



RTÉ

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RTÉ Programme Content Standards

- A general guide to standards and practices for staff and independent programme-makers
- Replaces *RTÉ Programme Standards and Guidelines 2008*

Revised December 2013





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Introduction – by the Director General

These revised *Programme Content Standards* have been drawn up for all staff and programme-makers and are available in printed form as well as online. They are, and should be, essential reading. Yet they also should contain few surprises.

This is in part because they are an evolution of the RTÉ Programme Standards and Guidelines which have been in operation since 2008 and which this document now replaces. So they are based squarely on existing norms.

But it is more particularly because what these guidelines seek to do is, in the first instance, to set out what is commonsense good practice in the way we go about key elements of our programme-making – doing things well, doing them safely, doing them responsibly. There are standards that we expect of each other in our service delivery to the public and that the public expects of us. This document sets those expectations out.

There are also new elements. The broadcasting landscape in Ireland has changed since 2008. RTÉ and other broadcasters operate under fresh legislation and are now subject to regulation by the Broadcasting Authority of Ireland. The regulator has developed and published codes and guidelines in recent years and elements of those documents are now expressed in these guidelines also.

Finally, it is also natural and important that RTÉ continues to learn from experience. Programme-makers and programme teams encounter new subjects and new challenges on a continuous basis and RTÉ as an organisation does likewise. We pay attention to public reaction to what we do, to international broadcasting experience and to lessons arising from programmes made.

Evolved in this way over many years of programme-making by successive generations of our staff, this document therefore attempts to capture what is, and should be, the RTÉ way of doing things. As we use public and commercial resources to provide a service of quality to the Irish public, we owe it to our public and to ourselves to meet and maintain high standards. These guidelines and the journalism guidelines set out the key elements of good practice that underpins good service.

Please read them, become familiar with them and refer to them when appropriate. Used properly, they will inform and support the already excellent programme-making instincts of our staff.

Noel Curran
Director General RTÉ



Section 1. Introduction and Context

These programme standards apply to all RTÉ production genres in matters to do with harm and offence, the protection of children, competitions and other forms of interaction with our audiences, and issues around sponsorship and product placement. They meet the requirements of the Broadcasting Act 2009 and the BAI code on programme standards which applies to RTÉ. They should be read in conjunction with the RTÉ Journalism Guidelines.

We broadcast and publish innovative content that aims to inform, entertain and educate diverse audiences. Innovation involves a willingness to take risks, invent and experiment with new ideas. This can result in challenging content which may offend some of the audience some of the time but which is part of RTÉ's role in encouraging and promoting the national discourse and exploring creativity and the arts. We acknowledge that a public broadcaster should never gratuitously harm or offend and accordingly any content which is likely to harm or offend must have a clear editorial purpose.

As RTÉ potentially reaches the whole community, so it must take into account commonly accepted standards in contemporary Irish society which evolve over time and will be informed by research. We must also be able to provide content for specific target audiences whose standards may differ from generally held community attitudes. Applying the 'harm and offence' standard requires careful judgement. Context is an important consideration. Consideration of the nature of the target audience for particular content is part of assessing harm and offence in context, as is any signposting that equips audiences to make informed choices about what they see, hear or read.

These guidelines are subject to regular review. Please ensure that it is always the most recent edition that is consulted. The date on which this edition was last reviewed can be found on the cover.

RTÉ wishes to acknowledge with gratitude the assistance it received from fellow public service broadcasters, BBC and ABC, in drafting these guidelines.

We broadcast and publish innovative content that aims to inform, entertain and educate diverse audiences.

Section 2. RTÉ's Editorial Principles

2.1 Trust

Trust is the cornerstone of RTÉ: we seek to be honest, reliable, authoritative, impartial and independent of vested interests.

2.2 Accuracy

We strive for accuracy in all our output. Our reporting is well sourced, based on sound evidence, thoroughly tested and presented in clear, precise language. We are honest about what we do not know and avoid unfounded speculation.

2.3 Impartiality

We provide impartial news, current affairs and factual programmes. We aim to present content that addresses a broad range of subjects and issues. We seek to:

- maintain a balance of opinion that reflects the weight of evidence
- ensure fair treatment
- be open-minded
- provide opportunities over time so that no significant strand of thought is ignored or under-represented

2.4 Editorial Integrity and Independence

We must maintain our independence and integrity if we are to win the trust and respect of the community. RTÉ's audiences should be confident that our editorial decisions are not influenced by outside interests, political or commercial pressures, or by any personal interests.

2.5 Serving the Public Interest

We report stories of significance to our audiences. We are rigorous in establishing the truth of a story and we are well informed when explaining it. We ask searching questions of those who hold public office and others who are accountable, and we provide a comprehensive forum for public debate. The concept of the public interest is developed in section 10 of RTÉ's Journalism Guidelines.

2.6 Fairness

We respect our contributors and our audiences. We deal with them and the issues we report fairly. Our output is based on honesty and straight dealing.

2.7 Privacy

We respect privacy and do not infringe it without good reason, wherever we are operating. Intrusion into a person's private life without consent must be justified in the public interest and the extent of the intrusion must be limited to what is proportionate in the circumstances.

2.8 Accountability

We hold ourselves to the same standards of accountability we expect of others. We are open in correcting mistakes when they are made and encourage a culture of willingness to learn from them.

We comply with our legal and regulatory obligations set out in the Broadcasting Act and deal with the BAI in an open, timely and co-operative manner.

2.9 Harm and Offence

We aim to reflect the world as it is, but we balance our right to broadcast innovative and challenging content with our responsibility to protect the vulnerable from harm and avoid unjustifiable offence.

We will be sensitive to, and keep in touch with, commonly accepted standards in contemporary Irish society as well as our audiences' expectations of our content, particularly in relation to the protection of children.

2.10 Children

We will always seek to safeguard the welfare of children and young people who contribute to and feature in our content. We will preserve their right to speak out and participate, while ensuring their dignity and their physical and emotional welfare is protected during the making and broadcast of our output. Content which might be unsuitable for children will be scheduled appropriately.

Our reporting is well sourced, based on sound evidence, thoroughly tested and presented in clear, precise language.



Section 3. Roles and Responsibilities

3.1 Editorial Responsibility

Editorial responsibility within RTÉ rests with the editorial chain of management from reporter and producer to editor, whether in-house or commissioned, through to the relevant Managing Director and the Director General, who is the editor-in-chief. The number of links in the editorial chain depends on the duration and complexity of the report. All those involved in the creation of RTÉ content including researchers, reporters, producers and editors are required to exercise editorial responsibility for it. When in doubt about an editorial matter, refer it up the editorial management chain for advice or decision. When any editorial matter (including an editorial matter not being referred up for advice or decision) is likely to cause controversy or have an extraordinary impact, programme-makers are obliged to give proper notice of it to the most appropriate senior manager. It is the role and responsibility of editorial managers to provide guidance, support and oversight of the editorial process and ensure it is robust.

Independent production companies should refer to the relevant commissioning editor.

Whenever significant legal liability issues may be involved this must be communicated at an early stage to Legal Affairs as well as to the relevant editorial manager (see section 17 of the RTÉ Journalism Guidelines).

Mandatory Obligation 1

Knowledge of these guidelines is the personal responsibility of all production staff and is an essential professional requirement and a matter of contractual obligation.

3.2 RTÉ Director General as Editor-in-Chief

In accordance with the Broadcasting Act 2009, the RTÉ Director General acts as editor-in-chief in respect of all content broadcast or published by RTÉ. However, it is not possible or practical for the Director General to be involved in routine day to day editorial decisions made across all of RTÉ's output. The Director General's editorial role is therefore primarily a strategic one, where he/she sets overall editorial standards, priorities and direction for the organisation.

When in doubt about an editorial matter, refer it up the editorial management chain for advice or decision.



The Editorial Standards Board is independent of existing editorial lines within output divisions.

Section 4. Editorial Standards Board

In addition to editorial line management, RTÉ has an Editorial Standards Board to maintain and monitor contents' standards. The Editorial Standards Board is independent of existing editorial lines within output divisions. Its core functions include:

1. Pre-broadcast assessment: where a significant investigative programme is planned, the relevant editor shall present a detailed report to the board at least 7 days in advance of scheduled transmission to enable an assessment of the quality of the report, of the reliability of the evidence that supports the claims being made and to determine the public interest justification of the report.
2. To provide an independent assessment of the merits of formal and substantive complaints lodged against RTÉ programmes and output, in order to determine RTÉ's response to such complaints.
3. To carry out reviews of RTÉ programmes and output, selected post-transmission, to ensure consistency with RTÉ's Programme Content Standards. The outcome of these reviews will be reported to the relevant Managing Directors.



Section 5. Harm and Offence

We balance our right to broadcast innovative and challenging content, appropriate to each of our services, with our responsibility to protect the vulnerable and avoid unjustifiable offence. However, in all our output, the greater the risk, the greater the thought, care and planning required to bring creative content to fruition. We will be sensitive to, and keep in touch with, commonly accepted standards as well as our audiences' expectations of our content, particularly in relation to the protection of children.

Audience expectations of our content usually vary according to the context and service on which it appears. When our content includes challenging material that risks offending some of our audience we must always be able to demonstrate a clear editorial purpose, and ensure it is clearly signposted. Such challenging material may include, but is not limited to, strong language, violence, sex, sexual violence, humiliation and distress, the violation of human dignity, and discriminatory treatment or language.

5.1 Context

Context includes, but is not confined to:

- the surrounding editorial material
- the service on which the content is available
- the time at which it is available
- other programmes or content that are available around the programme or content concerned
- the likely size and composition of the potential audience and likely expectation of the audience
- the harm or offence likely to be caused by the inclusion of the particular content in output generally, or in output of a particular nature or description
- the extent to which the nature of the content can be brought to the attention of the potential audience, for example, by signposting and content information
- the effect of the content on audiences who may come across it unawares

For new series on television and radio (or when existing series change channels) where content may raise issues of commonly accepted standards, there should normally be a discussion early in the production process with the commissioning executive and the production team, including presenters and performers, to establish parameters of tone and content appropriate to the platform, context and slot. A returning series which has established expectations of strong language and content should have a similar discussion before the start of each run.

Those planning online content should also consider whether there will be issues of generally accepted standards and determine, early in the process, whether the content is likely to appeal to a significant proportion of children or younger people and select material appropriately.

For the purposes of these guidelines and unless stated otherwise, a child is someone under the age of 18.

5.2 Our Standards on Harm and Offence

- We will not broadcast material that might seriously impair the physical, mental or moral development of children and young people.
- We observe the 9pm television watershed to ensure material that might be unsuitable for children is appropriately scheduled.
- We balance our responsibility to protect children and young people from unsuitable content with their rights to freedom of expression and freedom to receive information.
- We ensure our audiences have clear information on which to judge whether content is suitable for themselves or their children.
- The use of strong language must be editorially justified and appropriately signposted to ensure it meets audience expectations, wherever it appears.

5.3 Audience Expectations

We should judge the suitability of content for our audiences, including children, in relation to the expectations of the likely audience, taking account of the time and day on which it is available, the nature of the service and the nature of the content.

The following questions can help determine whether content will be within the expectations of the audience:

- What is the likely composition of the audience, including the likely number and age range of children in the audience taking account of school time, weekends and holidays?
- Does the talent, slot, title, genre or service carry pre-existing expectations that may be challenged by the content?
- Has any difficult or challenging content been clearly signposted?
- Are there any special sensitivities surrounding the slot, for example religious festivals or anniversaries of major events?
- What is the nature of the preceding content and what kind of audience is it likely to attract?

5.4 Content Information

We must clearly signpost challenging content on all of our services using scheduling and content information which is clear, consistent and factual. This is to ensure that our audiences have an appropriate expectation of our content and opportunity to make informed decisions about what they see and hear. When relevant, we should provide clear information about the content of pre-watershed programmes, programmes which start before the watershed and run beyond it, and post-watershed programmes (if appropriate). On-demand content which would be post-watershed on television should be labelled where appropriate.

On radio, we should provide content information when children are particularly likely to be in our audience or when content has the potential to exceed usual audience expectations.

Information about challenging or unexpected content can include on-air and online announcements, our Content Guidance symbol, Electronic Programme Guides (EPGs), trails, billings, press releases and other publicity.

5.5 The Watershed and Scheduling for TV, Radio and Online

Television Scheduling

Television scheduling decisions need to balance the protection of young people and particularly children with the rights of all viewers, including those without children, to receive a full range of subject matter throughout the day. They must also be judged against the requirements of the watershed.

The 9pm television watershed is used to distinguish between programmes intended mainly for a general audience and those programmes intended for an adult audience. However, parents and carers share in the responsibility for assessing whether programme content is suitable for their children, based on their expectations of that content. The 9pm watershed signals the beginning of the transition to more adult material, but the change should not be abrupt. Programme-makers and schedulers should also take into account the nature of the channel and viewer expectations. The strongest material should appear later in the schedule. If sudden changes of tone are unavoidable they should be clearly signposted, for example by giving clear information about scenes of a sexual nature, violence or the use of strong language both at the start of the programme and following any advertisement breaks.

Programmes broadcast between 5.30am and 9pm must be suitable for a general audience including children. The earlier in the evening a programme is placed, the more suitable it should be for children to watch without an older person. Programmes in later pre-watershed slots may not be suitable for the youngest children or for children to watch without an older person.

Programmes that start before 9pm and finish sometime after 9pm, should normally be pre-watershed compliant throughout.

Interactive content broadcast on television must observe the watershed and be appropriate for the audience of any associated programme. Interactive content broadcast on television and associated with pre-watershed programmes should be pre-watershed compliant at all times.

Television News

The nature of news means that it is not always possible to avoid showing material that might distress some of our audiences before the watershed. Wherever appropriate, we should provide clear and timely content information to signpost difficult images, particularly those that may be distressing for children.

Radio Scheduling

Radio does not have a watershed. Our scheduling decisions should be based on the audience expectations of each radio service and informed by our knowledge of when children are particularly likely to be in our audience. We must take extra care when different generations may be listening together. This typically applies during the morning and afternoon school runs or during school holidays. Unexpected or challenging material should be clearly signposted to avoid causing unjustifiable offence.

For mainstream daytime audiences, we should normally play edited versions of music which would otherwise feature unsuitable material, including strong language or violent content. At night and in specialist music programmes, the original version may be editorially justified but it should be within the audience expectations for the programme and, if necessary, we should take steps to achieve this (for example, signposting and content information).

The 9pm television watershed is used to distinguish between programmes intended mainly for a general audience and those programmes intended for an adult audience.



Online

There is no direct equivalent of the watershed online. Any content immediately accessible on the RTÉ Home Page must be suitable for a general audience, including children. Any content immediately accessible one click from the Home Page should normally be suitable for a general audience, including children. Otherwise, the nature of the content we make available should be based on the audience expectations of the specific online service and informed by our knowledge of when it is likely to appeal to a significant proportion of children. This applies equally to content we create ourselves, user generated content, material brought in from third party websites and links to third party websites. Unexpected and challenging content, especially content which might be unsuitable for children, should be labelled to avoid causing unjustifiable offence.

Scheduling of Programme Promotions and Advertising

Promotions and advertising that are unsuitable for a general audience including children must be carefully scheduled. Promotions or adverts scheduled next to programmes targeted at children or when children are particularly likely to be watching, or in online content likely to appeal to a significant number of children, should be suitable for that audience. Promotions for post-watershed programmes must be appropriate for a general audience including children if shown before the watershed.

Live Output

We need to assess the risks when planning for the broadcasting of live output, and take any appropriate steps to mitigate them ahead of broadcast. If problems occur in live output, they should be dealt with promptly and sensitively.

Mandatory Obligation 2

Only in exceptional circumstances can there be any departure from watershed practice, and then clear content information should be given. Exceptions may include, but are not limited to, images that some children might find distressing in natural history programmes or items in pre-watershed news bulletins. Any proposed exceptions must be referred to a senior editorial figure or, for independents, to the commissioning editor.

5.6 Language

The effect of strong language depends on the choice of words, the speaker and the context. The use of strong language must be editorially justified and appropriately signposted to ensure it meets audience expectations, wherever it appears.

Strong language is most likely to cause offence when it is used gratuitously and without editorial purpose, and when it includes:

- sexual swearwords
- terms of racist or ethnic abuse
- terms of sexual and sexist abuse or abuse referring to sexuality
- pejorative terms relating to illness or disabilities
- casual or derogatory use of holy names or religious words and especially in combination with other strong language
- language which insults or expresses contempt towards persons or things regarded as sacred or holy by sections of the community

We should ensure that strong language, especially the strongest language, is subject to careful consideration and appropriate referral, to ensure it is editorially justified, before it is included in our output.

Context and tone are key to determining whether strong language will be acceptable or deemed unjustifiably offensive. The quality of challenging material, which includes strong language, is a significant factor in determining its acceptability or unacceptability to audiences. Strong language can be acceptable when authentic or used for clear purpose or effect within a programme, but audiences dislike careless use which has no editorial purpose.

Normally we will not include the strongest language before the watershed, or on radio when children are particularly likely to be in our audience, or in online content likely to appeal to a significant proportion of children.

We must also make careful judgements about the use of the strongest language post-watershed and ensure it is clearly signposted.

Mandatory Obligation 3

Any proposal to use the language most likely to cause offence must be referred to and approved by the relevant Managing Director.

5.7 Violence

Our audiences, particularly children, can be frightened or distressed by the portrayal of both real and fictional violence. We should make very careful judgements when we plan to include violence in our output. Consideration must be given to the editorial justification for any depiction of violence, and violent content should normally be clearly signposted. When real life violence, or its aftermath, is shown on television or reported on radio and online we need to strike a balance between the demands of accuracy and the dangers of desensitisation or unjustified distress. There are very few circumstances in which it is justified to broadcast the moment of death or provide graphic close-ups of the dead or severely injured people.

Our editorial judgements need to consider a number of factors which, in combination, can increase the impact of violence, both in factual or fictional content. These include:

- violence that is true to life and may also reflect personal experience, for example domestic violence, pub brawls, football hooliganism, road rage and mugging
- violence in places normally regarded as safe
- unusual or sadistic methods of inflicting pain, injury or death
- incidents where women, children and the vulnerable are the victims
- violence in which the victim is determined because of their race or ethnic/social grouping, gender or sexual orientation, age or ability/disability, or religion

- sexual violence
- verbal aggression and tone, particularly when it includes the use of the strongest language and discriminatory or sexually offensive terms
- violence without showing the effect on the victim or the consequences for the perpetrator
- suicide, attempted suicide or self-harm

(See also: special section (5.12) on suicide and self-harm.)

Violence, its aftermath and descriptions of violence, broadcast in pre-watershed programmes, or on radio when children are particularly likely to be in our audience, or in online content likely to appeal to a significant proportion of children, must be appropriate to the likely

audience and editorially justified. We must ensure that verbal or physical violence that is easily imitable by children in a manner that is harmful or dangerous is not broadcast in pre-watershed programmes, or on radio when children are particularly likely to be in our audience, or in online content likely to appeal to a significant proportion of children, unless there is strong editorial justification.

5.8 Nudity

Nudity before the watershed or in content likely to appeal to a significant proportion of children must be justified by the context. Nudity, whether actual or suggested, has the potential to offend and care must be taken in pre-watershed content, especially in promotional material which does not carry content information.



We need to assess the risks when planning for the broadcasting of live output, and take any appropriate steps to mitigate them ahead of broadcast.



We aim to reflect fully and fairly all of the people of Ireland in our services.

5.9 Sex

Although attitudes to sex and sexuality are changing in Irish society, we must ensure that the portrayal of sex, or the exploration of sexual issues, should be editorially justified and treated with appropriate sensitivity. In post-watershed content, we must be able to justify the frank and realistic portrayal of sex and the exploration of themes and issues which some people might find offensive.

The explicit portrayal of sex between an adult and a child must not be depicted at any time on any of our services.

The discussion and portrayal of sexual behaviour must be editorially justified in programmes broadcast pre-watershed or on radio when children are particularly likely to be in our audience. It must also be appropriate to the likely audience and inexplicit. Clear content information may be required.

We must not explicitly portray or represent sexual acts without a serious educational purpose in programmes broadcast before the watershed, or on radio when children are particularly likely to be in our audience, or in online content likely to appeal to a significant proportion of children.

5.10 Portrayal

We aim to reflect fully and fairly all of the people of Ireland in our services. Content may reflect the prejudice and disadvantage which exists but we should not perpetuate it. In some instances, references to disability, age, sexual orientation, faith, race, etc. may be relevant to portrayal. However, we should avoid careless or offensive stereotypical assumptions and take care with the use of language to ensure that people are only described in such terms when editorially justified.

When it is within audience expectations, we may feature a portrayal or stereotype that has been exaggerated for comic effect, but we must be aware that audiences may find casual or purposeless stereotypes to be offensive.

5.11 Alcohol, Smoking, Solvent Abuse and Illegal Drugs

The use of illegal drugs, the abuse of drugs, smoking, solvent abuse and the misuse of alcohol:

- must not be featured in content made primarily for children unless there is strong editorial justification

- must generally be avoided and must not be condoned, encouraged or glamorised in any programmes broadcast pre-watershed, or on radio when children are particularly likely to be in our audience, unless there is editorial justification
- must not be condoned, encouraged or glamorised in other content likely to be widely seen, heard or used by children and young people, unless there is editorial justification

We should also:

- ensure that contributors to programmes such as studio debates or chat shows do not smoke or go on air when intoxicated or otherwise affected by alcohol, drugs or stimulants
- deal with all aspects of illegal drug use, solvent and drug abuse, smoking and misuse of alcohol with due accuracy
- avoid revealing explicit details of how to use illegal drugs or abuse solvents, unless clearly editorially justified

5.12 Suicide, Attempted Suicide, Self-Harm and Eating Disorders

Summary

Suicide, attempted suicide and self-harm should be portrayed with great sensitivity, whether in drama or in factual programmes. Care must be taken to avoid describing or showing suicide or self-harming methods in explicit detail, unless there is a clear editorial justification. Factual reporting and fictional portrayal of suicide, attempted suicide and self-harm have the potential to make such actions appear possible, and even appropriate, to the vulnerable.

For full guidelines on this important area, consult Section 12.3 of the RTÉ Journalism Guidelines available on the Hub.

Guidance on the reporting of suicide is also available from www.hse.ie and www.irishhealth.com

Additional information on the factors affecting vulnerable people can be found in the Samaritans' Media Guidelines on the Samaritans website: <http://www.samaritans.org/>

Mandatory Obligation 4

Any proposal to broadcast a hanging scene, portray suicide, attempted suicide or self-harm must be referred to a senior editorial figure or, for independents, to the commissioning editor.

Other Self-Harming

Care is also required when portraying, in factual or fictional content, conditions such as anorexia or bulimia. We should be aware that the vulnerable, especially the young, may imitate or emulate behaviour and techniques depicted. Care should be taken to ensure that content is responsible and appropriate for the likely audience.

5.13 Imitative Behaviour

Children can be influenced by what they see, hear and read. Behaviour likely to be easily imitable by children in a manner that is dangerous must not be broadcast before the watershed or on radio when children are particularly likely to be in our audience. Very careful judgements are required about content which might lead to dangerous imitation, particularly when they include the use of domestic objects (such as knives, hammers and scissors) in violent acts. Factual programmes and advertising designed for children should ensure that care is taken to discourage imitation of techniques, experiments and so on.

When hazardous activities are portrayed in factual content either before the watershed or on radio when children are particularly likely to be in our audience, or in online content likely to appeal to a significant proportion of children, consideration must be given by the editorial line manager to the provision of warnings about the dangers of imitation without expert supervision. Due regard must also be given to ensuring that the necessary safety equipment is clearly visible. Where relevant and unless there is a clear editorial reason for not doing so, pre-watershed drama and entertainment programmes, or similar online content likely to appeal to a significant proportion of children, should normally show the correct safety procedures when depicting these kinds of activities.

We should observe the law. This includes ensuring that presenters, actors and contributors who are driving use seatbelts, fit child car seats correctly and use the correct mobile phone equipment. If using motorcycles, they use crash helmets.

The aftermath of a tragic event may require scheduling changes on television and radio or the alteration, or occasionally the removal, of web pages.



5.14 Tragic Events

The aftermath of a tragic event may require scheduling changes on television and radio or the alteration, or occasionally the removal, of web pages. We should keep our output under review to identify anything that, in the light of events, might cause unjustifiable offence as judged against commonly accepted standards. Anniversaries of tragic events, such as rail crashes, bomb blasts or child abductions, can also call for similar sensitivity to the potential for offence.

5.15 Hypnotism, Exorcism, the Occult and the Paranormal

Although we have no evidence of harm or potential harm regarding the use of hypnosis in our output, we should still take steps to minimise any risk of inducing hypnosis and/or adverse reactions in susceptible viewers, listeners or online users. In particular, a hypnotist must not broadcast his/her full verbal routine or be shown performing straight to camera. Hypnotism acts, particularly those designed to ridicule someone, should be treated with care in entertainment programmes. They might be both harmful and offensive to our audience.

Mandatory Obligation 5

Any proposal to feature a demonstration of hypnosis must be referred to a senior editorial figure or, for independents, to the commissioning editor.

We must act responsibly when including material looking at any aspect of exorcism, the occult, the paranormal, divination or any related practices. Demonstrations which purport to be real must not be shown before the watershed or on radio when children are particularly likely to be in our audience. In entertainment programmes they must be clearly labelled. In all our output, such demonstrations must not contain advice about health, finance, employment or relationships which encourages people to make life-changing decisions.

5.16 Flashing Images, Strobing and Images of Very Brief Duration

To minimise the risk to viewers who have photo-sensitive epilepsy, when inclusion of flashing images, strobe lighting, etc. is editorially justified, we should give a verbal and, if appropriate, a text warning at the start of the programme or item.

We must not use any techniques which exploit the possibility of conveying a message to viewers or listeners, or otherwise influencing their minds, without their being aware, or fully aware, of what has occurred. Such subliminal techniques could include images of very brief duration.

5.17 Managing Risk of Personal Conflicts of Interest

Any person directly involved in content production who may have a conflict of interest in respect of an item or items, or potential for such a conflict, must bring this to the notice of their editorial line manager. Any line manager becoming aware of such a risk in the content production area must discuss the matter with the person concerned and should also notify it upwards. Note that 'conflict' is defined as '*any personal, professional, business or financial interest of anyone with an editorial involvement in news or current affairs content that calls into question (or that might reasonably be perceived as calling into question) the fairness, objectivity or impartiality of a programme or item.*' (BAI Code on Fairness, Objectivity Impartiality etc. p. 26)

Appropriate attention must be given to the provisions of current animal welfare statute and guidance.

Presenters and Gifts

RTÉ presenters and other production staff must not accept any offers which might compromise RTÉ's independence and integrity. In particular the acceptance of gifts beyond those of a nominal value is not permitted. Promotional work on behalf of any commercial organisation is not permitted. All requests for speaking engagements, chairing of meetings, etc. must be referred to appropriate managers for approval in advance. Presenters are not permitted to accept offers of the use of cars from suppliers, even if there is no promotional commitment involved. Freelance contractors employed as presenters by RTÉ are obliged to disclose any commercial activity they are involved in which might compromise RTÉ.

Presenters and Commercial Activity

RTÉ presenters must not promote in their programmes commercial ventures that they are associated with or that they stand to gain from financially.

Editorial personnel must not accept private work, for example in the media training sector, which is in conflict with their role or with RTÉ's broader function on the public's behalf. This includes, for example, training individuals in dealing with broadcast news or current affairs interviews. Presenters should give particular attention to this requirement.

5.18 RTÉ Personnel and Social Media

All RTÉ staff and contributors should be aware of and should abide by the RTÉ Social Media Guidelines. Journalists and other editorial personnel should take care to preserve RTÉ's editorial integrity in any comments or postings made by them on social media sites, even if these are of a personal or Hybrid type. Comments or criticisms on public events, issues or personalities, whether originated or copied/shared, or whether explicit or implied, which may appear to compromise the editorial independence of an RTÉ editorial professional or RTÉ itself are damaging to RTÉ's interest and public responsibility and should not be engaged in.

RTÉ Social Media Guidelines are available on the Hub.

5.19 Health and Safety

Protecting the health and safety of employees, contributors, contractors, crew and audience members is a priority for RTÉ.

Our health and safety policy, management systems and risk assessments are designed help us manage the main hazards associated with broadcasting and the control measures that must be put in place to help us control the level of risk involved.

Where significant health and safety risks involved in a production are identified during the risk assessment process, these need to be communicated at an early stage and advice should be sought, if necessary.

Independent production companies retain responsibility for managing the health and safety issues associated with their respective productions. The RTÉ Health and Safety office is available to provide guidance on issues concerning occupational health and safety within RTÉ.

5.20 Handling of Animals

Where filming involves the handling or use of an animal or animals, care must be taken that these are treated appropriately, with full and proper attention to safety of personnel and with minimised risk of harm or cruelty to any animal. Appropriate attention must be given to the provisions of current animal welfare statute and guidance. Specific advice may be obtained from the Health and Safety office.



Section 6. Children

The involvement of children with RTÉ television and radio requires special attention so as to provide for their protection and safety. Children are all persons aged under 18. When RTÉ engages with children we must treat their physical, mental and emotional health as being of paramount importance.

RTÉ's Child Protection Policy, published in June 2013, states:

Child Protection Policy Statement

RTÉ is committed to a child-centred approach to our work with children and young people. It is central to the philosophy of RTÉ that children are unconditionally respected and kept safe from harm while in our care. It is important to ensure that normal practices and behaviour within our organisation actively promote the delivery of a safe engaging environment, where the welfare of the child/young person is paramount. This policy and guidelines assist RTÉ in adhering to the principles set out in the *Children First National Guidelines for the Protection and Welfare of Children* issued by the Department of Children and Youth Affairs.

RTÉ Undertakes To:

- Treat children and young people with care, respect and dignity
- Keep the welfare of the child or young person at the heart of the RTÉ production
- Recognise that those working in RTÉ will be perceived by children and young people as trusted persons and therefore all staff must comply with this policy
- Ensure communication with children and young people is open and clear
- Assess the risks posed to children when undertaking activities. This process should form part of the overall programme risk assessment
- Recognise that all children and young people, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual identity have a right to protection from harm or abuse
- Respect children's right to be heard, listened to and taken seriously
- Respond to any concern/report/disclosures in an appropriate manner in order to ensure the safety, health and welfare of children involved in all RTÉ programme activities. All use of any programme material will be subject to the terms and conditions of the original arrangement or contract
- Ensure best practice in the recruitment of staff or volunteers, which includes good HR practices in interviewing, induction training, probation, taking up of references, Garda vetting (where required), and ongoing supervision and management

It is the responsibility of all staff in RTÉ including contractors to promote the protection of children and young people and to comply with this policy.

Employees are always expected to maintain a sense of proportion, apply common sense to situations and protect the child's welfare as a priority.

No fee should be paid to children for attending as members of a studio audience.

6.1 Children as Participants in Programmes

Programme-makers have a duty of care towards children involved in productions, whether as performers, participants or audience members. The health, safety and welfare of the child must be the most important consideration when a child is in RTÉ's care. The child must not be asked to participate in any item where that participation could in any way potentially damage the child physically or mentally. Programme-makers should also be cognisant of the potential for secondary impacts such as bullying of a child as a result of broadcast material. Parents and guardians should be made aware of such risk when consent is being sought. The participation of the child can only proceed with the prior written consent of a parent or guardian. If participation conflicts with the child's school attendance, then the prior consent of the child's teacher or the school principal must be obtained in writing.

Where it is not possible for a child's parent or guardian to accompany the child, RTÉ will, by agreement with the parent/guardian, appoint a chaperone who will be a suitable and competent person by virtue of their experience of such work and RTÉ's knowledge of their abilities and character. The chaperone will supervise the welfare and discipline of the child either on the RTÉ complex or on location. The chaperone will be an additional member of the normal production team. Directors, presenters, researchers, etc. cannot do this work in addition to their own work. The chaperone will provide the child with food and drink. Children should be offered nutritious and balanced meals. The chaperone must ensure that safe travel arrangements are in place for the child. The child must always be accompanied from home to RTÉ (or the location) and back home, either by a parent/guardian or by the chaperone. At no time should a child be left waiting or unattended. This procedure must be observed at all times. Sending one or a number of children by taxi, unaccompanied, is not permitted.

(See RTÉ Child Protection Policy, Section 2 - *Child Welfare: Transport and Attending On Site.*)

The offering of a financial inducement to participate in a programme is forbidden other than in the case of the professional engagement of a minor as an actor or performer.

If considered appropriate, a child's contribution may be recognised by way of some suitable gift or gifts.

If a producer feels, in exceptional circumstances, that a fee is warranted due to exceptional commitment they should seek clearance from the appropriate genre head or senior editorial line manager.

The fee should be paid to the parents or guardian of the child or to the establishment which coaches and provides the services of the child for the programme.

6.2 Licensing Requirements for Children Employed in Broadcasting Activities

The Protection of Young Persons (Employment) Act 1996 brought in additional requirements with regard to children in broadcasting. Under section 3(2), of the Act, broadcasters must apply to the Department of Enterprise, Trade and Employment for a licence to employ a child in cultural, artistic, sports or advertising activities. Such employment should not interfere with the child's attendance at school. Application for the licence should be made at least 21 days before the employment commences.

6.3 Children in Studio Audiences

Children should normally only be part of a studio audience for a children's programme and the recording of such programmes should be completed no later than 9pm. Children attending as part of such an audience should be accompanied to the studio by a parent, guardian, teacher or other responsible adult. Tickets for audiences attending such shows should preferably be distributed through schools, youth clubs and the like, or at the request of parents or guardians. Tickets should not normally be issued on a casual basis to children.

No fee should be paid to children for attending as members of a studio audience. Small tokens such as programme merchandise (T-shirts, mugs, pens, etc.) may be given to audience members. In the case of children from a school or youth club or the like, being invited as a studio audience or to participate in the programme, the producer may make reasonable transport arrangements for such participants.

Children should not normally be admitted into the audience for programmes that are not wholly made for children e.g. entertainment shows, talk shows or other shows being recorded or being broadcast after the watershed.

6.4 Limits of Parental Consent

Even where we have all relevant consents we must still consider if it is in the child's best interests to be featured before we decide to transmit the material.

6.5 Garda Vetting

As part of the risk assessment process, consideration must be given to whether Garda Vetting is required, in line with RTÉ's Child Protection Policy. Note: this requirement will be reviewed when the National Bureau of Vetting Act is commenced.

See full *RTÉ Child Protection Policy* which is available on the Hub.



Section 7. Reflecting and respecting the Vulnerable

In every society there are individuals and groups that are vulnerable and are likely to be under-represented in broadcasting unless programme-makers are active in ensuring that their voices are heard.

As well as providing access for marginalised and vulnerable people to radio, television and online, programme-makers need to ensure that due respect is given to those less familiar with public debate or less confident in their ability to engage in debate. We must at all times respect their well-being and not seek to engage them in activities or areas of discussion that exploit their vulnerability.

Programme-makers should familiarise themselves with relevant legislation on this area such as the Employment Equality Act 1998 and the Disability Act 2005 (both accessible at www.irishstatutebook.ie). The nine stated grounds of illegal discrimination are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.



We must at all times respect their well-being and not seek to engage them in activities or areas of discussion that exploit their vulnerability.

Section 8. Religion

RTÉ, as part of its commitment to public service broadcasting, reflects the cultural and spiritual values of the people of Ireland.

Our editorial principles include:

Respect for all religious views

The fundamental right to hold religious views and to practise religion is respected and acknowledged. RTÉ will contribute towards the audience's understanding of international issues by providing information on and analysis of the role of world religions.

Tolerance of the diversity of belief

RTÉ in its output will reflect the faiths traditionally found in Ireland. RTÉ will also, as appropriate, cover the religions of new groups arriving in Ireland and new faiths as they emerge. RTÉ will also acknowledge in its programming people who are agnostic or atheistic.

Avoiding undue or gratuitous offence to those who hold religious views

This involves sensitivity towards people's beliefs, religious festivals and feast days, symbols and words associated with religious beliefs, liturgical practices and rituals and historically significant events in the histories of particular religions. It is, however, acceptable to examine critically religious beliefs, institutions and experiences in factual programmes, dramas and other genres of output.

Treatment in different areas of output

As religion is central to so many people's lives it will inevitably receive attention in a variety of programme genres, such as documentary, drama and comedy. It is important to take into account in both scripting and production that offence may be given to people with deeply held religious views. A balance has to be struck between avoiding giving offence and freedom of expression. Gratuitous offence must at all times be avoided.

Mandatory Obligation 6

Any content dealing with matter of religion and likely to cause offence to those with religious views and beliefs must be editorially justified as judged against commonly accepted standards and referred to a senior editorial figure or, for independents, the commissioning executive.

The fundamental right to hold religious views and to practise religion is respected and acknowledged.



Section 9. Competitions, Prizes and Other Audience Interaction

Trust is RTÉ's most important value. We will therefore maintain an honest and open relationship with our audiences and we will not intentionally mislead them. When the public engages with us through interactivity they will be treated with respect, honesty and fairness.

9.1 Our Standards

All audience interactivity must be conducted in a manner that is honest, fair and legal. In particular:

- Winners must always be genuine and never invented or pre-chosen
- Interactive competitions and votes must be handled with rigorous care and integrity
- Competitions, contests and votes must have clear rules, which must be made known as appropriate
- Prizes must be described accurately, and be appropriate for the target audience
- The audience must be made aware if the opportunity for interactivity is no longer available when content which includes interactivity is repeated, made available via an on-demand service or otherwise time shifted
- Production values must not override these principles

When we offer interactivity to our audiences it must enhance our output in a way which fits our public service remit. It must also be distinctive, have a clear editorial purpose and match the expectations of the likely audience.

We must respect the privacy of everyone who interacts with us in compliance with Data Protection legislation and only collect personal information with their consent.

RTÉ must maintain overall editorial control of interactivity when working in partnership with others.

9.2 Competitions

All competitions must be honest, open, fair and legal and prizes must be described accurately.

In particular:

- We must ensure there is a clear editorial purpose and they are properly resourced to ensure they can be administered appropriately
- The closing deadline for entries must be made clear to the audience, and sufficient time allowed between closing the competition and announcing the result to ensure that it can be verified
- All qualifying entries must have the same chance of winning and the winner selection process must be designed to achieve that
- We should offer a genuine test of skill, knowledge or judgement appropriate to the audience. Appropriate skill must be required to win when premium-rate lines are used for competitions, otherwise the competition may be illegal
- Where a competition is to be judged by a panel, clear criteria should be set and made readily available
- We must retain our editorial independence and our competitions must not promote any service, product or publication

9.3 Prizes

The supply of prizes to radio and television programmes is a form of sponsorship. In such instances if the value of the prizes is over a figure determined by the Broadcasting Authority of Ireland, a product placement caption or warning may be required (see section 11). Misuse of 'gifted' prizes has the potential to damage public service broadcasting. The value of the prize must be appropriate to the nature of the programme. Care must be exercised in the language and tone associated with prizes. The provision of prizes which are supplied *gratis* to RTÉ must not be accompanied by advertising copy read by the presenter of the programme. Exaggerated claims about the product must be avoided, as must a call to visit the outlet of the provider or the price of the product. The restriction on reference to the price of the product does not prevent a mention of the approximate value of the prize. The tone of the presenter must be neutral (i.e. he or she must not appear to be promoting the product). Producers must ensure that companies supplying prizes are not using the supply of prizes as a way of avoiding advertising on radio and television.

9.4 Telephone Services

Premium phone lines and premium text services are used to provide a range of audience interactive services for RTÉ programmes. These include both voting and comment lines. Premium call services are regulated by the Regulator of Premium Rate Telecommunications Services (Regtel). The full cost for users of premium calls must be given (price per minute or price per call). On television the information must be left on screen for sufficient time and displayed sufficiently clearly to enable it to be read easily. The duration of calls should be kept to a minimum.

Children's Programmes

Where the audience is likely to be under 18 it is necessary to state that the bill-payer's permission should be sought. For children's programmes premium calls should be priced at the lower end of the price spectrum. Generally calls should not cost more than postage.

Terms and Conditions

Terms and Conditions should be available on the RTÉ website and on Aertel.

Repeat Programmes

Efforts should be made to ensure that people do not attempt to use the premium call service after the purpose for which it is intended has closed (e.g. if voting finishes at a particular time, that time should be clearly displayed or the information provided in voice over, so as to ensure people do not vote after voting has closed). Care must be taken when broadcasts are repeated to ensure that viewers are aware that they are viewing a repeat and that voting has been already completed. A caption on screen indicating that the programme is a repeat or is not live may be required.

These requirements apply equally to in-house and commissioned programmes.

Mandatory Obligation 7

All proposals to use premium call services must be cleared in advance of use by RTÉ's Audience Interactive Unit.

9. 5 Game Shows and Quizzes

The choice of contestant should not bring RTÉ into disrepute. Reasonable steps should be taken to screen out contestants who are clearly unsuitable.

Members of the public who take part should be treated honestly, fairly and with regard for their dignity. They must be made aware of the rules, and should normally be given clear information about what is likely to happen to them and what we expect of them. If they are to appear in a humorous way it is important that they feel part of the joke rather than ridiculed. Particular care needs to be taken where contestants have been volunteered by family or friends.

We should not put the health or safety of contestants or any other participants at any significant risk. Participants must not be asked to do anything which involves danger to life. Where relevant, specialist advice should be sought. To avoid imitative behaviour or allegations of irresponsibility, it may be useful to make clear in the output when suitable safety precautions have been taken.

There must be clear rules governing how a quiz or game show will work, what is expected of contestants and the terms under which we expect them to participate in our output. Contestants should be clearly informed of the rules before they take part and should confirm that they accept and understand the terms of their participation.

Members of the public who take part should be treated honestly, fairly and with regard for their dignity.



Section 10. Phone-in Programmes

Phone-in programmes play an important part in our output. They may use comments sent via text or email as well as talking to callers directly. Because phone-ins are live, we should be ready to deal with contributions that may cause widespread offence or break the law. We should also be careful not to allow phone-ins to become a vehicle for the opinions of the presenter.

The following practices may help to minimise the risks:

- Contributors to phone-ins should normally be called back to verify their identity, full personal details should be taken and if necessary they should be briefed before they go on air. Care should be taken to establish whether they are appropriate to put to air, and appropriate referral made in cases of doubt
- A breadth and diversity of views should be sought and the requirements of due impartiality should be met
- Under no circumstance should programmes make up callers or other interactions such as emails and texts. We must be honest with our audiences at all times
- Presenters must be adequately briefed on the Guidelines and the law and should be able to extricate the programme from potentially defamatory or other serious situations with alacrity and courtesy
- Emails and texts should be considered before they are broadcast
- When producing a phone-in on a difficult or sensitive subject, the production team should be briefed on how to deal carefully with contributors and, if appropriate, support systems should be in place. Particular care should be taken when children and young people interact with phone-in programmes
- When a programme is contacted unexpectedly by someone wishing to share their difficult or sensitive story, we should consider the implications and refer if necessary



A breadth and diversity of views should be sought and the requirements of due impartiality should be met.

Section 11. Advertising, Sponsorship and Product Placement

RTÉ derives approximately half of its income from commercial sources. However the ethos of RTÉ must always be public service broadcasting, which requires editorial independence of commercial or financial interests. There are guidelines on advertising, children and broadcasting, product placement and sponsorship which must be observed. The viewer and listener must not feel that programme content has been influenced in any way by an advertiser or sponsor.

Sponsorship

All sponsorship arrangements, both for in-house and commissioned programmes, must be coordinated by RTÉ's Sponsorship Managers in Television or Radio and approved by RTÉ's Sponsorship Committee. Producers, both in-house and independent, must not enter contractual arrangements with potential sponsors without the involvement of the Sponsorship Managers. Sponsorship can take several forms. An organisation or a commercial firm can enter a contractual relationship to sponsor a programme or a series. In a limited number of cases a specific contract can be negotiated whereby some or all of the sponsorship funding can go directly to the programme budget to enhance the programme. In exceptional circumstances sponsorship income can be used to directly fund the production. This applies to a situation where without sponsorship funding the programme could not be made. This arrangement can only be entered into with the approval of the Television or Radio boards. The same guidelines apply to independent producers as in-house producers. Note that by law there can be no sponsorship in children's and religious programming or in television news or current affairs programmes.

In addition to payment to RTÉ in return for sponsorship recognition, commercial firms can offer sponsorship in kind by providing services or goods to a programme. The same guidelines apply in these instances as when the sponsorship involves cash payments. RTÉ's Broadcast Sponsorship Guidelines are available on the RTÉ website (www.rte.ie).

Product Placement

Product placement (i.e. the inclusion of a product or service in a programme for a payment) is permitted now under European law. Guidelines have been produced by Head of Operations, Commercial and must be followed.

Mandatory Obligation 8

RTÉ's approach to advertising, sponsorship and product placement must be followed, and all approaches by commercial or other bodies must be referred to RTÉ Commercial.

The viewer and listener must not feel that programme content has been influenced in any way by an advertiser or sponsor.



Notes



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