

PRP

**INDEPENDENTLY
OVERSEEING
PRESS REGULATION**

PRESS RECOGNITION PANEL

**Consultation on proposals for
recognition of press self-regulators**

June 2015

Foreword

Welcome to the Press Recognition Panel's (PRP) public consultation on how we propose to deal with applications for recognition. Later in the year we will be consulting separately on a range of other matters relating to our role to independently oversee press regulation in the UK.

Background

Following the exposure of alleged criminal activity and growing complaints about the behaviour of the press in the UK in 2011, the Leveson Inquiry made a series of recommendations for a new, more effective regulatory system. The PRP is the result of this Inquiry and was created by Royal Charter on 3 November 2014.

The PRP is entirely independent of the government, Parliament, the press or any other such interest – independence and transparency are absolutely fundamental to the way in which we operate. The Chair and members of the PRP Board were appointed by an Independent Appointments Committee, itself appointed by the Commissioner for Public Appointments. We are here to ensure that the freedom of the press in the UK remains while protecting the interests of the public.

Purpose

Our role is to consider whether independent press self-regulators (Regulators) meet, and continue to meet, the recognition criteria in the Charter. We will do this in a fully transparent way, by:

- granting recognition to Regulators that meet the requirements set out in the Charter's recognition criteria;
- undertaking reviews of those Regulators;
- removing recognition if a Regulator no longer meets the criteria; and
- reporting on the successes or failures of the recognition system.

Consultation

Since November 2014, we have been developing the structures that we need in order to deliver the first of these responsibilities, so that we are in a position to receive and determine applications for recognition by autumn 2015.

The process of assessing applications for recognition is completely new, untried and untested. So we want to make sure that everyone gets their say – after all, effective press self-regulation lies at the heart of the public interest.

This document therefore outlines our initial proposals for how this process could look and offers examples of the type of evidence that the PRP would expect to receive to demonstrate compliance with the criteria set out in the Charter.

The PRP has already heard from a wide range of interested parties – publishers, regulators, commentators, organisations and groups, and individual members of the public. Through this consultation we will continue to seek the views of interested parties to inform the recognition process – and give everyone the opportunity to have their say.

I encourage you to consider the proposals we have put forward and look forward to hearing your views.



Dr David Wolfe QC, Chair

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About the PRP

Background

- 1.** In July 2011, following the exposure of alleged criminal activity at the News of the World, and growing complaints about the behaviour of the UK press, the Prime Minister, David Cameron, announced a two part inquiry into the ‘culture, practices and ethics of the press’, and the role of the police in the phone-hacking scandal.¹ Lord Justice Brian Leveson led the Inquiry and published the first part of the Report (about the conduct of the press) on 29 November 2012.
- 2.** The Leveson Report made a series of recommendations for a new, more effective regulatory system – what it should do, how it should be structured and the rules that needed to be put in place to achieve those objectives.² The Prime Minister indicated that, while he accepted the bulk of the Report’s recommendations, he did not accept the need for statutory underpinning of a press regulator.³
- 3.** The compromise reached allowed for one or more press self-regulators (Regulators) to be established, recognised and overseen by a “Recognition Panel” established under a Royal Charter (the Charter). The Charter was drawn up and granted on 30 October 2013 and the Press Recognition Panel (PRP) came into existence formally on 3 November 2014.
- 4.** The Charter is protected by an embedding measure enacted through the Enterprise and Regulatory Reform Act 2013.⁴ The measure means that the Charter may only be added to, supplemented, varied or omitted with the approval through a resolution of at least two-thirds of the relevant House or the Scottish Parliament that vote in support of the motion.⁵

Purpose

5. Our responsibilities are set out clearly under the Charter. They are to: grant recognition to Regulators that meet the requirements set out in the Charter's recognition criteria; undertake reviews of those Regulators; withdraw recognition if a Regulator no longer meets the criteria; and report on the successes or failures of the recognition system.
6. Fundamental to how we will discharge our obligations under the Charter is our independence from external influence. This will underpin our work to ensure that Regulators of the UK press, which we recognise, are independent, properly funded and able to protect the public.
7. We do not regulate the press and cannot compel any Regulator to apply for recognition.

Governance

8. Being independent is crucial to how the PRP operates. The Board was directly appointed by an Independent Appointments Committee, established for this purpose by the Commissioner for Public Appointments.
9. The Chair of the Board, Dr David Wolfe QC, appointed in June 2014, was joined by five further Board members in November 2014. The appointment of the members of the Board under the terms of the Charter gives it the highest level of independence from any potential external influence, whether from government, the press, or elsewhere.
10. The Board meets regularly and its meetings are generally open to the public. We publish agendas and background papers in advance of these meetings and publish minutes shortly afterwards.
11. The Board is assisted by an experienced team, led by Executive Director Susie Uppal, who was appointed in January 2015.

Funding

12. The Charter requires that the Exchequer gives the PRP sufficient money for it to be set up and operate for its first three years. The Exchequer has granted £3 million for this purpose.
13. It is intended that after this period the PRP will be primarily funded from the fees it charges Regulators that apply for recognition. Our proposals for consultation on fee frameworks are discussed later in this document.

Scope

14. The Charter refers to the Leveson Report recommendation that “for an effective system of self-regulation to be established, all those parts of the press which are significant news publishers should become members of an independent regulatory body”.⁶ In the Charter, “relevant publisher” has the meaning given in section 41 of the Crime and Courts Act 2013.⁷

15. In broad terms, to qualify as a relevant publisher, four tests must be met. They are:

- Publishing ‘news-related’ material;
- in the course of a business;
- which is written by different authors; and
- is subject to editorial control.

Various types of publishers are exempt even if they meet the four tests. They are:

- Broadcasters;
- Special interest titles;
- Scientific or academic journals;
- Public bodies or charities publishing news in connection with their functions;
- Company news publications;
- Book publishers; and
- Micro-businesses that are a multi-author blog or publishing news incidental to their business.

16. The Charter requires that membership of a regulatory body should be open to all publishers.⁸ With this in mind, we have considered how our approach needs to accommodate applications from a range of Regulators, covering different types of publisher, including for example “hyperlocal” online news or content services that serve small, geographically defined communities.⁹

**> BEING INDEPENDENT IS CRUCIAL
TO HOW THE PRESS RECOGNITION
PANEL OPERATES**

About this consultation process

17. This consultation outlines our proposals for receiving and determining applications for recognition from Regulators. In addition to this document, we will be undertaking a series of meetings and events to gather further feedback.
18. In developing our proposals for consultation, we have considered the advantages and disadvantages of different approaches to oversight and monitoring. We have also taken into account the views of a range of interested individuals and organisations who have engaged with us. Notes of those meetings are available on our **website**.
19. Our aim is to implement a fair and balanced process for recognition that supports, promotes and provides beneficial, independent oversight of Regulators. We therefore want to implement the Charter in a way that is not unduly complicated and, most importantly, takes into account the views of the public. We welcome views on our specific proposals from all interested parties and will consider these carefully before we launch the recognition scheme.
20. The consultation is not a re-opening of the Leveson Inquiry, nor is it about the decision to introduce a Royal Charter or its terms. We will not consider responses that extend beyond the remit of the consultation.

How this document works

21. This document includes some high level questions around our proposals for determining compliance with the criteria set out in the Royal Charter and about the application process itself. These are summarised at the end of the document.
22. Overall we are seeking views on the process for recognition and the type of evidence we suggest may be suitable to demonstrate compliance. While compliance with each of the criteria is mandatory, it is important that our requirements do not extend beyond what is strictly necessary. We therefore particularly welcome feedback on the potential impacts of our proposals, including cost estimates where these are supported by evidence.
23. Responses to the consultation will feed into the development of our process for consideration and determination of applications for recognition.

How to respond

24. The consultation runs for eight weeks from Monday 8 June to Friday 31 July 2015.
25. You can respond in writing by using the form at the end of this document, or via the online form which is available on our website at www.pressrecognitionpanel.org.uk. We are also holding a series of consultation events – details are also available on our website.

Welsh language

26. We are not covered by the Welsh Language Act 1993, but have developed and agreed a Welsh language policy. In line with this policy, a Welsh translation of our consultation document is published on our [website](#).

Accessibility

27. The Charter makes clear that we exercise public functions so we will comply with the Public Sector Equality Duty (PSED) as required by the Equality Act 2010.¹⁰ We want to give all those who are affected by our work the opportunity to have a say in how we operate and advance equality of opportunity between those who share a relevant protected characteristic and those who do not.¹¹ We will do this both through the consultation process and in the way we process and review applications for recognition.
28. In order to provide access to the consultation for as wide a range of people as possible, we will consider requests for consultation materials in languages other than English and Welsh and in accessible formats (including Braille, large print, BSL, audio and Easy Read).
29. In addition we will consider requests from people to provide feedback in a way that meets their needs, for example, through a face to face meeting or by telephone, as well as in writing or online. We will support the written consultation exercise with a series of events across the devolved nations and English regions, selecting venues with geographical spread and transport links in mind. We are also offering a webinar session. We will use our best endeavours to seek feedback from all interested parties.
30. The findings from this consultation will help us develop a recognition process that fairly tests whether or not a Regulator meets the criteria in the Royal Charter; is accessible to the different types of Regulators that apply; and ensures that we are open and transparent in all our dealings with the applicants.

> WE WILL OPEN FOR FORMAL APPLICATIONS FROM AUTUMN 2015

Confidentiality and data protection

- 31.** We are not currently listed within the Schedule to the Freedom of Information Act 2000 and so the PRP is not a body to which its provisions apply. We have nevertheless taken a decision to operate as if the provisions of the Act apply, including considering and responding to information requests. Unless you state otherwise (and an automatic disclaimer generated by your IT system will not be taken as such) we will assume that you are happy for us to publish your response to this consultation, including your name, and to share it with other appropriate bodies and stakeholders. We would encourage named responses where possible and particularly from representative organisations so that we can identify the different interests reflected in the responses. If you do not wish us to publish all or part of your response because you regard the information you have provided as confidential, please indicate so.

What happens next?

- 32.** After the consultation closes, we will review the written responses we have received, together with the feedback from events and meetings. We will publish a summary of the responses and explain how these have shaped the final application process.
- 33.** We will then publish guidance on our Scheme of Recognition formally on our website and open for formal applications from autumn 2015.

Scheme of recognition

Requirements of the Royal Charter

- 34.** The Charter sets out clearly the requirements on us to recognise Regulators. Schedule 2 of the Charter describes how the Scheme of Recognition will apply and Schedule 3 lists the requirements that must be met for an applicant to gain recognition.
- 35.** At the heart of the Scheme is the requirement that Regulators can only gain recognition if they meet all the criteria numbered 1 - 23 in Schedule 3 of the Charter (28 criteria in total).¹² These criteria are compulsory and any Regulators applying will need to meet all of these criteria in order to be recognised.
- 36.** When determining if an application meets the requirements of the Scheme, the Charter also requires us to consider the concepts of: effectiveness; fairness and objectivity of standards; independence and transparency of enforcement and compliance; credible powers and remedies; and reliable funding and effective accountability, as articulated in the Leveson Report (Part K, Chapter 7, Section 4 (“Voluntary independent self-regulation”)).¹³
- 37.** We may also, but need not, take into account a number of other recommendations included in the Summary of Recommendations of the Leveson Report.¹⁴ However, provided we are satisfied that a Regulator meets the recognition criteria, we may not refuse recognition if a Regulator does not comply with those recommendations.
- 38.** The Charter also requires that nothing in the recognition criteria should be interpreted in a manner that conflicts with any regulatory obligation imposed on a Regulator.¹⁵ We intend to ask Regulators to indicate where there may be conflicts.
- 39.** The Charter is not prescriptive on how an application should be made, or the process that we should use for considering applications. We have therefore followed good practice to propose a system that is robust, transparent and encourages dialogue between applicants and the PRP.

Interpreting the criteria

40. When determining an application we will need to make judgements as to whether or not an applicant has demonstrated compliance with the criteria, based on the information that they provide.
41. We have considered a number of variables regarding the types of application we could receive. For example, we may receive applications from different types of Regulators, who could choose to take different approaches to the types of information they wish to provide. We also recognise that some of the criteria are straightforward, while others are open for interpretation. We therefore propose to issue guidance to assist applicants in putting together an application.
42. The proposed guidance we have developed is in the form of a matrix to assist Regulators in making an application, and assist us in determining if the Regulator meets the requirements of the Scheme. An example of how the matrix may look is provided in Annex 1.

Recognition matrix

43. We propose that the recognition matrix could have two purposes, firstly to guide applicants in making an application, and secondly to provide us with the indicators and types of possible evidence we could use to determine whether an application meets the Scheme of Recognition set out in Schedule 2.
44. The first column of the matrix, and its associated footnotes, quote the individual criterion in Schedule 3 of the Charter. We are therefore unable to consider responses in relation to this column.
45. The second column includes our proposed indicators for meeting the criteria in Schedule 3 where we consider that elaboration of the criteria is necessary. These proposed indicators draw on the concepts articulated through the narrative in the Leveson Report which Lord Justice Leveson considered necessary to achieve “a genuinely effective independent self-regulatory system” (Part K, Chapter 7, Para 4.1) and, where necessary, indicators developed from a range of other sources.
46. For example, compliance with an agreed standards code was central to the Leveson concept of an “effective” regulatory regime, enforced in an “independent and transparent” way that would command public respect. Several of the criteria in Schedule 3 relate to these concepts, such as Criteria 7, 8, 8A, 8B, 8C, 8D, 11, 12, 12A, 13, 14, 15 and 20.
47. Similarly, in formulating the indicators for the whistleblowing hotline we took into account a range of sources including the National Audit Office’s recent review of whistleblowing, in which it evaluated the whistleblowing policies of 39 government bodies and highlighted best practice;¹⁶ and its supplementary report recommending the criteria for assessing the effectiveness of those policies.¹⁷ When considering indicators of “adequate and speedy” complaints processes we looked at guidance across several sectors, including communications,¹⁸ financial¹⁹ and legal²⁰ services.

48. Where we have considered a specific criterion is sufficiently clear and does not require further elaboration we have noted this in the matrix ('no elaboration proposed'). We consider that a Regulator may address the criteria without meeting all the indicators and in such cases we would expect to see an explanation of this.
49. The third column gives examples of possible types of evidence an applicant may wish to provide to demonstrate compliance with the criteria. These examples are given to guide applicants, but are just possible types of evidence. We propose that the applicant should be free to determine how they demonstrate compliance.
50. Our suggestions in the second and third columns of the matrix form an important part of our proposals for recognition and we would like to receive detailed feedback on both. We have therefore included a comments box against each of the criteria in the matrix and would encourage detailed comments with supporting evidence.

> **Question 1:** Do you agree with the principle of using indicators and examples of evidence as guidance to applicants and the PRP in determining applications? Give reasons if you wish.

> **Question 2:** Do you agree with the indicators and evidence we propose? Give reasons if you wish. For specific comments on the criteria, use the comments box on the **matrix**.

> WHEN DETERMINING AN APPLICATION
WE WILL NEED TO MAKE JUDGEMENTS

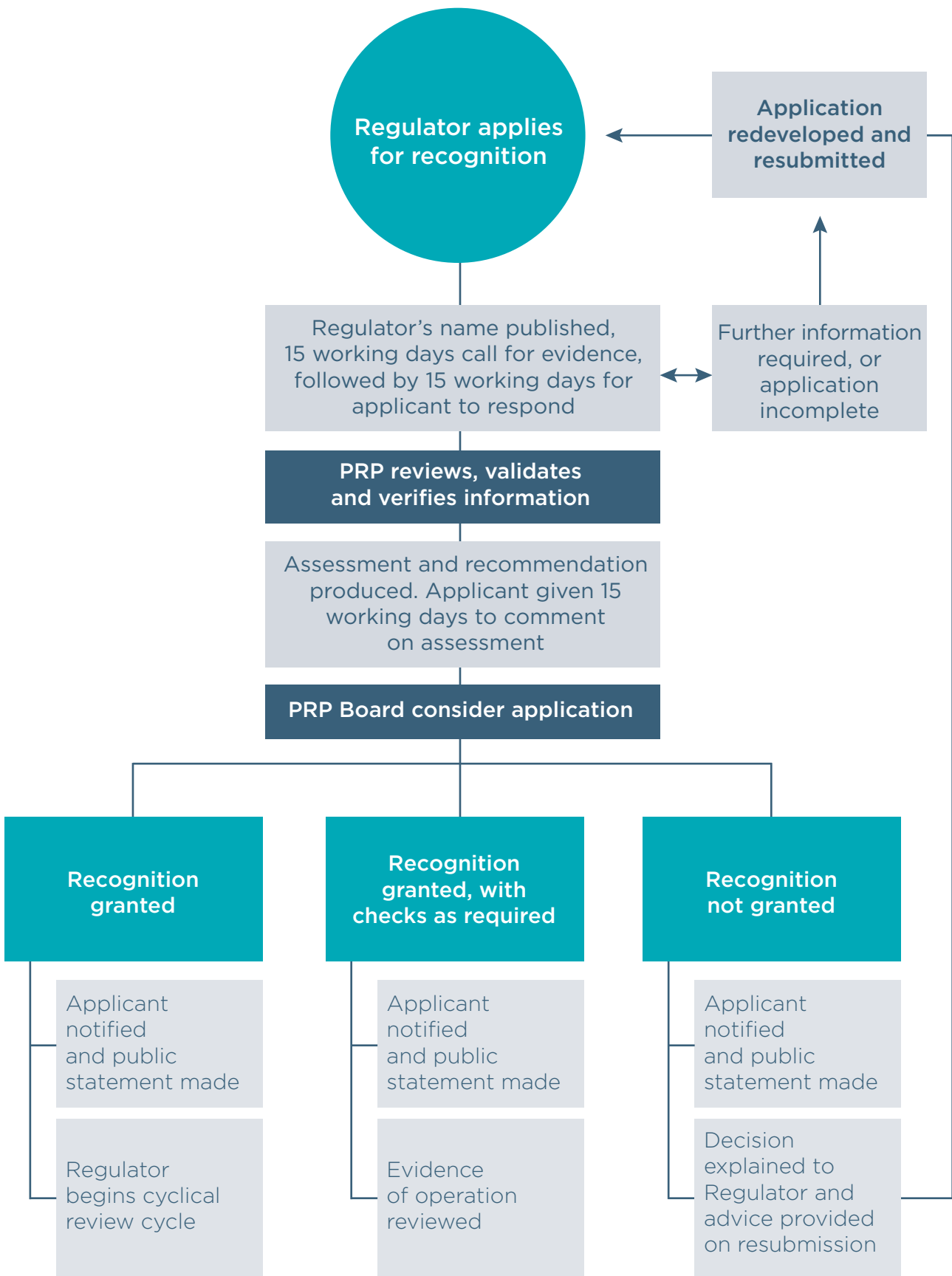
Submitting an application

51. We do not propose to have a formal application form, as we would prefer to give applicants flexibility in the way in which they put together their application and demonstrate compliance with each of the criteria in Schedule 3 by using the recognition matrix.
52. We are however considering including a short cover sheet for administrative purposes. This would ask for information that each Regulator would be required to submit in order for us to administer the recognition process; this might include the website URL, company number, and contact details for the person leading the application.
53. The process for submitting an application is summarised in figure 1.

Transparency and timing of application process

54. We are committed to operating in a way that is open and transparent; nevertheless we understand that the recognition process needs to be expedient and allow applicants to protect their intellectual property and commercial interests. We have therefore considered a number of approaches to engagement during the application process.
55. The way in which we propose to balance these requirements is to publish the applicant's name, issue a call for evidence and allow a period of 15 working days for third parties to submit evidence relevant to the applicant's compliance with the criteria. We consider that this gives interested parties an appropriate opportunity to comment, while ensuring an expedient timeframe. We propose that allowing for a full consultation period, either conducted by the Regulator before an application is considered, or by us after receiving the application, would considerably extend the time taken to process an application.
56. We intend that any evidence submitted by third parties during the submission of evidence stage would be shared with the applicant, who would have 15 working days to respond to the evidence put forward.

Figure 1 – Process for recognition



Validation process

57. Once we have received an application, we will undertake an initial check to ensure that the application has covered each of the criteria set out in Schedule 3. We will then undertake a thorough assessment of the application and make a recommendation, which we will share with the applicant for comment. The Board will decide if the Regulator meets the criteria.
58. In undertaking this detailed assessment we will review, validate and verify the information the applicant provides alongside comments received from other interested parties. We will assess it against the criteria by using the indicators as required. Where necessary, we will request further evidence.
59. We envisage the following process:
 - Following initial checks of an application we will publish the name of the applicant on our website and issue a call for evidence (to be received within 15 working days).
 - We will share the information received from third parties with the applicant and invite them to respond (within 15 working days of receipt).
 - We will send the applicant details of our assessment of their application for their comment (within 15 working days of receipt).
 - Before publishing our decision, we will notify the applicant of the outcome and provide the reasoning behind our decision.
60. This process indicates that the minimum time for determining an application for recognition is likely to be 45 working days from receipt. However the actual time required to complete the process will depend on the size and type of applicant, the volume and complexity of submissions received as part of the call for evidence, and the subsequent work needed to ensure the assessment process is robust.

> Question 3: Do you agree with our proposed approach to dealing with applications? Give reasons if you wish.

Discussions with applicants

61. This is a new process and Regulators approaching an application for the first time will be in a unique position. We have therefore developed a process which we consider is straightforward and simple to follow.
62. We also propose to welcome discussions with applicants before they formally apply and provide assistance with the process as required. However, we will not advise the applicant in relation to how it should meet the criteria, nor will we help with the development of internal processes. We will keep applicants informed throughout the process.

> Question 4: Do you agree with our proposed approach to discussions with applicants? Give reasons if you wish.

Granting recognition

63. We anticipate that applications could be received from Regulators of various sizes and at different stages of operation. The decision about recognition will depend on the applicant being able to demonstrate, to our satisfaction, that it has the processes and resources in place to meet the criteria set out in Schedule 3, even if it does not yet have evidence of sustainable operation.
64. Where there is not yet evidence of sustainable operation, we would continue to make further checks to monitor the Regulator's compliance with the criteria.

> Question 5: Do you agree with our proposed approach to granting recognition? Give reasons if you wish.

Future consultations

Reviews

65. Schedule 2 of the Charter requires us to undertake cyclical reviews. The Charter is prescriptive with regard to when cyclical reviews take place, how they are conducted, and the publication of conclusions.
66. In addition, Schedule 2 of the Charter allows for the PRP to conduct ad hoc reviews at any other time, if it thinks that:
 - a) “there are exceptional circumstances that make it necessary so to do, having regard, in particular, to whether there have been serious breaches of the recognition criteria; and
 - b) there is a significant public interest in a review of the Regulator’s recognition being undertaken.”
67. We recognise this adds an element of uncertainty for Regulators. We will develop our approach to reviews as set out in the Charter, including the ‘exceptional circumstances’ that could trigger an ad hoc review and will consult on our proposals alongside those for fee charging (see below).

Charging of fees to Regulators

68. Paragraph 11.3 of the Charter states that the charging of such fees will come into force from the third anniversary of the date upon which the Charter becomes effective (3 November 2017). Before this date the Charter requires us to prepare, consult publicly and publish our approach to fee structures.
69. We intend to undertake this work towards the end of 2015, with a view to consulting in the first half of 2016. Until 3 November 2017, the PRP will make no charge.

> WE WILL CONSULT ON OUR APPROACH TO REVIEWS AND CHARGING IN 2016

Annex 1 – Recognition matrix

The recognition matrix is the tool that we are proposing to demonstrate the types of indicators and evidence we will consider when determining whether a Regulator meets the criteria set out in Schedule 3 of the Charter.

The first column, and its associated footnotes, are the criteria as articulated in the Charter. They are therefore not for consultation. The second and third columns propose examples of how the criteria could be achieved through possible indicators and the types of evidence an applicant could submit. These are the columns that we would welcome comments on.

The examples of possible evidence illustrate the types of information that we could consider when assessing a Regulator’s application. While we propose that it is up to Regulators to evidence how they meet the requirements in the most appropriate manner, we wanted to provide some guidance as to what this could look like. Some of the examples provided are general, while others are more specific. In many cases the applicant will already hold, or could develop, the sort of documents that could be submitted as evidence.

A fourth column has been included to allow consultees to provide specific feedback.

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>1. An independent self-regulatory body should be governed by an independent Board. In order to ensure the independence of the body, the Chair and members of the Board must be appointed in a genuinely open, transparent and independent way, without any influence from industry or Government. For the avoidance of doubt, the industry's activities in establishing a self-regulatory body, and its participation in making appointments to the Board in accordance with criteria 2 to 5; or its financing of the self-regulatory body, shall not constitute influence by the industry in breach of this criterion.</p>	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Appointments process, governance structure and supporting documents. • Board members' biographies and conflict of interest declarations from each Board member. • Any other supporting information to demonstrate independence from industry and/or Government. 	
<p>2. The Chair of the Board (who is subject to the restrictions of criterion 5(d), (e) and (f)) can only be appointed if nominated by an appointment panel. The selection of that panel must itself be conducted in an appropriately independent way and must, itself, be independent of the industry and of Government.</p>	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Process used to select members of the appointment panel. • Process used by the appointment panel to appoint the Chair. 	

Charter Criteria		Examples of proposed indicators	Examples of possible evidence	Your comments
3	<p>The appointment panel:</p> <p>a) should be appointed in an independent, fair and open way;</p> <p>b) should contain a substantial majority of members who are demonstrably independent of the press;</p> <p>c) should include at least one person with a current understanding and experience of the press;</p> <p>d) should include no more than one current editor of a publication that could be a member of the body.</p>	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Process used to select members of the appointment panel. • Composition of the appointment panel, clearly identifying those members that are persons with a current understanding and experience of the press; are serving editors; and those considered independent of the press. 	
4	<p>The nomination process for the appointment of the Board should also be an independent process, and the composition of the Board should include people with relevant expertise. The appointment panel may only nominate as many people as there are vacancies on the Board (including the Chair), and the Board shall accept all nominations. The requirement for independence means that there should be no serving editors on the Board.</p>	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Process for selecting Board members and the selection criteria used. • Board members' biographies and conflict of interest declarations from each Board member. • Governance arrangements and supporting documentation. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>5 The members of the Board should be appointed only following nomination by the same appointment panel that nominates the Chair, together with the Chair (once appointed), and should:</p> <p>a) be nominated by a process which is fair and open;</p> <p>b) comprise a majority of people who are independent of the press;</p> <p>c) include a sufficient number of people with experience of the industry (throughout the United Kingdom) who may include former editors and senior or academic journalists;</p> <p>d) not include any serving editor;</p> <p>e) not include any serving member of the House of Commons, the Scottish Parliament, the Northern Ireland Assembly, the National Assembly for Wales, the European Parliament or the House of Lords (but only if, in the case of the House of Lords, the member holds or has held within the previous 5 years an official affiliation with a political party) or a Minister of the Crown, a member of the Scottish Government, a Northern Ireland Minister or a Welsh Minister; and</p> <p>f) in the view of the appointment panel, be a person who can act fairly and impartially in the decision-making of the Board.</p>	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Process used by the appointments panel to nominate and appoint Board members. • Board members' biographies, evidence of compliance with criteria 5(a) to (f), and conflicts of interest declarations. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>6 Funding for the system should be settled in agreement between the industry and the Board, taking into account the cost of fulfilling the obligations of the regulator and the commercial pressures on the industry. There should be an indicative budget which the Board certifies is adequate for the purpose. Funding settlements should cover a four or five year period and should be negotiated well in advance.</p>	<ul style="list-style-type: none"> • The Regulator is funded adequately. • The Regulator adopts policies and mechanisms to ensure funding arrangements cover the prescribed period and undertakes reviews in an appropriate time. • The timing for negotiating funding settlements is not such as to create a concern that the negotiation would impact on the independence or perceived independence of the Board. 	<ul style="list-style-type: none"> • Contract/Articles of Association/Agreements between the Regulator and subscribers and/or any other funders on existing and/or planned funding arrangements, including subscription rates agreed. • Audited accounts and statement of going concern. • Annual budget, including income and expenditure forecasts. • Statement/assurance/minutes from the Regulator’s Board to certify that the indicative budget is adequate for the purpose. • Indicative timescales and processes for negotiating the funding settlement. 	
<p>7 The standards code must ultimately be the responsibility of, and adopted by, the Board, advised by a Code Committee which may comprise both independent members of the Board and serving editors. Serving editors have an important part to play although not one that is decisive.</p>	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Terms of reference between the Board and Code Committee regarding decisions on the content of the code and compliance with the code. • Minutes of relevant meetings of the Board or between the Board and the Committee, showing a sufficient and proper process of scrutiny and consideration of the content of the standards code. • Information on the composition of the Code Committee, including the role played by serving editors. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>8 The code must take into account the importance of freedom of speech, the interests of the public (including but not limited to the public interest in detecting or exposing crime or serious impropriety, protecting public health and safety and preventing the public from being seriously misled), the need for journalists to protect confidential sources of information, and the rights of individuals. Specifically, it must cover standards of:</p> <p>a) conduct, especially in relation to the treatment of other people in the process of obtaining material;</p> <p>b) appropriate respect for privacy where there is no sufficient public interest justification for breach; and</p> <p>c) accuracy, and the need to avoid misrepresentation.</p>	<ul style="list-style-type: none"> • The Regulator has demonstrably considered relevant legislation, codes, rules and/or guidance in developing the code. • The Regulator meets the requirements set out in the criterion including in 8 (a), (b) and (c) in a way that is proportionate to its subscribers. • The code is reasonable in its terms. • The code is framed in a manner consistent with the potential for complaints to be heard and decided upon by the Regulator under criteria 11 (a) to (c). 	<ul style="list-style-type: none"> • A copy of the code with an explanatory note of how the code takes into account the requirements of the criteria in the context of its subscribers. • Description of the Board’s approach to the interests of the public and freedom of speech, and how they have been incorporated into the code. • Information, if any, to show how feedback from interested parties is taken into account. 	<div style="border: 1px solid black; height: 500px; width: 100%;"></div>

Charter Criteria		Examples of proposed indicators	Examples of possible evidence	Your comments
8A	A self-regulatory body should provide advice to the public in relation to issues concerning the press and the standards code, along with a service to warn the press, and other relevant parties such as broadcasters and press photographers, when an individual has made it clear that they do not welcome press intrusion.	<ul style="list-style-type: none"> • Advice to the public is provided in a way which makes it easily accessible and available to anyone who might reasonably want to access it. • The service to warn the press is easily accessible and available to anyone who might reasonably want to access it. • The Regulator identifies appropriate tools and mechanisms to notify relevant parties on timescales which ensure that the recipients of it can respond promptly. 	<ul style="list-style-type: none"> • Information on provision of advice to the public in relation to the code, including information on how it operates for vulnerable individuals and those who need additional support. • Information on how the service to warn the press operates, including information on how it operates for vulnerable individuals and those who need additional support. • Contacts, if any, with individuals, broadcasters and other parties, and actions taken where relevant. 	
8B	A self-regulatory body should make it clear that subscribers will be held strictly accountable under the standards code for any material that they publish, including photographs, however sourced. This criterion does not include advertising content.	<ul style="list-style-type: none"> • Approach taken to defining advertising content takes account of the Advertising Standards Authority's definition to ensure that regulatory gaps do not emerge. 	<ul style="list-style-type: none"> • Approach to defining advertising content. • Contract/terms and conditions between the Regulator and subscribers demonstrating accountability and enforcement powers of the Regulator. • Guidance issued to subscribers regarding compliance with the code (including how 'advertising content' is defined). 	

Charter Criteria		Examples of proposed indicators	Examples of possible evidence	Your comments
8C	A self-regulatory body should provide non-binding guidance on the interpretation of the public interest that justifies what would otherwise constitute a breach of the standards code. This must be framed in the context of the different provisions of the code relating to the public interest.	<ul style="list-style-type: none"> • Guidance is provided in a way which makes it easily accessible and available to anyone who might reasonably want to access it. 	<ul style="list-style-type: none"> • Examples of written and verbal guidance, demonstrating how it relates to the provisions in the code. • Information on how the guidance will operate. • Information on how guidance is accessible, including for vulnerable individuals and those who need additional support. 	
8D	A self-regulatory body should establish a whistleblowing hotline for those who feel that they are being asked to do things which are contrary to the standards code.	<ul style="list-style-type: none"> • Concerns are welcomed, valued and treated seriously. • Individuals are not victimised for contacting the hotline; safeguards and monitoring are in place to ensure that this does not happen. • The Regulator ensures that the hotline is easily accessible and available to anyone who might reasonably want to access it. • Malpractice is identified and dealt with appropriately and effectively. • Confidentiality and anonymity are assured at all times. • The Regulator demonstrates clear leadership and commitment to whistleblowing. 	<ul style="list-style-type: none"> • Details of how the policy was developed and the review process. • Details of hotline operation, process and budget. • Published guidance on the whistleblowing policy. • Data on its use and conclusions of whistleblowing. • Details of senior person(s) responsible for leadership/ sponsorship of hotline. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
	<ul style="list-style-type: none"> • The Regulator monitors and records data arising from any use of the hotline and learns from and acts appropriately on: concerns raised; action taken; and outcomes. • The Regulator has appropriate tools to support individuals who raise concerns. 		
<p>9 The Board should require, of those who subscribe, appropriate internal governance processes (for dealing with complaints and compliance with the standards code), transparency on what governance processes they have in place, and notice of any failures in compliance, together with details of steps taken to deal with failures in compliance.</p>	<ul style="list-style-type: none"> • The Regulator requires subscribers to have procedures in place for dealing with complaints and standards compliance, recording and reviewing of compliance failures (where provided) and remedial actions taken/reports made. • The Regulator requires the subscriber to nominate a senior individual to take responsibility for dealing with and compliance with the standards code. • The Regulator requires subscribers to be transparent in their processes. 	<ul style="list-style-type: none"> • Contract/terms and conditions/Articles of Association between the Regulator and subscriber demonstrating requirements in criterion 9. • Associated practices and procedures. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>10 The Board should require all those who subscribe to have an adequate and speedy complaint handling mechanism; it should encourage those who wish to complain to do so through that mechanism and should not receive complaints directly unless or until the internal complaints system has been engaged without the complaint being resolved in an appropriate time.</p>	<ul style="list-style-type: none"> • The complaints procedure is easily accessible and available to anyone who might reasonably want to access it. • The Regulator requires subscribers to have a mechanism for dealing with complaints which is adequate and speedy including in that it should: <ul style="list-style-type: none"> - be publicised in a way which ensures that people who might wish to take advantage of it would know of its existence and how to use it; - identify when a complaint is being made and understand the reason for that complaint; - acknowledge receipt of complaint and notify complainant how the complaint will be handled in an appropriate timeframe; - share findings of investigations and conclusions with complainant; 	<ul style="list-style-type: none"> • Complaints handling policy and process. • Written agreements between the Regulator and subscribers regarding the handling and escalation of complaints. • Data on volume and type of complaints received by (a) subscribers and (b) the Regulator; time taken to handle each stage of the complaint and total time taken to resolve (including measured from the point of first contact). Analysis provided of such data. • Data on volume of complaints escalated to the Regulator and/or arbitration etc. 	<div style="border: 1px solid black; height: 100%; width: 100%;"></div>

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
	<ul style="list-style-type: none"> - provide notice of any failures in compliance information on the steps taken to deal with such failures; and - if the complaint is not resolved, provide details on how the complaint can be referred to the Regulator; • The Regulator ensures that the subscriber’s complaints mechanism has regard to conflicts of interests. • The Regulator has in place mechanisms which ensure that subscribers deal with complaints in a timeframe that is effective and proportionate for the subscriber and type of complaint. • The Regulator requires subscribers to have an accessible complaints mechanism that considers vulnerable individuals and those who need additional support. 		

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>11 The Board should have the power to hear and decide on complaints about breach of the standards code by those who subscribe. The Board will need to have the discretion not to look into complaints if they feel that the complaint is without justification, is an attempt to argue a point of opinion rather than a standards code breach, or is simply an attempt to lobby. The Board should have the power (but not necessarily the duty) to hear complaints:</p> <p>a) from anyone personally and directly affected by the alleged breach of the standards code, or</p> <p>b) where there is an alleged breach of the code and there is public interest in the Board giving consideration to the complaint from a representative group affected by the alleged breach, or</p> <p>c) from a third party seeking to ensure accuracy of published information.</p> <p>In the case of third party complaints the views of the party most closely involved should be taken into account.</p>	<p>The complaints procedure:</p> <ul style="list-style-type: none"> • Is publicised and explained in a way which makes it easily accessible and available to anyone who might reasonably want to access it. • Operates in a manner and on a timescale which ensures complaint adjudications are effective. 	<ul style="list-style-type: none"> • Contract, terms and conditions or Articles of Association between the Regulator and the subscriber demonstrating the power to hear and decide on complaints. • Policy and procedures for dealing with complaints. • Criteria for dismissing complaints and examples of documentation/publications to demonstrate the process is clearly available to the public and subscribers. • Documentation/guidance on the handling of public interest and third party complaints (including published policies). 	<div style="border: 1px solid black; height: 600px; width: 100%;"></div>

Charter Criteria		Examples of proposed indicators	Examples of possible evidence	Your comments
12	Decisions on complaints should be the ultimate responsibility of the Board, advised by complaints handling officials to whom appropriate delegations may be made.	<ul style="list-style-type: none"> No elaboration proposed. 	<ul style="list-style-type: none"> Organisation structure and details of the scheme of delegations to committees and/or individual staff members for handling complaints. Terms of reference/minutes demonstrating delegation powers and terms. Process used to investigate complaints and present findings to the Board for decision. 	
12A	The Board should be prepared to allow a complaint to be brought prior to legal proceedings being commenced. Challenges to that approach (and applications to stay or sist) can be decided on the merits.	<ul style="list-style-type: none"> No elaboration proposed. 	<ul style="list-style-type: none"> Policy on complaints handling, including the process for considering challenges. 	
13	Serving editors should not be members of any Committee advising the Board on complaints and should not play any role in determining the outcome of an individual complaint. Any such Committee should have a composition broadly reflecting that of the main Board, with a majority of people who are independent of the press.	<ul style="list-style-type: none"> The Regulator takes appropriate governance steps to ensure that serving editors do not advise on complaints, or determine their outcome. 	<ul style="list-style-type: none"> Composition of the Complaints Committee (or Panel) responsible for advising the Board on complaints, demonstrating independence from the press. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>14 It should continue to be the case that complainants are able to bring complaints free of charge.</p>	<ul style="list-style-type: none"> No elaboration proposed. 	<ul style="list-style-type: none"> Regulator's complaints policy and procedure. 	
<p>15 In relation to complaints, where a negotiated outcome between a complainant and a subscriber (pursuant to criterion 10) has failed, the Board should have the power to direct appropriate remedial action for breach of standards and the publication of corrections and apologies. Although remedies are essentially about correcting the record for individuals, the power to direct a correction and an apology must apply equally in relation to:</p> <p>a) individual standards breaches; and</p> <p>b) groups of people as defined in criterion 11 where there is no single identifiable individual who has been affected; and</p> <p>c) matters of fact where there is no single identifiable individual who has been affected.</p>	<ul style="list-style-type: none"> The Regulator's approach to appropriate remedial action is a reasonable one. The mechanisms for achieving that are designed to be effective (including sufficiently fast) and operate in that way. 	<ul style="list-style-type: none"> Contract/Articles of Association/terms and conditions between the Regulator and subscribers demonstrating the Regulator's power to direct appropriate remedies including corrections and apologies. Information on the power to direct the press, including as seen in instances when it has and has not been applied. Information on handling breaches in criterion (a), (b) and (c) where no significant identifiable individual has been affected. Instances of remedies directed and evidence of actions taken by the subscriber. Information on the operation of remedies, including information about the instances of its use and non-use. 	

Charter Criteria		Examples of proposed indicators	Examples of possible evidence	Your comments
16	In the event of no agreement between a complainant and a subscriber (pursuant to criterion 10), the power to direct the nature, extent and placement of corrections and apologies should lie with the Board.	<ul style="list-style-type: none"> No elaboration proposed. 	<ul style="list-style-type: none"> Process and procedures to direct apologies and corrections. Contracts and agreements to demonstrate that subscribers agree to adhere to directions. 	
17	The Board should not have the power to prevent publication of any material, by anyone, at any time although (in its discretion) it should be able to offer a service of advice to editors of subscribing publications relating to code compliance.	<ul style="list-style-type: none"> No elaboration proposed. 	<ul style="list-style-type: none"> Contract/Articles of Association/terms and conditions between the Regulator and subscribers making clear that the Regulator does not have the power to prevent publication. Guidance provided to editors on code compliance. 	
18	The Board, being an independent self-regulatory body, should have authority to examine issues on its own initiative and have sufficient powers to carry out investigations both into suspected serious or systemic breaches of the code and failures to comply with directions of the Board. The investigations process must be simple and credible and those who subscribe must be required to cooperate with any such investigation.	<ul style="list-style-type: none"> The Regulator has a reasonable approach to deciding what are serious or systematic breaches of the code. 	<ul style="list-style-type: none"> Articles of Association/Agreements with subscribers confirming the Regulator's authority to examine issues on its own initiative and giving it the powers to carry out investigations. Information on the approach taken to deciding what amounts to serious or systemic breaches of the code. The investigation process. Approved budget for independent investigations. Internal/external reviews of compliance procedures. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>19 The Board should have the power to impose appropriate and proportionate sanctions (including but not limited to financial sanctions up to 1% of turnover attributable to the publication concerned with a maximum of £1,000,000) on any subscriber found to be responsible for serious or systemic breaches of the standards code or governance requirements of the body. The Board should have sufficient powers to require appropriate information from subscribers in order to ascertain the turnover that is attributable to a publication irrespective of any particular accounting arrangements of the publication or subscriber. The sanctions that should be available should include power to require publication of corrections, if the breaches relate to accuracy, or apologies if the breaches relate to other provisions of the code.</p>	<ul style="list-style-type: none"> The Regulator’s approach to imposing sanctions is a reasonable one. 	<ul style="list-style-type: none"> Contractual agreements between the Regulator and subscriber on enforcement of directions and agreement to comply. Data on where the power has been applied and/or reasons why sanctions have not been applied and action taken. Information on how the Board will approach sanctions including deciding on what is appropriate and on proportionality. Information on how the Board will approach decisions on calculating fines. Information demonstrating powers to gather turnover information in a manner and timescale which ensures that the overall process remains effective. Information on, and approach to, the requirement to publish corrections. 	<div style="border: 1px solid black; height: 600px; width: 100%;"></div>

Charter Criteria		Examples of proposed indicators	Examples of possible evidence	Your comments
19A	The Board should establish a ring-fenced enforcement fund, into which receipts from financial sanctions could be paid, for the purpose of funding investigations.	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Information on how the Board has established a sufficient enforcement fund, and how the fund is separated for the purpose of funding investigations. • Information on how the Board has satisfied itself as to the sufficiency of the enforcement fund. 	
20	The Board should have both the power and a duty to ensure that all breaches of the standards code that it considers are recorded as such and that proper data is kept that records the extent to which complaints have been made and their outcome; this information should be made available to the public in a way that allows understanding of the compliance record of each title.	<ul style="list-style-type: none"> • No elaboration proposed. 	<ul style="list-style-type: none"> • Agreements between the Regulator and subscribers demonstrating the power specified in criterion 20. • Evidence of manner in which breaches are found and complaints have been recorded. • Information on how the information is made available to the public to ensure the public understands the compliance record of each title. 	

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>21 The Board should publish an Annual Report identifying:</p> <p>a) the body's subscribers, identifying any significant changes in subscriber numbers;</p> <p>b) the number of:</p> <p>(i) complaints it has handled, making clear how many of them are multiple complaints,</p> <p>(ii) articles in respect of which it has considered complaints to be without merit, and</p> <p>(iii) articles in respect of which it has considered complaints to be with merit, and the outcomes reached, in aggregate for all subscribers and individually in relation to each subscriber;</p> <p>c) a summary of any investigations carried out and the result of them;</p> <p>d) a report on the adequacy and effectiveness of compliance processes and procedures adopted by subscribers; and</p> <p>e) information about the extent to which the arbitration service has been used.</p>	<ul style="list-style-type: none"> • Annual report is easily accessible and available to anyone who might reasonably want to access it. • Annual report is published annually. 	<ul style="list-style-type: none"> • Information about the format and timescales for publication of annual report. 	<div style="border: 1px solid black; height: 673px; width: 100%;"></div>

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>22 The Board should provide an arbitral process for civil legal claims against subscribers which:</p> <p>a) complies with the Arbitration Act 1996 or the Arbitration (Scotland) Act 2010 (as appropriate);</p> <p>b) provides suitable powers for the arbitrator to ensure the process operates fairly and quickly, and on an inquisitorial basis (so far as possible);</p> <p>c) contains transparent arrangements for claims to be struck out, for legitimate reasons (including on frivolous or vexatious grounds);</p> <p>d) directs appropriate pre-publication matters to the courts;</p> <p>e) operates under the principle that arbitration should be free for complainants to use¹;</p>	<ul style="list-style-type: none"> • The Regulator either itself provides, or has in place arrangements to ensure that someone else will on its behalf provide, the arbitral process. • The administration fee is small and genuinely related to the costs of administration. 	<ul style="list-style-type: none"> • Information as to how the arbitral process operates in practice and a description of how it complies with criteria 22 (a) to (g). 	<div style="border: 1px solid black; height: 500px; width: 100%;"></div>

¹ The principle that arbitration should be free does not preclude the charging of a small administration fee, provided that:

(a) the fee is determined by the Regulator and approved by the Board of the Recognition Panel; and

(b) the fee is used for the purpose of defraying the cost of the initial assessment of an application and not for meeting the costs of determining an application (including the costs of the arbitration).

Charter Criteria	Examples of proposed indicators	Examples of possible evidence	Your comments
<p>f) ensures that the parties should each bear their own costs or expenses, subject to a successful complainant's costs or expenses being recoverable (having regard to section 60² of the 1996 Act or Rule 63 of the Scottish Arbitration Rules³ and any applicable caps on recoverable costs or expenses); and</p> <p>g) overall, is inexpensive for all parties.</p>			
<p>23 The membership of a regulatory body should be open to all publishers on fair, reasonable and non-discriminatory terms, including making membership potentially available on different terms for different types of publisher.</p>	<ul style="list-style-type: none"> Any variation in terms for different types of publisher needs to be such as to facilitate membership on fair, reasonable and non-discriminatory terms. Those terms need properly to take into account matters such as the financial position of a publisher. 	<ul style="list-style-type: none"> Eligibility criteria and process for joining the Regulator. List of current subscribers by type of membership. Anonymised sample of decision making for successful and un-successful membership applications. 	

² Section 60 (Agreement to pay costs in any event): *An agreement which has the effect that a party is to pay the whole or part of the costs of the arbitration in any event is only valid if made after the dispute in question has arisen.*

³ The Rules are set out in Schedule 1 to the Arbitration (Scotland) Act 2010. Rule 63 (Ban on pre-dispute agreements about liability for arbitration expenses) *M: Any agreement allocating the parties' liability between themselves for any or all of the arbitration expenses has no effect if entered into before the dispute being arbitrated has arisen.*

Consultation response

Your response will help us evaluate our proposals for receiving and determining applications for recognition from press self-regulators, as outlined in the consultation document.

The consultation runs for eight weeks from Monday 8 June to Friday 31 July 2015. You can make your response through either our **website** or by completing this form and emailing to: **consultation@pressrecognitionpanel.org.uk**.

About you

Surname

Forename(s)

Name of the organisation (if applicable)

Your email address

Confidentiality

A list of respondents and their responses may be published by the PRP following the end of the consultation period. Please indicate below if you do not wish your name and/or response to be published. While we may not publish all individual responses, it is PRP policy to comply with all Freedom of Information requests.

Please do not publish my name

Please do not publish my response

Please do not publish part of my response.

Please specify

More about you

The information you provide will assist us in understanding the range of responses we receive.

How are you responding?

As an individual (please indicate)

Academic

Member of the public

Journalist or media employee

Politician

Student

Other - please specify

For an organisation (please indicate)

Academic institution

Third sector or campaigning organisation

Government

Member organisation/representative body

Media owner

National newspaper/magazine/website

Local/regional newspaper/magazine/website

Publisher

Regulator

Trade union

Other - please specify

If you are responding as an individual it would assist us in complying with our obligations under the Public Sector Equality Duty if you would complete the separate diversity monitoring form. The completed form will be held confidentially, and will be separated from your consultation response. The data will be used for statistical purposes only. This is included as a separate form on our website.

Questions

Question 1

Do you agree with the principle of using indicators and examples of evidence as guidance to applicants and the PRP in determining applications?

Yes

No

Give reasons if you wish.

Question 2

Do you agree with the indicators and evidence we propose?

Yes

No

Give reasons if you wish. For specific comments on the criteria, use the comments box on the **matrix**.

Question 3

Do you agree with our proposed approach to dealing with applications?

Yes

No

Give reasons if you wish.

Question 4

Do you agree with our proposed approach to discussions with applicants?

Yes No

Give reasons if you wish.

Question 5

Do you agree with our proposed approach to granting recognition?

Yes No

Give reasons if you wish.

Question 6

Do you consider that our proposals will have any impacts, either positive or negative, including on our compliance with the Public Sector Equality Duty?

Yes No

Give reasons if you wish.

Endnotes

- ¹ House of Commons Debate, 13 July 2011, c311
- ² An inquiry into the culture, practices and ethics of the press: Executive Summary and recommendations, ISBN 9780102981100, HC 779 2012-13, P.6, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/229039/0779.pdf
- ³ The Leveson Report: implementation, House of Commons Library, Standard Note SN/HA/6535, 27 March 2014, <http://researchbriefings.files.parliament.uk/documents/SN06535/SN06535.pdf>
- ⁴ Section 96, Enterprise and Regulatory Reform Act, (Charter Amendment), <http://www.legislation.gov.uk/ukpga/2013/24/part/6/crossheading/royal-charters/enacted>
- ⁵ Royal Charter on Self-Regulation of the Press, Section 9, P. 4-5, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254116/Final_Royal_Charter_25_October_2013_clean__Final_.pdf
- ⁶ Royal Charter on Self-Regulation of the Press, P. 1, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254116/Final_Royal_Charter_25_October_2013_clean__Final_.pdf
- ⁷ For the purpose of the Charter, “relevant publisher” is as defined in Section 41 of the Crimes and Courts Act 2013 – see also the exclusions from the definition (Schedule 15), <http://www.legislation.gov.uk/ukpga/2013/22/contents/enacted>
- ⁸ Criterion 23, Schedule 3, Royal Charter, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254116/Final_Royal_Charter_25_October_2013_clean__Final_.pdf
- ⁹ The term “hyperlocal” has been defined as “Online news or content services pertaining to a town, village, single postcode or other small, geographically defined community” see Radcliffe, Damian, Here and now: UK Hyperlocal media today, Nesta Report, March 2012, http://www.nesta.org.uk/sites/default/files/here_and_now_uk_hyperlocal_media_today.pdf
- ¹⁰ The Equality Act 2010, Chapter 1, Public Sector Equality Duty, <http://www.legislation.gov.uk/ukpga/2010/15/part/11/chapter/1>,
- ¹¹ The protected characteristics are: Disability; gender reassignment; pregnancy and maternity (which includes breastfeeding); race; religion or belief; sex; and sexual orientation. <http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty>
- ¹² There are 28 individual criterion in total. Criterion 8 has supplementary criteria 8A, 8B, 8C, and 8D. Criterion 12 is followed by criterion 12A, and 19 by 19A. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254116/Final_Royal_Charter_25_October_2013_clean__Final_.pdf

- ¹³ An inquiry into the culture, practices and ethics of the press: report [Leveson] No 0780 2012-13, 29 November 2012, Part K, Chapter 7, Section 4 (“Voluntary independent self-regulation”), http://webarchive.nationalarchives.gov.uk/20140122145147/http://www.official-documents.gov.uk/document/hc1213/hc07/0780/0780_iv.asp
- ¹⁴ As listed in: An inquiry into the culture, practices and ethics of the press: Report [Leveson] No 0780 2012-13, 29 November 2012, Volume 4, Part K, Chapter 9, (“Recommendations for a self-regulatory body”), http://webarchive.nationalarchives.gov.uk/20140122145147/http://www.official-documents.gov.uk/document/hc1213/hc07/0780/0780_iv.asp
- ¹⁵ The Charter defines a regulatory obligation as, “...one that (a) regulates the manner in which the Regulator is required to operate, (b) is contained in legislation and (c) applies as a matter of general law to bodies of the legal class to which the Regulator belongs”. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254116/Final_Royal_Charter_25_October_2013_clean__Final_.pdf
- ¹⁶ National Audit Office, Making a Whistleblowing Policy Work, <http://www.nao.org.uk/wp-content/uploads/2015/03/Making-a-whistleblowing-policy-work.pdf>
- ¹⁷ National Audit Office, Supplementary Report: Assessment Criteria for Whistleblowing Policies, January 2014, <http://www.nao.org.uk/wp-content/uploads/2014/01/Assessment-criteria-for-whistleblowing-policies.pdf>
- ¹⁸ Ofcom, The Ofcom approved code of practice for complaints handling, <http://stakeholders.ofcom.org.uk/binaries/telecoms/ga/complaints-handling-code.pdf>; and, Ofcom, Ofcom guidance notes to the Ofcom approved code of practice for complaints handling, <http://stakeholders.ofcom.org.uk/binaries/telecoms/ga/complaints-handling-guidance.pdf>
- ¹⁹ Financial Conduct Authority, TR14/18 Thematic review, complaint handling, November 2014 <http://www.fca.org.uk/your-fca/documents/thematic-reviews/tr14-18>
- ²⁰ Legal Ombudsman, Listen, Inform, Respond: A guide to good complaints handling, <http://www.legalombudsman.org.uk/wp-content/uploads/2014/09/Guide-Good-Complaints-Handling-BW.pdf>



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