

IMPRESS: The Independent Monitor for the Press CIC Regulatory Scheme Procedures

These procedures are intended to help IMPRESS officers navigate the IMPRESS Regulatory Scheme and associated policies. If, on first contact, a member of the public or a publisher does not provide all the necessary information to commence these procedures, an IMPRESS officer will contact the member of the public or the publisher, usually by telephone, to establish the necessary information. All references in these procedures to 'the IMPRESS Board' should be read as applying to any suitably qualified official or subcommittee appropriately mandated by the IMPRESS Board. These procedures will be reviewed on a regular basis and may be revised. Nothing in these procedures should be read in any way which is incompatible with the requirements of the Royal Charter on Self-Regulation of the Press, the IMPRESS Regulatory Scheme, the IMPRESS Regulatory Scheme Agreement or the IMPRESS Articles of Association.

Create Log = create a contact record and allocate a reference number

Log = add to record

Annex 1 includes a full list of letters, forms and document templates that support the implementation of the Regulatory Scheme.

PUBLISHER APPLICATION AND COMPLIANCE PROCESS

- 1) Establish name and contact details of publisher making contact and whether they have been in contact with us before.
 - a) YES – **Log and resume publisher application.**
 - b) NO – **Create Log and continue (FORM 1).**

- 2) Establish whether publisher is interested in joining IMPRESS.
 - a) YES – **Log and continue.**
 - b) NO – **Log reasons and close.**

- 3) Contact publisher by telephone to seek to arrange meeting to discuss application
 - a) YES publisher agrees to meeting – **Log and continue.**
 - b) NO publisher does not agree to meeting – **Log reasons and close.**

- 4) Undertake preliminary credit checks and Companies House searches to verify status of publisher and flag up any potential risks. Assess whether to continue application.
 - a) YES – **Log and continue.**
 - b) NO – **Log, send LETT 2 and close.**

- 5) Meet publisher and guide them through application process and Induction Pack. If possible, leave meeting with signed copy of application form (**FORM 2**).
 - a) YES – **Log and continue.**
 - b) NO – **Log and place follow up telephone call action in diary.**

- 6) Undertake compliance assessment of publisher application against the governance standards set out in the Regulatory Scheme (**DOC 1**).
 - a) Approve – **Log and go to clause 9.**
 - b) Approve with minor development support – **Log and go to clause 8.**
 - c) Approve with significant development support – **Log and go to clause 7.**
 - d) Reject – **send LETT 2 and close.**

- 7) Arrange development support meeting with publisher to address compliance issues and agree action plan. **Log and continue.**

- 8) Follow up with publisher to request further information to verify compliance. **Log and continue.**

- 9) Once publisher compliance has been verified, send copy of IMPRESS Regulatory Scheme Agreement to publisher for signing (**DOC 2**). **Log and continue.**

- 10) Send **LETT 1** to publisher with signed IMPRESS Regulatory Scheme Agreement, accreditation certificate (**DOC 3**) and membership pack. **Log and continue**

- 11) Add publisher to list of publishers on IMPRESS website and include effective date that publisher comes under IMPRESS's regulatory remit. **Log and close.**

STAGE 1 COMPLAINTS PROCESS: INITIAL CONTACT AND ASSESSMENT

- 12) Establish name and contact details of person making contact and whether they have already contacted us before and, if so, any reference number.

- a) YES. Establish point reached in process – **Log and resume case activity or refer to case handler.**
- b) NO – **Create Log and continue (FORM 3A).**
- 13) Establish name of publisher and publication in question (**FORM 3A**). **Log and continue.**
- 14) Establish whether publisher in question is regulated by IMPRESS
- a) YES – **Log and continue.**
- b) NO – Check whether publication is regulated by alternative regulator. If so, refer contact to alternative regulator as appropriate. **Log and send LETT 3A to alternative regulator and LETT 3B to complainant. Close.**
- 15) Establish whether article complained about was first published after commencement of IMPRESS’s regulatory remit.
- a) YES – **Log and continue.**
- b) NO – **Log and send LETT 3C to reject complaint**
- 16) Establish whether complaint is subject to current litigation.
- a) YES – **Log and send LETT 3D to reject complaint**
- b) NO – **Log and continue**
- 17) Establish whether contact is acting as agent, means of contact preferences and any reasonable adjustments required, [including any anonymity or confidentiality issues](#) (**FORM 3B**). **Log and continue.**
- 18) Establish whether contact is best handled as:
- a) A complaint – **Log and go to clause 19.**
- b) A request for an Advisory Notice – **Log and go to clause 43.**
- c) A claim for compensation made under IMPRESS CI Arb Arbitration Scheme – **Log and go to clause 46.**
- 19) Establish date of publication or act complained of (**FORM 4A**) and whether complainant has brought complaint to IMPRESS within time limit and, if not, whether there are exceptional circumstances in which IMPRESS should extend the time limit. [Exceptional circumstances could include \(i\) an atypically complex complaint which may involve multiple parties or an investigation requiring interviews with multiple witnesses; or \(ii\) a delay caused by unavoidable and unforeseen events such as illness, bereavement, extended absence of a key witness or a natural disaster or serious accident.- All requests to extend time](#)

limits must be approved by either the Chief Operating Officer or Chief Executive Officer within 24 hours of a request being made.

- a) YES: time limit has not expired – **Log and continue.**
- b) NO: time limit has expired – **Send LETT 3B to complainant and close case.**

20) Establish whether complainant has brought complaint to attention of publisher.

- a) YES – **Log and continue.**
- b) NO – **Log and advise complainant of need to refer complaint to publisher in first instance (LETT 4).**

21) Establish whether publisher has responded substantively to complaint within 21 days of its communication.

- a) YES – **Log and continue.**
- b) NO: 21 days have not yet passed – **Log as premature, and go to clause 23.**
- c) NO: 21 days have passed without a substantive response – **Log and go to clause 24.**

22) Establish why complainant is dissatisfied with publisher's response. **Log and go to clause 24.**

23) Establish whether matter is so urgent that IMPRESS should accept complaint before it has been brought to attention of publisher or before 21 days have passed since its communication to publisher.

- a) YES – **Log and continue.**
- b) NO – Ask complainant to bring complaint to attention of publisher or wait until 21 days have passed since complaint's communication to publisher. **Log and send LETT 5 to publisher and LETT 4 to complainant. Diary forward 3 months reminder to contact complainant to enquire if settled.**

24) Establish nature of complaint (**FORM 4**) and establish whether complainant is:

- a) A representative group affected by alleged breach – **Log and continue.**
- b) Personally and directly affected by alleged breach of standards code – **Log and go to clause 26.**
- c) A third party seeking to ensure accuracy of published information – **Log and go to clause 26.**

25) Establish whether there is a public interest in consideration of complaint.

- a) YES – **Log and continue.**

b) NO – Log and close case; send **LETT 8A** to complainant.

26) Undertake final check (**FORM 5**) to ascertain that complaint comes under scope of IMPRESS Regulatory Scheme. Confirm with complainant that you have accurately logged nature of complaint and all relevant details and [understood any anonymity and confidentiality issues or concerns](#). Explain what will happen next, [making it clear that the nature of the complaint and identity of the complainant will be shared with the publisher](#). Consider whether to amalgamate into a lead complaint(s) if multiple complaints have been received on a similar issue and it is not practical to correspond to each complainant individually. Check that the complaint is not the subject of current or possible future litigation. Contact publisher to request response to complaint, reminding them that this will be normally be shared with complainant unless they make a request that parts of their response are not shared and IMPRESS agrees to this request. Send **LETT 6** to complainant and **LETT 7** to publisher. Log and continue.

STAGE 2 COMPLAINTS PROCESS: INVESTIGATIONS

27) Establish whether information leading to investigation is from:

- a) a complaint, or complaints – **Log and continue.**
- b) a whistleblower, or whistleblowers, approaching IMPRESS directly – **Log and go to clause 30.**
- c) a whistleblower, or whistleblowers, approaching IMPRESS via Public Concern at Work – **Log and go to clause 30.**
- d) IMPRESS acting on its own initiative – **Log and go to clause 30.**

28) Confirm receipt of publisher response to complaint, sending reminder if necessary. Send publisher response to complainant for reply, reminding them that their reply will normally be shared with publisher unless they make a request that parts of their reply are not shared and IMPRESS agrees to this request. Send **LETT 9** to complainant. Log and continue.

29) Confirm receipt of reply from complainant and forward to publisher for information (**LETT 10**). Log and continue.

30) Establish nature of allegation or allegations (**FORM 4B**). Log, including any relevant clauses of standards code, and continue.

31) Agree with IMPRESS Board whether further investigation is required into complaint or allegation, or allegations, and form that further investigation should take, taking into account any application to stay or sist the investigation

- a) YES. Full investigation requiring appointment of independent investigator or expert – **Log and continue.**
- b) YES. Paper investigation requiring publisher (or either party in case of a complaint) to produce further information or document – **Log, send LETT 12 and go to clause 34.**
- c) NO. Sufficient information has been collected to make an adjudication – **Log, send LETT 11 to complainant and publisher and go to clause 35.**
- d) NO. Insufficient information to continue case – **Log, notify complainant or person making allegations and publisher (LETT 8B) and close.**
- e) NO. Decision is made to stay or sist the investigation – **Log and close until further notice.**

32) Approve appointment and terms of reference of independent investigator(s) or expert(s) with the board. **Send LETT 15** to appoint and brief investigator(s) or expert(s) and **LETT 16** to notify publisher of details and requirements. **Log and continue.**

33) Receive, proof-read and finalise independent investigation or expert report. **Log and continue.**

34) Send any relevant material to publisher (or both parties in case of a complaint), taking account of provisions for confidentiality in clause 5.4 of IMPRESS Regulatory Scheme, and invite representations within reasonable stated deadlines. **Log, Send LETT 13 and continue.**

35) Contact publisher and complainant (if investigation arises from a complaint) to confirm that investigation is complete and that adjudication will follow. **Log, send LETT 14 and continue.**

STAGE 3 COMPLAINTS PROCESS: ADJUDICATION

36) Agree with IMPRESS Board whether necessary for determination of complaint for publisher (or both parties in case of a complaint) to attend oral hearing.

- a) YES – Agree panel membership with IMPRESS Board, fix date and venue, request necessary attendance (**LETT 17**) and send joining instructions and papers to the Panel and parties (**LETT 18**). **Log and continue.**
- b) NO – **Log and go to clause 38.**

37) Convene oral hearing. **Log and continue.**

38) Agree proposed adjudication and sanction with IMPRESS Board, –taking account of any request for anonymity and confidentiality, agreed by exception (DOC 5) in

accordance with Paragraph 6.3 of IMPRESS Regulatory Scheme. **Log and continue.**

39) Send publisher (or both parties in case of a complaint) proposed adjudication and sanction (**DOC 5A**) with time limit for response (**LETT 19**). **Log and continue.**

40) Consider any responses to proposed adjudication and sanction, [including any requests for redactions](#). **Log and continue.**

41) Agree final adjudication and sanction with IMPRESS Board (**DOC 5B**). **Log, notify publisher (or both parties in case of a complaint) (LETT 20) and continue.**

42) Publish adjudication and sanction on IMPRESS website (in a redacted form, where necessary) (**DOC 5B**) within seven days of conclusion of complaint. **Log and close.**

ADVISORY NOTICE REQUEST

43) Establish why person making contact does not welcome press intrusion and whether they wish to request that a notice is sent to (i) a specific IMPRESS participating publisher; (ii) all IMPRESS participating publishers; or (iii) the wider UK press and other relevant parties. [Establish whether the request is to be published or not](#). **Log, including any relevant clauses of standards code, and continue (FORM 6).**

44) Agree with IMPRESS Board whether to issue Advisory Notice and who to issue it to.

a) YES – **Log, notify person making contact (LETT 21) and continue.**

b) NO – **Log, notify person making contact (LETT 8C) and close.**

45) Issue Advisory Notice by e-mail (**DOC 6**). **Log and close.**

ARBITRATION

46) Establish that complainant wishes to make a civil claim for compensation and that claimant has completed an IMPRESS application for arbitration form (**FORM 7**). Check that application meets administrative criteria for scheme: (i) the claim is made against a publisher regulated by IMPRESS; (ii) the claim is related to one of the areas of civil law covered by the scheme; [\(iii\) the claim is not a pre-publication matter where it is appropriate for it to be directed to the courts](#) (iv) [\(iv\) the claim is not a pre-publication matter where it is appropriate for it to be directed to the courts](#)

the claim provides a clear statement setting out the harm or financial loss suffered by the claimant; (iv) the claim describes a specific action or activity of a publisher that has caused the alleged harm or financial loss; (vi) the claimant explains why the complaint is not suitable for resolution by the IMPRESS complaints procedure. Make a recommendation to the IMPRESS Board about whether the application falls within the administrative scope of the IMPRESS arbitration scheme. **Log, submit (FORM 7) to the IMPRESS Board for consideration and continue.**

47) Confirm whether IMPRESS Board agree suitability of complaint for determination by arbitration and how arbitration should be funded.

a) YES – **Log, contact claimant and publisher (LETT 22) and continue.**

b) No – **Log, contact claimant and publisher with reasons (LETT 8C) and close.**

48) Prepare arbitration agreement (**DOC 7/ARB1**) and send to parties along with a copy of the CIArb/IMPRESS Arbitration Scheme Rules. Request that parties return a signed copy of the arbitration agreement and that the claimant makes payment of non-returnable filing fee of £75 payable to [CIArb via IMPRESS](#) (**LETT 23**). **Log and continue.**

49) Once signed arbitration agreement and claimant filing fee has been received, send arbitration agreement (**DOC 7/ARB1**) to CIArb to trigger commencement of arbitration (**LETT 24**). **Log and continue.**

50) Liaise with arbitrator and publisher over arbitration fees and how they will be met. Confirm fee arrangements in writing with both publisher and arbitrator. **Send LETT 25. Log and continue.**

51) Contact arbitrator over issuing of any directions. If required, arrange telephone conference call between arbitrator and parties to discuss directions [and](#) any preliminary issues and then distribute Directions Order. Send Directions Order (**DOC 8**) to parties, including any role that IMPRESS will play in supporting the arbitration proceedings. **Log and continue.**

52) Contact parties to ensure that documents set out in Paragraph 16 of IMPRESS CIArb Arbitration Scheme are exchanged in accordance with timetable set down by arbitrator's directions. **Log and continue.**

53) Confirm with arbitrator whether oral hearing is required.

a) Yes – **Log** diary entry for conclusion of arbitration award six months after commencement of arbitration **and continue.**

b) No – **Log** diary entry for conclusion of arbitration award three months after commencement of arbitration **and go to clause 55**.

54)Contact arbitrator and parties to arrange time and venue for hearing. Ensure that all parties have agreed a bundle of documents to refer to. **Log, send LETT 26 and continue.**

55)If arbitration award has not been received one week before deadline for its conclusion, send reminder to arbitrator. **Log receipt of arbitration award and continue.**

56)Confirm with parties that IMPRESS will publish final award within seven days of its conclusion, unless arbitrator has agreed to redact parts of award. **Log and continue.**

57)Publish final award, including any redactions agreed by arbitrator (**DOC 9**) on IMPRESS -website within seven days of its conclusion. **Log and close.**

ANNEX 1: SUPPORTING LETTERS, FORMS AND DOCUMENT TEMPLATES

Ref	Audience	Purpose
LETT 1/APP	Publisher	Letter to accompany IMPRESS Regulatory Scheme Agreement and accreditation certificate
LETT 2/APP	Publisher	Letter rejecting application to join IMPRESS Regulatory Scheme and reasons
LETT 3A/COM	IPSO	Letter to alternative regulator informing it of contact and brief details of complaint
LETT 3B/COM	Complainant	Letter to complainant explaining that (i) IMPRESS does not have jurisdiction to deal with complaint and signposting complainant to alternative regulator or (ii) complaint is out of time.
LETT 4/COM	Complainant	Letter to complainant advising them to refer complaint to publisher or to wait 21 days before referring complaint to IMPRESS
LETT 5/COM	Publisher	Letter to publisher to advise them of receipt of complaint that they have 21 days to resolve
LETT 6/COM	Complainant	Letter to complainant to acknowledge acceptance of complaint and to advise of next steps
LETT 7/COM	Publisher	Letter to notify publisher that complaint has been accepted and to invite publisher response
LETT 8A/COM	Complainant	Letter to complainant explaining that IMPRESS is unable to accept complaint and the reasons why
LETT8B/INV	Complainant / Publisher	Letter to complainant or publisher (if required) explaining that IMPRESS will not be undertaking an investigation and the reasons why
LETT 8C/ADV	Complainant	Letter to complainant explaining that IMPRESS will not issue an Advisory Notice and the reasons why
LETT 8D/ARB	Complainant	Letter to complainant explaining that IMPRESS has not accepted its application for arbitration and the reasons why
LETT 9/INV	Complainant	Letter to invite complainant to reply to publisher response to their complaint
LETT 10/INV	Publisher	Letter to inform publisher of the reply made by the complainant to the publisher's response
LETT 11/INV	Complainant / Publisher	Letter to publisher and complainant (if a complaint) to confirm that no further investigation is required and that matter has been referred to the IMPRESS Board for adjudication
LETT 12/INV	Publisher	Letter requesting additional documents
LETT 13/INV	Publisher / Complainant	Letter to share additional documents with other party and to request representations
LETT 14/INV	Publisher	Letter to publisher and complainant (if a complaint) to confirm that the investigation is complete and that matter has been referred to IMPRESS Board for adjudication

LETT 15/INV	Investigator / Expert	Letter of appointment of independent investigator/expert setting out brief and terms of appointment
LETT 16/INV	Publisher	Letter to publisher to inform them of the scope of an investigation and of additional requirements
LETT 17/ADJ	Complainant/Publisher	Letter to publisher and complainant (if a complaint) to confirm requirement for an oral hearing and to confirm date and venue
LETT 18/ADJ	Complainant / Publisher / Hearing Panel	Letter to publisher, complainant (if a complaint) and hearing panel to confirm final joining instructions for oral hearing and bundle of documents
LETT 19/ADJ	Publisher	Letter to publisher to invite response to proposed adjudication and sanction
LETT 20/ADJ	Publisher / Complainant	Letter to accompany final adjudication and sanction explaining action required of the publisher
LETT 21/AVN	Complainant	Letter to complainant confirming acceptance of Advisory Notice Request
LETT 22/ARB	Complainant / Publisher	Letter informing parties that matter is to be referred to arbitration
LETT 23/ARB	Complainant / Publisher	Letter enclosing arbitration agreement for parties to sign and return to IMPRESS
LETT 24/ARB	CI Arb	Letter of referral for arbitration to CI Arb including signed arbitration agreement
LETT 25/ARB	Arbitrator / Publisher	Letter confirming arbitrator fees
LETT 26/ARB	Publisher / Complainant / Arbitrator	Letter to the parties confirming arrangements for an oral hearing
Ref	Audience	Purpose
FORM 1/APP	Publisher	IMPRESS Regulatory Scheme initial enquiry form
FORM 2/APP	Publishers	IMPRESS Regulatory Scheme full application form
FORM 3A/COM	Complainant	Form capturing contact details of complainant and publisher
FORM 3B/COM	Complainant	Form capturing details about whether contact is acting as agent, preferences and any reasonable adjustments
FORM 4A/COM	Complainant	Form capturing full details of the complaint
FORM 4B/INV	Internal	Form capturing full details of a serious breach of the IMPRESS Regulatory Scheme (that is not a complaint) that may require further investigation
FORM 5/COM	Internal	Form to assess and audit complaint against IMPRESS Regulatory Scheme criteria
FORM 6/ADV	Complainant	Advisory Notice Request Form
FORM 7/ARB	Complainant	Arbitration Request Form
Ref	Audience	Purpose
DOC 1/APP	Internal	IMPRESS Regulatory Scheme compliance checklist

DOC 2/APP	Publisher	IMPRESS Regulatory Scheme Agreement
DOC 3/APP	Publisher	IMPRESS Regulatory Scheme Publisher Accreditation Certificate
DOC 4/INV	Internal	Investigation report template
DOC 5A/ADJ	Publisher	Adjudication report template - Proposed
DOC 5B/ADJ	Publisher	Adjudication report template – Final Unpublished
DOC 5C/ADJ	Publisher	Adjudication report template – Final Published
DOC 6/AVN	Publisher	Advisory Notice template
DOC 7/ARB1	Publisher / Complainant / CIArb	Arbitration Agreement
DOC 8/ARB	Publisher / Complainant	Arbitration Standard Directions Order
DOC 9/ARB	Publisher / Complainant / CIArb	Arbitration Award template