoring programme, by considering the diversity within television broadcasters as regulated by Ofcom. A similar report on the radio industry will appear too. The report focuses mainly on the five main UK broadcasters, namely the BBC, ITV, Channel 4, Sky and Viacom (which owns Channel 5). As part of a broadcaster's Ofcom licence, it is a condition that they take measures to promote equality of opportunity in employment. Ofcom has stated that unless there is accurate monitoring, it will be unclear as to the level of compliance by broadcasters to ensure the effectiveness of their equality and diversity policies, as well as working with staff to promote these policies. The report revealed that broadcasters as a whole would need to take further steps to regularly measure and monitor to a consistently high standard the make-up of their employees. Ofcom has introduced new standards to help capture all characteristics and job roles.

Furthermore, Ofcom expects broadcasters to set diversity targets so that the composition of their staff reflects society as a whole. In achieving this target, chief executives should be accountable for delivering against diversity targets. There should be a senior-level diversity champion within an organisation leading the agenda and this includes requiring all recruiting staff to undertake "unconscious bias" and diversity training. Ofcom expects broadcasters to develop long-term strategies addressing issues where there is cross-industry under- representation; this could include jointly-funded initiatives to help ensure that under-represented groups are representatively employed in the broadcasting industry. Moreover, broadcasters should recognise that disabled people are under-represented in television; the Equality Act 2010 allows for positive discrimination to help employ disabled people and Ofcom recommends that broadcasters rely upon this legislative power to help broaden the presence of disabled people in television. Ofcom intends to call for improved diversity measures and will work with broadcasters to meet this objective. Ofcom will continue to improve its Diversity Guidance, of which a revised version was published on 22 November 2017.

In the current report, some 57 Ofcom licensees failed to respond to the regulator's request for information on their employees' diversity make-up. Ofcom has commenced enforcement action against these licensees and will publish its findings on Ofcom's Diversity and Equality hub (Ofcom.org.uk/diversity). Ofcom

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will look at ways of increasing the available data and making it more comparable; it will also have more information on employees' social, geographical or educational backgrounds.

Additionally, Ofcom has written to the Secretary of State for Digital, Culture, Media and Sport to request an extension to the list of protected characteristics outlined in sections 27 and 337 of the Communications Act 2003 (the Act). This will allow Ofcom to require broadcasters to provide data on a broader range of characteristics, rather than some data being produced on a voluntary basis. For instance, section 27 (1) of the Act states "It shall be the duty of OFCOM to take all such steps as they consider appropriate for promoting the development of opportunities for the training and retraining of persons—(a) for employment by persons providing television and radio services; and (b) for work in connection with the provision of such services otherwise than as an employee." For the purposes of the Act, equality refers to equality between men and women, as well as different racial groups; similar provisions apply to section 337 of the Act. However, the increased characteristics are likely to include persons of a different sexual orientation, social background or education, as well as persons with a disability.

Ofcom, Guidance: Diversity in Broadcasting, 22 November 2017

https://www.ofcom.org.uk/__data/assets/pdf_file/0010/108100/guidance-diversity-broadcasting.pdf

Ofcom, Diversity and equal opportunities in television, 14 September 2017

https://www.ofcom.org.uk/__data/assets/pdf_file/0017/106343/diversity-television-report-2017.pdf

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