1 GENERAL
The Producers’ Guidelines apply to all the BBC’s broadcasting, programmes and services for both domestic and international audiences, whether they are television, radio or online, and whether made by a BBC department or by an independent company for the BBC.

The Guidelines help programme makers navigate their way through difficult editorial issues so that distinctive and sometimes controversial programmes can be made which maintain the highest ethical and editorial standards.

The consultation and referral system is designed to help BBC people make, and share, decisions about especially difficult editorial issues.

Any proposal to step outside these guidelines needs to be discussed with someone at a senior level and should be referred to Controller Editorial Policy.

2 INDEPENDENT PRODUCTIONS
Independent productions made for the BBC must observe the same standards as in-house productions and must conform to BBC programme-making policy. Ultimate responsibility for the methods and content of any material commissioned by the BBC rests with the BBC.

Independent producers are expected to observe the Producers’ Guidelines and any difficult areas should be identified and discussed at the time of commissioning whenever possible.

All contracts with an independent programme maker or re-broadcaster must include their obligation to observe all relevant sections of the Producers’ Guidelines. On certain independent commissions it may also be necessary to include an amendment to the standard contract so that the BBC has an influence in the recruitment of researchers as well as other key editorial staff.

The appropriate point of referral for independent producers is the relevant BBC Commissioning Executive.

3 WHEN TO REFER
The earlier a contentious programme can be referred the better. An early discussion can often enable a way to be found round tricky issues and enable
a programme to be made without last minute debate and changes. Late referral benefits no one. If in doubt, refer early.

4 WHERE TO REFER
Programme departments carry the main responsibility in the referral system, so programme makers should refer first to their manager or editor. All producers, managers and editors should have a working knowledge of the Producers’ Guidelines, particularly where they affect their specific programme areas. Individual departments should be able to deal with, and take responsibility for, most queries in the first instance.

The more important and contentious the issue, the higher up it should be referred. This may lead to the relevant Head of Department, or Commissioning Executive. The first point of referral is always the editor or Commissioning Executive. If Editorial Policy needs to be consulted the editor or executive should make the call.

Editorial Policy should always be consulted in the following cases:

- mandatory referrals to Controller Editorial Policy and Chief Political Adviser, and Chief Adviser (see Section 5 below)
- queries over how to interpret the Producers’ Guidelines
- any proposal to step outside the Producers’ Guidelines.

5 MANDATORY REFERRALS
The following controversial matters must be referred:

All of the following must be referred to Controller Editorial Policy. All should be referred to Heads of Department or Commissioning Executives first:

- any proposal to interview those directly associated with terrorist acts in the United Kingdom see page 171
- national security matters, including anything that is the subject of a Defence Advisory Notice see page 172
• interviews with serious criminals and people sought by the police
  see page 154

• payment to criminals or former criminals
  see page 155

• any proposal to pay for an interview with a witness in a current or pending criminal trial
  see page 157

• any proposal to grant anonymity to anyone trying to evade the law in the United Kingdom
  see page 154

• any proposal to record or attend a specific crime
  see page 152

• any proposal to enter a prison to conduct an interview with a prisoner for broadcast without permission from the prison authorities
  see page 155

• any proposal to publish the name of a released sex offender who has served their sentence, when that name has not been made public by the Police
  see page 152

• using an unattended recording device on private property
  see page 71

• broadcasting any surreptitious recording originally made for legal or note taking purposes
  see page 73

• any proposal to show or feature people in a live broadcast for entertainment purposes using a hidden camera or microphone
  see page 74

• broadcasting a recording made secretly by anyone outside the BBC
  see page 73

• “doorstepping without prior approach” – confronting an interviewee whilst recording, when there has been no prior approach for an interview, and the interviewee has no expectation of being approached
  see page 62

• requests from outside the BBC to see or obtain untransmitted material
  see page 167
CONSULTATION AND REFERRAL

- any proposal to feature a real person in a drama where their permission, or the permission of their surviving relatives has not been secured.

If any of the above have a connection with Northern Ireland they must also be referred to Controller Northern Ireland or in the case of News programmes Head of News and Current Affairs Northern Ireland.

Both of the following must be referred to the Chief Political Advisor in Editorial Policy:

- commissioning of opinion polls on any political issue or issue of public policy  
  see page 308

- interviews with the leaders of any UK political party (short news interviews need not be referred).  
  see page 288

Other important issues listed below must also be referred:

- any long term programme intentions about Northern Ireland, whether factual or otherwise, should be discussed with Controller Northern Ireland or nominee. Proposals should be discussed at an early stage. Repeated consultations may be necessary with the BBC in Belfast during the making of the programme  
  see page 181

- **Strong language** – the use of the most offensive four letter words must be approved by the relevant Channel Controller, in the case of the World Service language sections, the Head of Region, and for online services the Director of BBC ONLINE  
  see page 85

- **Surreptitious recording** – all proposals must be referred to the head of programme department, National Controller, Commissioning Executive or in the World Service, the Head of Region with further reference to Controller Editorial Policy if necessary  
  see page 67
• any request from programmes outside BBC News for interviews with, or exclusive appearances by, members of the Royal Family must be discussed with the BBC's Royal Liaison Officer

• any proposal to use a tourist visa to enter a country when the intention is to work for the BBC must be referred to the relevant Head of Department

• any proposed advertisement to recruit contributors for factual programmes must be referred via Department Heads, Commissioning Executives or their equivalent to the relevant Directorate representative

**The Controller of the relevant Nation (Scotland, Wales, Northern Ireland) must be informed in advance in writing of:**

• plans by producers outside the nation to produce programme material which significantly deals with national issues or themes, or which is based in the relevant nation

• in the case of Ireland, Controller Northern Ireland should also be alerted to all significant projects involving the Republic of Ireland as well as those about Northern Ireland.

**Chief Adviser Editorial Policy (Multimedia and Commercial) must be consulted in advance about:**

• any proposal for outside sponsorship of a BBC event

• any proposal for a BBC magazine to sponsor an established outside event mounted by a non–BBC organisation

• any coverage of a BBC event mounted by BBC Worldwide in conjunction with BBC magazines

• any proposal to mount coverage of a non Sports event sponsored by a tobacco related brand.

  see page 58

  see page 55

  see page 252

  see page 248

  see page 253

  see page 248
6 THE LAW
Broadcasting is fraught with legal risks, such as defamation or contempt, which can affect any area of programming. Legal problems may arise not just with what we broadcast but with how we make programmes. The BBC has its own team of programme lawyers and they need to be consulted at the earliest possible stage about programmes which may run legal risks. While lawyers can offer legal advice, the final decision remains an editorial one. If programme makers wish to continue with a programme despite legal advice they must refer upwards to Head of Department, National Controller, or Commissioning Executive (see also Matters Of Law, Chapters 37-40 of these Guidelines).

7 CONFIDENTIALITY
The protection of confidential sources is a serious matter for any journalist or programme maker and has potential consequences for the Corporation as a whole. In circumstances where legal action might be taken to try and discover a source it will normally be appropriate to refer to a high level before agreeing to maintain confidentiality (see also Chapter 17: Confidentiality and Release of Programme Material).

8 EDITORIAL POLICY UNIT
The Editorial Policy Unit offers advice on specific problems and issues and how the BBC’s editorial policies apply. Heads of Department and Commissioning Executives who need advice about difficult editorial issues can consult the Unit, which offers a 24 hour service.

The Unit draws up and reviews the Producers’ Guidelines, and other editorial policy, and can offer advice on interpreting the Guidelines.

The Producers’ Guidelines are also available on the Editorial Policy website on the BBC’s Gateway intranet. The site also contains other relevant guidelines (e.g. BBC ONLINE Guidelines), and urgent advice on specific editorial policy issues.