

Susie Uppal
Chief Executive
Press Recognition Panel
Mappin House
4 Winsley Street
London W1W 8HF

By email: suppal@pressrecognitionpanel.org.uk

28 July 2016

Dear Susie,

IMPRESS PRP Application

Thank you for your email of 27 July. Please find below our responses to the points you have raised.

- 1. You asked us to confirm whether information about the consultation on our financial arrangements was sent directly to all publishers who have applied to or been accepted into our regulatory scheme ('participating publishers') and whether the Board has now approved the 'Sustaining Trust' decision paper.**

On 20 June, we sent all participating publishers a dedicated email about the consultation. We also published information about the consultation on a private LinkedIn group which we use to communicate with participating publishers. And we publicised the financial consultation at a meeting with participating publishers which we held on 28 June in partnership with the Centre for Community Journalism at Cardiff University.

The Board approved the 'Sustaining Trust' decision paper by emails exchanged on 13-14 July. The IMPRESS Articles of Association allow decisions to be taken electronically.

- 2. You asked us to clarify the relationship between our Financial Sustainability Policy and our Regulatory Scheme Agreement. As you noted, the Financial Sustainability Policy requires IMPRESS to consult participating publishers on our financial arrangements each year, in January, in relation to changes which may come into force in April of that year. As you also noted, the Regulatory Scheme Agreement requires**

publishers to give six months' notice if they wish to terminate the Agreement. You asked whether these two provisions are mutually compatible.

We are not sure that this issue has a bearing on the recognition criteria. In any case, we believe that the provisions are mutually compatible and indeed quite appropriate.

Under the Charter, IMPRESS is required to ensure that fees are fair, reasonable and non-discriminatory. We will allow publishers to comment on any changes to our financial arrangements before they are finalised and will of course take their views into account.

However, publishers' views cannot be allowed to outweigh all other considerations, or IMPRESS would have sacrificed the very independence which is required under the Charter. For this reason, it would be inappropriate to give publishers scope to threaten to resign unless their demands were met in relation to the budget and tariff schedule.

Therefore, the annual consultation process is designed to give publishers an opportunity to comment on any changes to IMPRESS's financial arrangements, including the annual budget and the tariff schedule, but not to give them any kind of veto over these arrangements.

3. You asked for information about the £75 'filing fee' which we propose to charge anyone who seeks to bring a claim through the IMPRESS CI Arb Arbitration Scheme.

We can confirm that we are not currently charging a filing fee to access the IMPRESS CI Arb Arbitration Scheme and do not intend to do so unless and until approval for this has been granted by the PRP. As part of our application to the PRP, we are seeking approval to introduce an arbitration filing fee of £75 per claim. This filing fee will be paid directly to our partner, CI Arb, to cover the administrative costs of appointing an independent arbitrator and will not be used to meet the cost of determining the arbitration.

We propose to introduce this filing fee for the following reasons:

- To cover some of the administrative costs of CI Arb in appointing a suitably qualified arbitrator.
- To encourage claimants (to whom the scheme is otherwise cost-free and risk-free) to use the service responsibly.

- To discourage frivolous or vexatious claims (which, even if struck out by an arbitrator, may still incur a cost to publishers).

In order to set the fee at a level which is high enough to discourage irresponsible claims, but not so high as to make the scheme inaccessible to members of the public, IMPRESS has considered court and tribunal filing fees in England and Wales. These typically range from £25 to £660. The proposed arbitration filing fee of £75 has been set towards the lower end of this scale.

4. You asked which recruitment websites were used to advertise Board roles.

At the suggestion of members of the Appointment Panel, advertisements for Board roles were placed with Women on Boards (<https://www.womenonboards.net/en-GB/Home>); the UK Sustainable Investment and Finance Association (<http://uksif.org/>); Ethical Corporation (<http://www.ethicalcorp.com/>); the Two Percent Club (<http://www.thetwopercentclub.com/>); Non-Executive Directors (<http://www.nonexecutivedirectors.com/>); and Responsible Investor (<https://www.responsible-investor.com/>).

5. You asked us to confirm our total number of staff, and to provide a brief outline of the training and induction given in relation to our Regulatory Scheme Procedures.

IMPRESS has a staff team of eight, of whom the following five are directly involved in operating the Regulatory Scheme Procedures:

- Ed Procter – Chief Operating Officer
- Chris Elliott – Editorial Standards Adviser
- Brigit Morris – Policy and Complaints Officer
- Lee Hall – Business Manager
- Alex Law – Administrator

The following training has been provided to familiarise IMPRESS staff with the Regulatory Scheme Procedures in particular and press regulation in general:

- The Chief Operating Officer has worked closely with the Board's Legal Working Group, led by the Chair of IMPRESS, to develop the Regulatory Scheme and associated procedures.

- All staff have been required to read through key Regulatory Scheme documents and the Publisher Induction Pack.
- The Regulatory Team have regular one-to-one sessions with the Chief Operating Officer to ensure a shared understanding and consistency of approach to implementing the Regulatory Scheme Procedures.
- Weekly Regulatory Team meetings are held to review applications and cases and to discuss issues that arise. During the start-up phase of IMPRESS, when there is a low volume of case referrals, all cases are discussed collectively by all staff in the Regulatory team when they come in and after they close. This is to ensure a shared understanding and consistency of approach.
- A series of workshops led by the Chief Operating Officer and involving the Regulatory team have taken place, covering the different aspects of the Regulatory Scheme (Regulatory Scheme Procedures, Publisher Compliance, Arbitration, Advisory Notices, Whistleblowing Scheme). For example, the session on Regulatory Scheme Procedures took all staff through the process from start to finish, using different service types and scenarios and which recording forms and standard letters to use and where to find them on the system. These workshops will continue on a fortnightly basis with increasing input from members of the Team.
- A member of the Regulatory Team conducts a monthly analysis of published IPSO adjudications and there are regular professional discussions within the Regulatory Team about how similar cases would be handled under the IMPRESS Regulatory Scheme Procedures.
- In the past three months the Chief Executive Officer and members of the IMPRESS Regulatory team have held meetings to share best practice with media regulators and related experts including Ofcom, Advertising Standards Authority, Irish Press Ombudsman, BBC and media lawyers at 5 Raymond Buildings, Ely Place, Matrix Chambers and Blackstone Chambers.
- Members of the Regulatory Team are engaged in action learning projects which require staff to engage with the IMPRESS Regulatory Scheme Procedures in a practical way. These include drafting, reviewing and discussing Q&A sheets relating to the complaints service and Arbitration Scheme; drafting a Publisher Induction pack, standard letters and data capture forms; and drawing up a detailed specification for a Customer Relationship Management (CRM) system to support consistent application of the IMPRESS Regulatory Scheme Procedures.
- Staff have attended courses and external events including the following: Independent Press Councils of Europe annual conference (Vienna, October 2015); Privacy and Media Law Conference (London, June 2016); Comparative Media Law conference at University of Cambridge (July 2016);

Regulatory workshop with publishers (led by IMPRESS) at the Centre for Community Journalism in Cardiff (June 2016).

This training programme has been designed to ensure that different learning styles are catered for.

We hope very much that we have addressed any outstanding concerns you may have.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Heawood". The signature is written in a cursive style with a large initial 'J' and a long horizontal stroke at the end.

Jonathan Heawood
Chief Executive Officer