

# **Election Guidelines, 3<sup>rd</sup> May 2007**

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# Election Guidelines: 3<sup>rd</sup> May 2007

## 1.1 Date of election, the guidelines and when they take effect

The date of the elections for the Scottish Parliament, the Welsh Assembly and local government in England and Scotland, is May 3<sup>rd</sup> 2007. These guidelines apply as follows:

- For the Welsh Assembly election and the English and Scottish local elections from **Tuesday 27<sup>th</sup> March**.
- For the Scottish Parliamentary election from **Monday 2<sup>nd</sup> April**.

The BBC is required to ensure that political issues are covered with due accuracy and impartiality. This commitment is under intense scrutiny during election campaigns and these Election Guidelines provide further guidance to supplement the Editorial Guidelines (Chapter 4, "Impartiality and Diversity", Chapter 10, "Politics and Public Policy"). They should, in particular, be read in conjunction with the sections on "Broadcasting During Elections" and "Reporting UK Election Campaigns" in Chapter 10.

## 1.2 Who the Guidelines apply to

It is the responsibility of each editor to ensure that programme teams are aware of how the Guidelines affect their output.

The appendices to these Guidelines set out specific guidance in relation to each of the different elections.

Each programme, strand or channel must bear in mind the location of their own audience in applying these Guidelines.

Programmes which do not usually cover political subjects or normally invite politicians to participate should consult the Chief Adviser, Politics, before finalising any plans to do so during this period.

For those broadcasting throughout the UK, all of these Guidelines, and all Appendices, will apply.

For programming that is not UK wide – such as English local radio – programme makers will generally only need to apply the sections and Appendices relevant to the elections in their area. Within Northern Ireland and in London, there are no elections due on May 3<sup>rd</sup>.

However, the elections do not happen in isolation. For instance, broadcasters in Wales who report what is happening in the Scottish Parliamentary election (and vice-versa) need to bear in mind the similarities or contrasts which may have a bearing on their own election.

All programme makers, whether or not there is an election in the area to which they are broadcasting, need to comply with the general requirement of due accuracy and impartiality. This also applies to all Parliamentary reportage during the campaign, both from Westminster and the European Parliament. However, any issues relating to local government in England and Scotland, or matters within the competence of the Scottish Parliament or the Welsh Assembly which are discussed in the parliaments, must be reported with care to avoid imbalance.

The Westminster Parliament is likely to be sitting for part of the time during the elections and the UK government will continue with normal business. Programmes need to bear in mind which powers are devolved to the Scottish Parliament and the Welsh Assembly and ensure it is clear to the audience when stories apply to the different nations. They also should be alert to other party politicians who are not involved directly in the elections, including Westminster Ministers and shadow Ministers, intervening in issues relevant to any of the elections and ensure that appropriate balance is maintained.

**The Guidelines are publicly available and the BBC can expect to be held accountable for their implementation during the campaign.**

## **2.1 Overall balance of the parties**

Each bulletin, programme or programme strand, as well as online and interactive services, covering each election, must achieve an appropriate and fair balance. Whilst the majority of coverage is likely to be about the main parties care must be taken to ensure that other political parties and independent candidates also receive appropriate coverage.

## **2.2 Coverage and balance of the main parties**

The Main Parties in each election are listed in the Appendices to these Guidelines.

- Daily News magazine programmes must achieve an appropriate and fair balance in coverage of the main parties in the course of each week of the campaign.
- Balance must be achieved in 3 categories:
  - Clips
  - Interviews/Discussions of up to 10 minutes
  - Long form programmes

- This means that each strand (e.g. a drive time show on radio) is responsible for reaching its own targets within the week and cannot rely on other outlets at different times of the day (e.g. the breakfast show) to do so for it.
- Single programmes should avoid individual editions getting badly out of kilter. There may be days when, inevitably, one main party dominates the news agenda e.g. when the main party manifestos are launched, but in that case care must be taken to ensure that coverage of similar prominence and duration is given to the other manifesto launches of the main parties on the relevant days.
- Any edition of a multi-item programme which covers the campaign e.g. the Reporting Scotland/Wales Today 18.30 – 19.00 slot, should refer in at least one item to each of the main parties.
- Weekly programmes, or running series within daily sequence programmes, which focus on one party or another should trail both forwards and backwards so that it is clear to the audience that balance is built in over time.
- All appropriate daily news and current affairs network programmes should ensure the policies of each of the main parties in each nation are reported in at least one substantial item during the course of the campaign. A network programme on television or radio covering any of the elections must achieve balance between the appropriate main parties during the course of the campaign.
- Where there are major news stories special care is needed to ensure that any political coverage is comprehensive, but also reflects the fact that we are in an election period. How this is achieved will depend on the particular circumstances of each case. For example, where there are major stories which fall outside the competence of the bodies holding elections, due impartiality may mean that additional time should be given to cross-examine those most closely involved, to report fully statements that tell us what is happening, and, on occasion, to reflect vigorous internal debates within parties on such issues. .

Anyone who is in doubt as to how these apply to their own programme should contact the Chief Adviser, Politics, for advice.

### **2.3 Coverage and balance of Smaller Parties and Independents**

All relevant programme-makers and others responsible for editorial content must ensure they are fully aware of the obligations contained in the Appendices to the Guidelines dealing with smaller parties and independents for each set of elections and each nation.

- Appendix I. Scotland
- Appendix II Wales
- Appendix III England and Scotland, local elections

### **3.1 Constituency (or ward) and Regional reports**

There is no longer any legal distinction for us between the period before close of nominations and the period after it. References are now solely to the “Election Period” – there is no longer a “pending period”.

Candidates who withhold their consent from constituency/ward reports or debates can no longer effectively exercise a veto over all other candidates.

However, this does not weaken in any way the BBC’s obligations to fairness:

Reports or debates about a specific electoral area, such as a ward or a constituency, should give due weight to candidates of the main parties. This means that if any candidate takes part in an item about a specific electoral area, then a candidate from each of the main parties should be offered the opportunity to take part. The choice of candidate to represent a party will be made on editorial grounds, but care must be taken over the course of the campaign to ensure that one candidate is not unduly favoured at the expense of the others from the same party.

Constituency/ward reports or debates should also include some participation from candidates representing any other parties or independents with either previous significant electoral support, or with evidence of significant current support in that constituency/ward. For instance, in local government, an existing Councillor, standing for re-election, should be given the same weight in ward reports as candidates from the main parties..

Programmes may decide to use either candidates or party representatives. But if the candidate from one of the parties is invited to take part, the other participants should, where at all possible, also be candidates. (see Appendix I and II for Language Services). In exceptional circumstances if a candidate is genuinely unavailable the opportunity may be offered instead to a suitable party representative from within the electoral area (eg: party official or agent ) but it should normally be made clear to the audience that the missing candidate(s) was invited and why they were unable to take part. If a party declines to put forward any representative the item/programme will go ahead without them.

Full-length reports or debates about specific electoral areas should refer – as a minimum - to an online list of all candidates standing. If such a report is being broadcast several times on the same channel in a day, the online list of candidates should be referred to on each occasion.

### **3.2 Use of Candidates in issue based packages**

Programmes are now able to use candidates more freely to discuss local issues, but there remains a responsibility to be fair between the parties and between candidates.

In order to achieve fairness across the board, when programmes decide to use a local candidate in a package or debate, the other participants should, where at all possible, also be local candidates (with more latitude for Language Services – see Appendix I and II). Candidates do not have to be from the same constituency or ward. In local issue round-tables debates – including where all the participants are candidates - references, for instance, to local hospitals, bypasses etc, are allowed.

However, if a candidate is being interviewed as a national spokesperson, we should not allow them to gain an unfair advantage over their local opponents by making repeated references to their own constituency or area. This can best be achieved by politely advising them in advance of our policy on this, editing out such references if pre-recorded and swift intervention by the interviewer, if live.

Callers to phone-ins must be checked to see if they are candidates. They can be encouraged to contribute, but the audience must be clear that they are speaking not as ordinary members of the public but as contributors with a stated political agenda. Care must be taken that over time programmes are not giving undue prominence to one party or undue preference to one candidate over another.

The aim of all these guidelines is to encourage vigorous debate and a higher profile to candidates of all parties in general without giving unfair advantage to one candidate over another.

Further advice on use of candidates can be sought from the Chief Adviser, Politics.

### **3.3 Order of Parties**

The order in which parties appear in packages or are introduced in discussions should be editorially driven. However, programme makers should take care to ensure they vary this order, where appropriate, so that no fixed pattern emerges in the course of the campaign.

### **3.4 Items which may not require balance**

Not every appearance by a politician may have to be balanced during the course of the election campaign. Exceptionally, for example, comment on a personal tragedy or a public disaster, an eye witness account of a news incident, may not require balance from other parties or candidates, especially where to do so might appear insensitive or risk the appearance of a media circus. Advice on such instances should always be sought from a senior line manager and the Chief Adviser, Politics.

## 4.1 Opinion Polls

The key principles already set out for Polling apply in Election campaigns. Our policy takes into account three key factors:

- that polls should not be ignored during the campaign. They are part of the story and audiences should be informed about them;
- but, context is essential, and so is the language used in reporting them; and
- polls can be wrong. There are real dangers in only reporting the most “newsworthy” polls – i.e. those which, on a one-off basis, show dramatic movement.

So, the rules about reporting polls (chapter 10 of Editorial Guidelines) need to be scrupulously followed. They are:

- not to lead a news bulletin or programme simply with the results of a voting intention poll;
- not to headline the results of a voting intention poll unless it has prompted a story which itself deserves a headline and reference to the poll’s findings is necessary to make sense of it;
- not to rely on the interpretation given to a poll’s results by the organisation or publication which commissioned it: look at the questions, the results and the trend;
- to report the findings of voting intentions polls in the context of trend. The trend may consist of the results of all major polls over a period or may be limited to the change in a single pollster’s findings. Poll results which defy trends without convincing explanation should be treated with particular scepticism and caution;
- not to use language which gives greater credibility to the polls than they deserve: polls “suggest” but never “prove” or even “show”;
- to report the expected margin of error if the gap between the contenders is within the margin. On television and online, graphics should *always* show the margin of error;
- to report the organisation which carried out the poll and the organisation or publication which commissioned it.

In addition, the BBC will:

- report even single polls in context. For example, on television the graphic will never be separated from the explanatory piece;

- Take particular care with newspaper reviews. Polls should always be reported with a sentence of context (e.g: “that’s rather out of line with other polls this week”).

Editorial Guidelines make it clear that care must be taken to ensure that a poll commissioned by the BBC is not used to suggest a BBC view on a particular policy or issue. It is particularly important that a BBC poll is not used to imply BBC intervention in a current controversy. For this reason we will not commission voting intention polls in any medium during the election period.

Any proposal to commission an opinion poll, survey, or focus group on politics or any other matter of public policy, must be referred to the Chief Adviser, Politics.

## **4.2 Vox Pops**

The value of Vox pops for programmes is to allow different sides of an issue in question to be expressed through the voices of the man and woman in the street. But the context should always make it clear that they are an expression of one side of an argument, not an indication of the weight of opinion on either side of it. It follows that special care must be taken with vox pops during this period to edit them in such a way as to ensure different sides of the issue are covered.

## **4.3 Emails**

The same principle applies to all e-mails we broadcast. E-mails offer immediacy and interactivity to many programmes but they too are an expression of opinion, not an indication of the weight of opinion on one side or the other of a question. What matters is the balance of what we broadcast, not the balance of those we receive.

Programme makers should be particularly alert to organised e-mail campaigns by parties and pressure groups. During this period they should ask e-mail contributors to include their address and telephone number so that checks can be run if necessary where mass mailings are suspected. During the campaign we will not broadcast numbers received on either side of any issue.

## **4.4 SMS/Text Messaging**

Similarly, programme makers should be as rigorous about establishing the origins of material derived from text messages as they are about material from other sources. We should carefully scrutinize texts before using them.

Essentially this is no different from a phone-in programme. Just as with a phone in, producers must take appropriate steps to ensure veracity of the message e.g. if a text message is received that appears to be from a person in the public eye, the programme should check the source before publishing it



on air/online. Checks could include calling/texting the user back to ask for further verification.

If the programme decides to edit a text message for length care should be taken to ensure the sender's opinion is still fairly and accurately presented. Producers must ensure that text votes are not translated into anything that could be construed either as an accurate representation of public opinion as a whole, or the BBC's opinion. Any proposal to conduct text voting on any political issue that could have a bearing on any of the elections (including the international situation) should be discussed with the Chief Adviser, Politics. As with conventional polls we will not conduct SMS/text polls on voting intention.

#### **4.5 Audience Programmes**

All programmes planning live or studio audiences should consult the Chief Adviser, Politics, to discuss how they plan to select the audience and to achieve an appropriate balance. All such procedures must stand up to public scrutiny.

#### **5.1 bbc.co.uk**

The same guidelines as those for programmes will apply to BBC Editorial content on all [bbc.co.uk](http://bbc.co.uk) sites. These will apply to audio and video content as well as text content, eg podcasts and downloads.

With user generated content, we will not seek to achieve artificial balance by distorting the weight of opinion, but all sites prompting debate on the election will be actively hosted and properly moderated to encourage a wide range of views. Sites which do not usually engage in political issues should seek advice from the Chief Adviser, Politics, before doing so.

There is no certain solution to the problem of organised lobbying. However, all sites will be alert to the danger of distortion caused by organised campaigning and the [bbc.co.uk](http://bbc.co.uk) escalation strategy will be activated immediately if necessary. For example, it may be necessary to put a board into pre-moderation or read-only mode.

There will be no online votes attempting to quantify support for a party, politician or policy issue.

Non news websites will direct users who want to discuss the election in forums and message boards to a handful of specific sites which will be pre-moderated or post-moderated within an hour of being published.

Journalists and moderators will have to make fine judgements between remarks that constitute robust debate and personal abuse. The general rule of thumb should be if we would not broadcast it on radio or TV, it should not be online. Filters for taste and decency and personal abuse will operate as usual, but they should not be relied on as a substitute for effective moderation.

## **5.2 Action Network**

During the campaign, Action Network will not allow any new activity which is expressly related to political parties or political campaigning and which might have a bearing on the elections, or which explicitly mentions the forthcoming election or candidates. In addition, candidates in the election must not contribute to Action Network.

## **6.1 Party Leader Interviews**

- With the exception of newsgathering interviews gathered on news value on the day, interviews with the Scottish Party Leaders for BBC Scotland programmes and with the Welsh Party Leaders for BBC Wales programmes, should be referred to the respective Heads of News and Current Affairs in Scotland and Wales or the Deputy, **before** the invitation is issued.
- Requests for interviews with the Scottish or Welsh Party Leaders from all other programmes should be referred to the Chief Adviser, Politics.
- With the exception of newsgathering interviews gathered on news value on the day, all bids for UK party leader interviews must be referred to the Chief Political Adviser **before** parties are approached. Unsolicited offers should not be accepted without consultation with senior managers and a reference to the Chief Adviser, Politics.

## **7.1 Polling Day**

There will be no coverage of any of the election campaigns on polling day, May 3<sup>rd</sup>, from 6am until polls close at 10pm on TV, radio or bbc.co.uk. However, online sites will not have to remove archive reports. Coverage will be restricted to factual accounts with nothing which could be construed as influencing the ballots.

Whilst the polls are open, it is a criminal offence to broadcast anything about the way in which people have voted in that election.

**Ric Bailey**  
**Chief Adviser, Politics**  
**07889 852195**

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# Election Guidelines: 3<sup>rd</sup> May 2007

## Appendix 1: Scotland

### The Main Parties

The main parties in Scotland are: Labour, the Scottish National Party, the Liberal Democrats and the Conservatives.

### The Smaller Parties

The Smaller Parties currently represented in the Scottish Parliament are the Scottish Green Party, the Scottish Socialist Party, Scottish Senior Citizens Unity Party and Solidarity.

The audience will expect us to report their campaigns more substantively than those of other parties, for example those who are not yet represented.

In deciding what coverage is appropriate for each of the Smaller Parties, as well as bearing in mind how the electorate voted in the 2003 election and at subsequent different elections, we should also take note of current evidence, such as a consistent trend in opinion polls.

In addition, there may be circumstances – for example, in the potential context of “coalition-building” – which mean that it is editorially appropriate for any one or more Smaller Party to receive more coverage.

We must also bear in mind other changed political circumstances since 2003, in particular, the split in the Scottish Socialist Party, which has resulted in the formation of Solidarity.

In BBC Scotland, programmes should ensure that the Smaller Parties are getting a proportionate share of the coverage each week. Where the main parties are featuring regularly, the Smaller Parties should have a minimum of one appearance a week on each appropriate programme strand, focused on those issues where they have a distinctive point of view.

In network programmes, all appropriate daily news and current affairs programmes should ensure that the policies of each of the Smaller Parties are explained and analysed in at least one substantial item during the course of the campaign.

The principles applied to coverage of the Smaller Parties at a national level should also be applied in any programme items which are based on a particular region and use list candidates. The relative strengths of the parties

will vary from region to region and again advice can be sought from the Chief Adviser, Politics, who will be working closely with BBC Scotland to reach this judgement.

### **Other Parties**

Any other party that is standing in at least one sixth of the seats up for election in Scotland or fielding at least 4 candidates in all 8 regional lists should have, as a minimum, the launch of their manifestos covered by Reporting Scotland on television and Good Morning Scotland on radio, as well as online.

If other programmes choose to cover them they must be consistent and treat all other parties reaching this threshold in a proportionate way.

The audience will be referred, as appropriate, to the full list of parties standing on Ceefax and BBC News Online **Scotland**.

### **Independents**

In constituencies or regions where there are sitting Independent MSPs, if those candidates stand again, the audience will expect us to give them more coverage than independent candidates who have not previously been elected. Each should be given proportionate coverage, taking account of current evidence as well as past electoral support in any constituency or regional reports.

All constituency or regional reports will refer to the online list, where all Independent candidates will be included. This reference is a minimum for Independent candidates, and where there is appropriate current evidence, any one or more Independent candidates may receive more coverage.

However care must be taken to ensure that any such candidates who have a newsworthy personal profile are not given disproportionate coverage which would give them a major advantage over other candidates in the same constituency or region.

Further advice on coverage of smaller parties and independents can be sought from the Chief Adviser, Politics.

### **Gaelic Services**

Because few politicians are Gaelic speakers, Radio Nan Gaidheal may broadcast constituency or regional pieces drawing on both constituency and list candidates. In the event that a party is unable to find a Gaelic speaker in either category an alternative appropriate spokesperson can be nominated instead

# **Appendix 2: Wales**

## **The Main Parties**

The main parties in Wales are: Labour, Plaid Cymru, the Liberal Democrats and the Conservatives.

## **Smaller Parties and Independents**

There are no Smaller Parties who were elected to the 2003 Welsh Assembly.

Any party that is standing in at least one sixth of the seats up for election in Wales or fielding at least 4 candidates in all 5 regional lists should have, as a minimum, the launch of their manifestos covered by Wales Today and Newyddion on television and Good Morning Wales and Post Cynta on radio as well as online.

If other programmes choose to cover them they must be consistent and treat all other parties reaching this threshold in a proportionate way.

We should also take into account the political context in which candidates are standing. If they are “independent”, but also subscribe to a political party, our objective will be to ensure the audience is given clear and accurate information. If independent candidates are acting together, whether standing on a common manifesto or not, then that should be reflected in any coverage.

The audience will be referred, as appropriate, to the full list of parties standing on Ceefax ,BBC News Online **Wales** and BBC Newyddion Arlein.

## **Constituency Reports**

In constituencies or regions where there are sitting Independent AMs, if those candidates stand again, the audience will expect us to give them more coverage than independent candidates who have not previously been elected. Each should be given proportionate coverage, taking account of current evidence as well as past electoral support in any constituency or regional reports.

All constituency or regional reports will refer to the online list, where all Independent candidates will be included. This reference is a minimum for Independent candidates, and where there is appropriate current evidence, any one or more Independent candidates may receive more coverage.

However, care must be taken to ensure that any such candidates who have a newsworthy personal profile are not given disproportionate coverage which would give them a major advantage over other candidates in the same constituency or region.

Further advice on coverage of smaller parties and independents can be sought from the Chief Adviser, Politics.

### **Welsh Language Services**

Some politicians in Wales are not Welsh Language speakers. Radio Cymru and BBC Wales programmes for S4C may do constituency pieces or regional pieces drawing on both constituency and list candidates. In the event that a party is unable to find a Welsh speaker in either category an appropriate spokesperson can be nominated instead.

## **Appendix III: Local Government Elections (England and Scotland)**

There are local elections on May 3rd 2007 in England and Scotland.

### **In Scotland:**

- all 32 Unitary Authorities will be elected under a new electoral system – Single Transferable Vote.

**In England**, 313 Local Authorities have elections as follows:

- one third of the seats in all 36 Metropolitan Boroughs;
- 25 Unitary authorities will elect the whole of their council;
- 20 unitary authorities will elect a third of their council;
- 150 second-tier districts will elect the whole of their council;
- 82 second-tier districts will elect one third of their council.

There are no local elections in Wales, Northern Ireland or London.

### **The Main Parties**

In England, the main parties are: Labour, Conservative and Liberal Democrats.

In Scotland, the main parties are: Labour, the Scottish National Party, Conservative and Liberal Democrats.

### **Smaller Parties and Independents**

In local elections, smaller parties and independent candidates often attract more support than in general elections and the audience will expect that to be reflected in our coverage.

Where such parties or candidates have demonstrated significant electoral support, or there is appropriate current evidence, they should be given proportionate coverage. This applies when broadcasting about the main parties in areas covering a number of councils – or in reports of individual councils.

In deciding what coverage is appropriate in each council or each area, as well as bearing in mind how the electorate voted the last time these seats were contested, we should also take note of other subsequent elections and any other current evidence. We should bear in mind any changed political circumstances since the last appropriate local election, such as the formation of new parties.

In addition, there will be circumstances where there is a possibility of No Overall Control within a council – and especially under the new voting system in Scotland – which mean it will be editorially appropriate for any one or more of the smaller parties to receive more coverage, for instance, in the context of “coalition-building.”

Further advice on coverage of smaller parties and independents can be sought from the Chief Adviser, Politics.

### **Use of Candidates in news reports**

Candidates may take part in items which are straightforward news reports about current on-going council business. The obligation to achieve fairness between parties contesting the council election over the course of each week applies. Care must be taken to ensure that individual candidates do not receive disproportionate coverage which would be unfair to other candidates.