



**The Sandford
St Martin Trust**

Ofcom Consultation Response: Revised Guidance for PSBs on Commissioning Codes of Practice

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Submitted by

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About the Sandford St Martin Trust

- i. The Sandford St Martin Trust (SSMT) promotes thought-provoking, distinctive broadcasting that engages with belief or ethics and enhances the public understanding of religion. We believe the media have an increasingly important and challenging role to play in interpreting world events, that this cannot be done without acknowledging the complex roles religions play in both contemporary and historical human experience and that a religiously literate media can promote greater understanding, increase tolerance, and foster stronger communities at local, national and global levels.
- ii. The Trust advocates at industry, regulatory and government levels for the place of broadcasting about religion in a healthy and diverse media ecosystem. Our outreach work promotes religion as an important and rewarding subject for both content-makers and audiences. In recent years, we have produced events in partnership with the Wales Screen Summit, the Bradford Literature Festival, the Commission for Belief in Public Life, the Edinburgh International Television Festival, the Media Society, NUJ Training, Sheffield Doc/Fest and many more. More details can be found on our website: www.sandfordawards.org.uk
- iii. Since 1978 SSMT has made annual awards for the best broadcast and, more recently, online video and audio content about belief, religion, ethics and spirituality. The SSM Awards are the UK's most prestigious prize for religious broadcasting and are open to a wide range of genres – news, current affairs factual, arts, music, drama and comedy - as well as to 'traditional' religious broadcasting. Winners are decided by panels of media professionals. Radio Times readers also vote in their thousands for their favourite TV or radio programme exploring religion from a list published in that magazine.
- iv. SSMT is politically independent and is not affiliated with any media company or organisation. It does not proselytise on behalf of or promote any particular religion or faith, nor does it engage in religious activities itself. Our Trustees include people with many years' experience of production and broadcasting and representing a wide variety of perspectives and faith backgrounds.
- v. We welcome the commencement of Ofcom's Review of Public Service Media (PSM) and are grateful for the opportunity to respond to this consultation. In keeping with our area of expertise, our response to this consultation addresses how Ofcom's proposed changes to the Guidance on Commissioning Codes of Practice will support the provision of core public service broadcast content in general, and of religious and ethical content more specifically. Our recommendations concern how the Guidance can be improved to safeguard these.

Question 1: Do you have any comments on our approach and proposed draft Guidance?

- vi. SSMT welcomes Ofcom’s assertion that “the importance of meeting the needs and satisfying the interests of different audiences across the UK” should be “at the heart of the PSBs’ remits” and that this should apply “to both the **nature** of the content that they make available and the services that they use to do so”.¹
- vii. It follows that this guiding principle should permeate and be explicit through Ofcom’s outputs - including new Guidance on Commissioning Codes of Practice – and so SSMT is advocating for qualitative measures (fulfilment of PSM social, cultural and democratic purposes) to be introduced into the Guidelines. These would require the PSBs to measure and account for the public service nature of commissioned content and would include identifying specific PSM genres.
- viii. With reference to the ‘Draft Guidance for Public Service Broadcasters on Commissioning Codes of Practice’, we believe this principle could be better articulated through changes as follow, to Paragraph 2.39:

Paragraph 2.39: Requirements for monitoring and reporting to Ofcom

*In order to ensure effective oversight and monitoring of the application of the Codes, PSBs must collect, record, retain **and publish** sufficient information to demonstrate compliance within the provisions set out in Guidance. This information should be retained for a minimum of **five years**. Examples of the kind of information includes **genres, regional representation, the prices paid for commissions and relative indicative tariff ranges, and the duration of rights.***²

- ix. This is a critical moment for PSM in the UK. This is reflected in Ofcom’s Review of Public Service Media (2019-23) and through findings that more than a decade of public funding cuts and the shrinkage of traditional revenue streams have precipitated a serious decline in the production and provision of core public service content across genres – but particularly in ‘non-commercial’ genres such as religion and ethics.³
- x. Ofcom has noted the particular urgency around a proper assessment religious of programming provision: ‘There are some immediate issues emerging from our review: news consumption and the provision of news for young people, drama that reflects and portrays British society back to a British audience, content tailored to the specific needs of the UK Nations and their regions, **religious programming**, children’s programming and investment in other areas such as music and arts.’⁴

¹ Ofcom ‘[Consultation on revised Guidance for Public Service Broadcasters on Commissioning Codes of Practice](#)’, para 3.7, emphasis ours

² Ofcom, ‘[Draft Guidance for Public Service Broadcasters on Commissioning Codes of Practice](#)’

³ https://www.smallscreenbigdebate.co.uk/_data/assets/pdf_file/0025/208771/future-models-delivery-of-psb-mediatique.pdf

⁴ *ibid*

- xi. With reference to content provision, Ofcom went on to say ‘given the multichannel sector’s focus on a small number of key genres, it is unclear whether the wider market would fill any future gaps in provision left by the PSBs. There are already genres where PSB provision is relatively low, such as education and **religion**, where there has not been notable multichannel provision. For example, in children’s programming the multi-channel sector has grown through animation and imports rather than through UK non-animation... our understanding is that the potential for international revenue is an increasingly important consideration in commissioning.’⁵
- xii. The critical situation for non-commercial genres like religion is emphasised again in research across PSBs conducted by Mediatique between 2016 and 2019. Their report says ‘This (decline) is in effect a ‘best case’ scenario, particularly in the context of distressed PSB type genres: as revenues decline, and broadcasters seek to shave costs in line, they will continue to be incentivised to spend disproportionately on popular genres (drama; entertainment; factual entertainment) to maintain audiences, reducing to a bare minimum their expenditure on specialist genres... There will be no incentive to make more than the regulatorily imposed number of hours in “pure” PSB genres where quotas exist or to spend more than the bare minimum per hour.’⁶
- xiii. We believe that unless more expansive and active urgent action is taken now to address the threats and challenges identified by Ofcom in the PSM Review and previous research, the decline identified will be hastened. We believe the substantive deregulation of PSM objectives in the new Media Act (2024) ⁷ has created a legislative and regulatory hole through which the sort of socially and culturally valuable content legislators, the regulator and audiences agree supports the public good in 21st century UK faces extinction.
- xiv. Moreover, this threat is compounded by the current proposals that would allow the PSBs to set their own targets and to privately assess and report on their performance - essentially, allowing them to both set and mark their own homework. Under such circumstances it is difficult to imagine the PSBs will ever ‘fail’ to deliver or how, when both the systems and mechanisms for assessment and measurement are discrete, not routinely made public or kept on what grounds Ofcom or the public will be able to hold the PSBs to account.
- xv. With direct reference to commissioning, the contribution made by independent producers to various PSM genres - and of religion in particular - is evidenced through a survey of Sandford St Martin Award (SSMA) entries. In 2024, all of the TV/Video programmes which won category awards were made by independent producers: *A Time to Die* (True Vision for ITV), *In the Name of the Father* (Renegade Stories for BBC 4), *My Life: I Won’t Stand for It* (Tigerlily for CBBC) and *The Holy Land and Us* (Wall to Wall for BBC 2). ⁸ Their success is an indication of how innovative content made by regionally or

⁵ https://www.ofcom.org.uk/_data/assets/pdf_file/0025/63475/PSB-statement.pdf, Section 3.16

⁶ https://www.smallscreenbigdebate.co.uk/_data/assets/pdf_file/0025/208771/future-models-delivery-of-psb-mediatique.pdf, Section 4.23

⁷ Under Section 264:6 of the [Communications Act \(2003\)](#) PSBs were required to “include a suitable quantity and range of programmes dealing with science, religion and other beliefs, social issues, matters of international significance or interest and matters of specialist interest. Religious programmes should include news, history of different religions and beliefs and programmes showing acts of worship, ceremonies and practices.” By contrast, the Media Act (2024) only stipulates overall provision of an ‘appropriate range of programme genres’.

⁸ [Sandford St Martin 2024 Award Winners | Sandford St Martin Trust](#)

locally based producers have directly supported the PSB remit and suggests there are opportunities for further robust growth in this sector if it is properly nurtured.

- xvi. The scale of the independent contribution to this genre is evidenced by the entries in the TV/Video category of last year's SSMA competition where more than 90% were made by UK indies.
- xvii. We believe amendments to the Guidelines as recommended in paragraph viii of this response, would support the viability of such independent producers and particularly the many smaller regional production companies which are responsible for a high proportion of the UK's religious and ethical content provision.
- xviii. We urge Ofcom to use its current PSM Reviews to strengthen PSM policies and structures and, in so doing, to strengthen the contract between the PSBs, independent producers and the audiences they exist to benefit. Across all their reporting, including on commissioning, the PSBs should be required to take granular approach, and Ofcom should make public this data by broadcaster, by platform, by genre, by region, commissioning source and spend. Only in this way will stakeholders – including audiences and content makers - be able to clearly see what kind of content is being made and where it is being produced and presented.

Question 2: Do you have any comments on our impact assessments in relation to our proposals, as set out in Annex 2?

- xix. In our answer to Question 1, we have focussed on omissions in how the proposed Guidance will meet the needs and satisfy the interests of different audiences across the UK. Because of these omissions we would contest Section A2.5 of Annex 2 which states *“As highlighted in Section 3, our revised objectives have a greater focus on supporting the PSBs in fulfilling their revised remits so as to further the interests of viewers. We expect our proposed changes to objectives to be beneficial for PSBs, independent producers and audiences. This is because the fulfilment of the PSB remit involves support for both independent production sector and ensuring that viewer interests are met.”*
- xx. We believe without the urgent amendments the draft proposed changes to objectives will fail to adequately address the threats and challenges identified in Ofcom's PSM Review (2019-23) particularly in the face of growing global threats in the media ecology.

Recommendations:

- xxi. It follows SSMT recommends:
 - a. **Ofcom's proposed Guidance should be amended to include detailed and robust measures of quantity (industry performance, programming and investment trends) and qualitative (fulfilment of PSM**

social, cultural and democratic purposes) across all UK public service media and to ensure it meets the needs and satisfies the interests of different audiences across the UK.

- b. In the absence of PSM quotas, the PSBs should publish their internal targets well in advance allowing adequate time for public and regulatory scrutiny and response
 - c. Ofcom should develop and publish an independent methodology or metric for use when assessing the PSBs' delivery of their PSM remit.
 - d. The PSBs should publish sufficient information about commissions to demonstrate compliance with the PSM remit. This data should be retained for five years so it is available for further scrutiny, consultation and response by stakeholders.
- xxii. SSMT recognises contemporary challenges for the PSBs are multi-fold and complex and that there may be tensions when striking the balance between their operations and the delivery and the public good. For this reason, in addition to comprehensive assessment of the PSBs delivery, we also urge that Ofcom actively extends its PSM Consultation to include Citizens' Assemblies or greater audience engagement which will give an opportunity to less organised or disenfranchised stakeholders to engage in shaping the future of PSM in the UK.
- xxii. It is generally recognised that our PSBs are at the frontline in the fight against the spread of mis- and dis-information which have fuelled an erosion of trust across societies. At SSMT we believe it is impossible to properly counter this threat without naming specific dangers. To emphasise the importance of making the nature of PSM content central to the current Guidance, SSMT would like to draw attention to the words of the SSMA-winner and current Children's Laureate Frank Cottrell-Boyce:

*'When young people engage with questions like immigration, sexuality, and their own mortality and morality, they're not puzzling over intellectual questions, they're building their own identities. And in so doing that they are building the future identity of this nation...And if our cultural arbiters vacate the field on which our young people wrestle with the great questions, then other forces will step in. And if we don't help young people grapple with the complexity of those questions, then there are other people who will cheerfully come along with murderously simple answers.'*⁹

⁹ [Frank Cottrell Boyce's 2016 Sandford Awards speech | Sandford St Martin Trust](#)