
The BBC's services: audiences in Scotland

About this document

The operating licence for the BBC's UK public services sets the objectives and enforceable regulatory conditions that Ofcom considers appropriate for requiring the BBC to fulfil its mission and promote the public purposes; to secure the provision of distinctive output and services; and to secure that audiences in England, Scotland, Wales and Northern Ireland are well served.

The BBC must comply with the regulatory conditions in the operating licence. Ofcom can take enforcement action in the event of non-compliance.

This is a separate document available for audiences in Scotland which sets out the regulatory conditions that apply specifically to the BBC's services in Scotland.

Contents

Section

- | | |
|--|---|
| 1. The BBC's services in Scotland | 1 |
| 2. Objectives and regulatory conditions particular to Scotland | 3 |

Annex

- | | |
|--|----|
| A1. Operating licence for the BBC's UK Public Services | 12 |
|--|----|

1. The BBC's services in Scotland

- 1.1 The BBC is for everyone across the UK. The BBC Charter puts delivering for all the UK's nations and regions at the heart of the BBC's objectives. Providing output and services that meet the needs of the UK's nations and regions, and that contribute to the creative economy, forms the basis of one of the BBC's five public purposes. The Charter also requires the BBC to reflect the diversity of the UK, to represent and portray the lives of people across the UK accurately and authentically.
- 1.2 The Charter gives Ofcom, as the external regulator of the BBC, the job of holding the BBC to account for delivery of its public purposes across the BBC's UK public services. We must set an operating licence placing requirements on the BBC designed to ensure it does so, and report on how it performs. Just as the BBC is required to consider the needs of audiences in each of the UK's nations and regions, so Ofcom must take particular account of this in setting requirements on the BBC. The Agreement published alongside the Charter gives Ofcom the specific responsibility for setting firm targets for the BBC to meet for programme-making and programming for each of the UK's nations.
- 1.3 Many of the BBC's activities are UK-wide, we have reflected this by putting in place a single operating licence for the BBC.¹ Many of the requirements in that licence apply to the BBC's services and activities across the UK. For example, most of the conditions that apply to the first, second and third public purposes apply to the whole of the UK, such as the overall distinctiveness of the BBC's network TV and radio services.
- 1.4 In addition, there are also requirements particular only to Scotland: these are specific requirements about the BBC's activities within Scotland, and the services it provides that are focused on audiences within Scotland. It is vitally important that licence fee payers wherever they are in the UK can easily see what the BBC is required to deliver for them.
- 1.5 For each of the UK's nations, we are making the operating licence available in a form that makes clear what we are proposing to ask of the BBC in that nation. This document does that for the BBC in Scotland. It sets out the specific objectives and enforceable requirements ("**regulatory conditions**") that we are applying to the BBC in Scotland. These cover a range of areas, including the BBC's expenditure in Scotland as well as requirements specific to the delivery of programming for Scotland, such as a minimum level of local news and current affairs output to be broadcast on the BBC in Scotland.
- 1.6 We will report annually how the BBC has fulfilled these regulatory requirements. We will also report on how far it meets the expectations of licence fee payers in each part of the UK through our performance measurement framework. We will put in place a programme of annual audience research to ensure that the BBC's performance is tracked robustly and

¹ The regulatory conditions include UK-wide requirements and requirements for each of the UK's nations and its regions. The authoritative version of these regulatory conditions are found in the "Operating Licence for the BBC's UK Public Services", which is reproduced in the annex to this document.

publicly. With this research, we will measure the extent to which people across Scotland consume and feel well-served by the BBC. We will also gather information about the number of hours the BBC broadcasts for audiences in Scotland as well as levels of spend on qualifying network output made across Scotland.

2. Objectives and regulatory conditions particular to Scotland

This section lists each of the objectives and enforceable regulatory conditions we have set for the BBC in Scotland in the operating licence. The paragraph number is also listed so the conditions can be mapped back to the full operating licence, which is provided as an annex to this document.

Reference number	Objectives
1.24 (1.24.2)	<p>Ofcom considers that the BBC, in meeting its Public Purpose of providing impartial news and information to help people understand and engage with the world around them in accordance with its obligations under the Charter, should do the following:</p> <ul style="list-style-type: none"> • seek to maintain its coverage of regional, national and international themes and stories within its news, current affairs and factual programming, to enable audiences to develop a broad understanding of what is happening locally, nationally and in the wider world.
1.36 (1.36.1 to 1.36.4) 1.37	<p>In relation to diversity, the BBC should:</p> <ul style="list-style-type: none"> • serve and create content of interest and of relevance to all audience groups across the whole of the United Kingdom; • reflect the diversity of the United Kingdom's nations and regions appropriately in its output, services and genres. This should include age, disability, gender reassignment, race, religion and belief, sex, sexual orientation and socioeconomic background; • accurately represent and authentically portray the diverse communities of the whole of the United Kingdom; and • help contribute to social wellbeing through cultural education, awareness and bringing people together for shared experiences. <p>In doing so, we would expect the BBC's own workforce and that of the production companies from which it commissions to reflect the make-up of different communities across the United Kingdom and its nations and regions – and to make demonstrable year on year progress.</p>
1.39 (1.39.1 to 1.39.4)	<p>In relation to the United Kingdom's nations and regions, the BBC should:</p> <ul style="list-style-type: none"> • accurately represent and authentically portray all audience groups from the nations and regions across its output, services and genres²;

² 'Representation' means the extent to which people and characters appear and 'portrayal' means the ways in which these people and characters are depicted. For representation to be accurate we expect the number of people appearing in BBC programmes to broadly reflect the populations of the UK. We will assess the extent to which people feel authentically portrayed through audience research.

	<ul style="list-style-type: none"> • distribute its production resources across the United Kingdom ensuring that it supports the creative industries in the nations and regions. This should also include production across the regions of England and build sustainable growth for the creative industries across the United Kingdom; • ensure programming for the nations and regions serves and creates content of interest and of relevance to the people living in the area for which the service is provided. Within Scotland, Wales and Northern Ireland this should include indigenous language broadcasting and a wide range of genres, including drama, comedy and sports; and • contribute to social wellbeing through cultural education, awareness and bringing people together for shared experiences.
--	---

Licence condition number	Regulatory conditions
2.1 (2.1.3)	<p>Ofcom has set the following Regulatory Conditions which it considers appropriate for requiring the BBC to:</p> <ul style="list-style-type: none"> • secure that audiences in England, Scotland, Wales and Northern Ireland are well served.
2.7.2	<p>The BBC must ensure that the BBC News channel includes more local/regional news than other main continuous news channels in the United Kingdom.</p>
2.42 (2.42.1 – 2.42.5)	<p>The BBC must report annually to Ofcom on how the UK Public Services as a whole have reflected, represented and served the diverse communities of the whole of the United Kingdom during the previous Financial Year. In particular, the BBC must demonstrate how it has:</p> <ul style="list-style-type: none"> • had regard to the range of the diverse communities of the whole of the United Kingdom. This should include age, disability, gender reassignment, race, religion and belief, sex, sexual orientation and socioeconomic background; • served and delivered content for the range of the diverse communities of the whole of the United Kingdom; • accurately represented the diverse communities of the whole of the United Kingdom; • authentically portrayed the diverse communities of the whole of the United Kingdom; and • raised awareness of the different cultures and alternative viewpoints of the diverse communities of the whole of the United Kingdom.
2.43	<p>The BBC must report to Ofcom annually on the extent to which the BBC has made progress towards meeting its on-screen and on-air representation and/or portrayal targets.</p>

<p>2.44 (2.44.1 – 2.44.3)</p>	<p>The BBC must measure and report to Ofcom annually on audience satisfaction during the previous Financial Year with the reflection, representation and serving of the diverse communities of the whole of the United Kingdom across the UK Public Services as a whole, with particular regard to first-run content across all genres. This must include audience satisfaction in the following areas:</p> <ul style="list-style-type: none"> • how the BBC represents, portrays and serves diverse audiences; • how the BBC reflects the whole of the United Kingdom population on-screen and on-air, with particular regard to first-run content across all genres; and • how the BBC raises awareness of different cultures and viewpoints.
<p>2.45 (2.45.1 – 2.45.2)</p>	<p>Where in any particular Financial Year the BBC's measurement of audience satisfaction under condition 2.44 indicates that specific audience groups are dissatisfied with the BBC's performance in these areas, the BBC must:</p> <ul style="list-style-type: none"> • identify in its report under condition 2.44 for that Financial Year the steps that it will take to seek to improve audience satisfaction among those particular audience groups; and • include in its report under condition 2.44 for the following Financial Year an account of the steps it has taken and the effect that those steps have had on audience satisfaction in those particular audience groups.
<p>2.46</p>	<p>BBC must, by 1 April 2018, establish and comply with a code of practice, approved by Ofcom, setting out the steps the BBC will take when commissioning content across all genres to ensure that such content accurately represents, authentically portrays and reflects the diverse communities of the whole of the United Kingdom. The code of practice must cover commissions produced by the BBC in-house and commissions produced externally.</p>
<p>2.47 (2.47.1- 2.47.3)</p>	<p>In particular, the code of practice must set out the steps that the BBC will take, when commissioning content, in respect of:</p> <ul style="list-style-type: none"> • on-screen portrayal and casting; • workforce diversity of commissioned production teams; and • the production and commissioning decision process.
<p>2.48</p>	<p>The BBC must monitor its compliance with the code of practice and must report annually to Ofcom on its compliance with the code of practice during the previous Financial Year.</p>
<p>2.49 (2.49.1- 2.49.2)</p>	<p>Ofcom may, at any time, by notification in writing to the BBC:</p> <ul style="list-style-type: none"> • approve modifications to an approved code where Ofcom considers that the code as so modified would meet the objectives set out in condition 2.46; or • withdraw its approval from a code where Ofcom considers that the code no longer meets the objectives sets out in condition 2.46.

<p>2.50 (2.50.1- 2.50.4)</p>	<p>The BBC must monitor and report to Ofcom annually on the diversity of all staff (employees and freelance) of the BBC who are employed in connection with the provision of the UK Public Services.³ The report must be in a form specified by Ofcom and must include the following information:</p> <ul style="list-style-type: none"> • the number of such staff by age, disability, gender reassignment, race, religion and belief, sex, sexual orientation and socioeconomic background; • the job level of such staff by the following categories: Board members and non-executives; senior managers; middle/junior managers; and non-management; • the job type of such staff by the following categories: programming; commissioning; technical/engineering; sales/marketing; and support functions/administrative; • the extent to which the BBC has made progress towards meeting its diversity workforce targets.
<p>2.51</p>	<p>Nothing in condition 2.50 requires the BBC to provide any information to Ofcom where such provision would be in breach of relevant data protection legislation.</p>
<p>2.52</p>	<p>Ofcom may publish any report provided by the BBC under condition 2.42, 2.43, 2.44, 2.48 or 2.50.</p>
<p>2.24 (2.24.1 - 2.24.2)</p>	<p>In respect of BBC Alba, the BBC must ensure that in each week at least 5 hours are allocated to originated programming aimed at those learning the Gaelic language. For the purpose of this requirement, “originated programming”:</p> <ul style="list-style-type: none"> • does not include news; • includes programming first shown on other UK Public Services.

³ The UK Public Services do not include the World Service or the BBC's commercial services (see definition of “the UK Public Services” in Schedule 2 to this Licence).

<p>2.32 (2.32.1 – 2.32.2)</p>	<p>Original productions</p> <p>The BBC shall ensure that in each Calendar Year the time allocated to the broadcasting of original productions by each UK Public Television Service set out at column I below:</p> <ul style="list-style-type: none"> • is not less than the percentage of the total time allocated to the broadcasting of all the programmes for that service specified in column II; and • is not less than the percentage of the total time allocated to the broadcasting of all the programmes for that service in Peak Viewing Time specified in column III. <p>“Original productions”, in relation to the UK Public Television Services taken together, has the same meaning that is specified by the Broadcasting (Original Productions) Order 2004 or any subsequent order under section 278(6) of the Communications Act 2003 in relation to a licensed public service channel.</p> <table border="1" data-bbox="379 757 1479 1196"> <thead> <tr> <th data-bbox="379 757 738 813">Column I</th> <th data-bbox="738 757 1114 813">Column II</th> <th data-bbox="1114 757 1479 813">Column III</th> </tr> </thead> <tbody> <tr> <td data-bbox="379 813 738 1093">Service</td> <td data-bbox="738 813 1114 1093">Original productions as a percentage of the hours of all programming</td> <td data-bbox="1114 813 1479 1093">Original productions in Peak Viewing Time as a percentage of the hours of all programming in Peak Viewing Time</td> </tr> <tr> <td data-bbox="379 1093 738 1149">BBC Alba</td> <td data-bbox="738 1093 1114 1149">75%</td> <td data-bbox="1114 1093 1479 1149">-</td> </tr> <tr> <td data-bbox="379 1149 738 1196">BBC Scotland</td> <td data-bbox="738 1149 1114 1196">75%</td> <td data-bbox="1114 1149 1479 1196">-</td> </tr> </tbody> </table>	Column I	Column II	Column III	Service	Original productions as a percentage of the hours of all programming	Original productions in Peak Viewing Time as a percentage of the hours of all programming in Peak Viewing Time	BBC Alba	75%	-	BBC Scotland	75%	-
Column I	Column II	Column III											
Service	Original productions as a percentage of the hours of all programming	Original productions in Peak Viewing Time as a percentage of the hours of all programming in Peak Viewing Time											
BBC Alba	75%	-											
BBC Scotland	75%	-											
2.52A	<p>For the purposes of conditions 2.53 to 2.63, the hours of and expenditure on Network Programmes made only for BBC Alba and BBC Scotland shall be zero-weighted.</p>												
<p>2.53 (2.53.1 – 2.53.3)</p>	<p>The BBC must ensure that in each Calendar Year:</p> <ul style="list-style-type: none"> • at least 50% of the hours of Network Programmes made in the United Kingdom are made outside the M25 Area; • the Network Programmes that are made in the United Kingdom outside the M25 Area (taken together) constitute a suitable range of programmes; and • at least 50% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres outside the M25 Area. 												
<p>2.56 (2.56.1 – 2.56.2)</p>	<p>The BBC must ensure that in each Calendar Year:</p> <ul style="list-style-type: none"> • at least 8% of the hours of Network Programmes made in the United Kingdom are made in Scotland; and • at least 8% of the Expenditure of the BBC on Network Programmes made in the United Kingdom is referable to programme production at different production centres in Scotland. 												

2.57	The BBC may request in writing that the percentage of hours of Network Programmes specified in condition 2.56.1 be reduced in respect of a particular Calendar Year. Ofcom will consider any such request and may agree to the request where it appears to Ofcom that in the particular circumstances of the case the reduction would secure a suitable proportion of Network Programmes ⁴ .
2.62	The different programme production centres to which the Expenditure referred to in conditions 2.53, 2.54, 2.56, 2.58 and 2.60 is referable must constitute a suitable range of such production centres.
2.63	In complying with conditions 2.53 to 2.60, the BBC must have regard to any guidance that may be issued by Ofcom.
2.64	In respect of the UK Public Radio Services which are designed for audiences across the UK ⁵ , the BBC must ensure that in each Financial Year at least one third of relevant expenditure is incurred outside the M25 Area. For the purpose of this requirement, "relevant expenditure" means expenditure on programme production (not including expenditure on centrally funded costs).
2.65 (2.65.1 – 2.65.5)	<p>In meeting the requirement in condition 2.64, the BBC must ensure that some of the relevant expenditure is incurred in respect of each of the following radio services:</p> <ul style="list-style-type: none"> • Radio 1; • Radio 2; • Radio 3; • Radio 4; • BBC Radio 5 live.
2.66	In respect of Radio 3 , the BBC must ensure that in each Financial Year at least 40% of relevant expenditure is incurred outside the M25 Area. For the purpose of this requirement "relevant expenditure" means expenditure on programme production (not including expenditure on centrally funded costs) and Radio 3's allocation of the central orchestras' subsidy.
2.67 (2.67.1 – 2.67.8)	<p>In respect of BBC One and BBC Two taken together, the BBC must ensure:</p> <ul style="list-style-type: none"> • in the Calendar Year 2019, at least 5,969 hours are allocated to programmes which are of national or regional interest; • in each Calendar Year after 2019, at least 5,909 hours are allocated to programmes which are of national or regional interest;

⁴ For illustration only, an example of when the BBC might wish to make such a request could be if in a particular year it proposed to commission a high cost drama to be made in Scotland but its proposal would result in the BBC being unable to meet the specified percentage of hours in Scotland for that year.

⁵ Radio 1; 1Xtra; Radio 2; Radio 3; Radio 4; BBC 4 Extra; BBC Radio 5 live; BBC Radio 5 live sports extra; BBC 6 Music; BBC Asian Network.

	<ul style="list-style-type: none"> • those programmes include a suitable range of programmes (including regional news programmes); • at least 95% of those programmes consist of programmes made in the nation or region in relation to which those programmes are to be of national or regional interest; • in the Calendar Year 2019, at least 579 hours of those programmes consist of non-news programming in Peak Viewing Time; • in each Calendar Year after 2019, at least 557 hours of those programmes consist of non-news programming in Peak Viewing Time; • in the Calendar Year 2019, at least 195 hours of those programmes consist of non-news programming at times immediately preceding or following Peak Viewing Time; and • in each Calendar Year after 2019, at least 179 hours of those programmes consist of non-news programming at times immediately preceding or following Peak Viewing Time.
2.68	The BBC must ensure that in each Calendar Year the time allocated to programmes which are of national or regional interest in accordance with condition 2.67 includes at least 4,300 hours of news of national or regional interest to be broadcast at intervals throughout the day on BBC One , of which at least 2,100 hours must in during Peak Viewing Time.
2.69	In complying with conditions 2.67 and 2.68, the BBC must have regard to any guidance that may be issued by Ofcom.
2.70	In respect of BBC Parliament , the BBC must ensure that in each Financial Year at least 300 hours are allocated to proceedings of the Scottish Parliament, Northern Ireland Assembly and Welsh Assembly.
2.71 (2.71.1 – 2.71.2)	<p>In respect of each UK Public Radio Service specified in condition 2.72, the BBC must ensure that in each Financial Year, the proportion of content which is speech content on that service is:</p> <ul style="list-style-type: none"> • on average at least 60% in core hours, except in relation to BBC Radio nan Gàidheal for which the BBC must ensure that the proportion of content which is speech content is on average at least 40% in core hours; and • 100% during the breakfast peak.
2.72 (2.72.1 – 2.72.6)	<p>The following UK Public Radio Services are specified for the purpose of condition 2.71:</p> <ul style="list-style-type: none"> • each BBC Local Radio service; • BBC Radio Scotland; • BBC Radio nan Gàidheal; • BBC Radio Wales; • BBC Radio Cymru; • BBC Radio Ulster and BBC Radio Foyle.

2.73	In condition 2.71 “core hours” means 06:00 to 19:00 on Mondays to Fridays and, in relation to BBC Radio nan Gàidheal, 07:30 to 19.00 on Mondays to Fridays; and “breakfast peak” means 07:00 to 08:30 on Mondays to Fridays and, in relation to BBC Radio nan Gàidheal, 07:30 to 08.30 on Mondays to Fridays.
2.78 (2.78.1 – 2.78.2)	In respect of BBC One Scotland , the BBC must ensure that in each Financial Year: <ul style="list-style-type: none"> • at least 290 hours are allocated to news and current affairs programmes; and • at least 155 hours are allocated to non-news programmes. For the purpose of this requirement, “non-news programmes” includes repeats and acquisitions, and does not include current affairs programmes.
2.79	In respect of BBC One Scotland , the BBC must ensure that it provides a range of genres in its programming that reflects Scotland’s culture.
2.80 (2.80.1 – 2.80.5)	In respect of BBC Scotland , the BBC must ensure that: <ul style="list-style-type: none"> • it provides a range of genres in its programming that reflects Scotland’s culture; • in each Calendar Year it provides a suitable range of programmes, including news programmes which contain news from across Scotland or reflecting a Scottish perspective; • in each Calendar Year at least 90% of first-run UK originations (as defined under condition 2.37.1) are made in Scotland; • in the Calendar Year 2019, at least 208 hours are allocated to news in Peak Viewing Time; and • in each Calendar Year after 2019, at least 250 hours are allocated to news in Peak Viewing Time.
2.81	In respect of BBC Alba , the BBC must ensure that the service includes live news programmes each weekday evening, including during Peak Viewing Time, and a longer news review at the weekends.
2.82 (2.82.1 – 2.82.3)	In respect of BBC Radio Scotland , the BBC must ensure that: <ul style="list-style-type: none"> • in each week at least 50 hours are allocated to news and current affairs (including repeats); • it provides several regional opt-outs each weekday, offering news, sport and information, and some regional opt-out community programming in the evenings; and • it provides content and music of particular relevance to Scotland.
2.83 (2.83.1 – 2.83.2)	In respect of BBC Radio nan Gàidheal , the BBC must ensure that: <ul style="list-style-type: none"> • it includes news frequently across the day, particularly between 07:30 to 08:30 and 16:00 to 19:00 on Mondays to Fridays and 09:00 to 11:00 on Saturdays and Sundays; and

	<ul style="list-style-type: none"> • it provides content and music of particular relevance to Scotland.
2.84 (2.84.1 – 2.84.3)	<p>In respect of BBC Online, the BBC must ensure that:</p> <ul style="list-style-type: none"> • it provides news and information for Scotland; • it provides content in Gaelic; and • it provides dedicated coverage of sport for Scotland.
3.8	<p>(a) Subject to (b) below, for the quotas measured in hours in conditions 2.33 to 2.36 and 2.53 to 2.60 of this Licence, hours of co-commissioned content shall be allocated to the service on which the programme first appeared.</p> <p>(b) Where hours of content are co-commissioned between the BBC Scotland Channel and any other UK Public Television Service(s), for the quotas measured in hours in conditions 2.53 to 2.60, the hours of co-commissioned content may be allocated to the first UK Public Television Service(s) other than the BBC Scotland Channel on which the programme is shown, even if the content is shown on the BBC Scotland Channel first.</p>

A1. Operating licence for the BBC's UK Public Services

This annex sets out the operating licence for the BBC's UK public services which includes UK-wide requirements and requirements for each of the UK's nations and its regions.⁶ On 29 March 2017, we consulted on our proposals for holding the BBC to account for its performance. We have published a statement summarising the comments we received about those proposals, our responses to those comments, and the amendments we have made to the operating licence and performance measures as a result.⁷

⁶ The authoritative version of these regulatory conditions is the "Operating Licence for the BBC's UK Public Services" which is reproduced in the annex to this document.

⁷ Ofcom statement, *Holding the BBC to account for delivering for audiences*:
<https://www.ofcom.org.uk/consultations-and-statements/category-1/bbc-performance>