



From the **Director-General**

26 May 2021

Julian Knight MP
Chair, DCMS Committee
House of Commons
London
SW1A 0AA

Dear Julian

Thank you for your letter of 20 May 2021, in which you noted that the BBC has accepted the findings of Lord Dyson's report in full.

You asked some follow up questions that I address here and I hope we will have a chance to discuss this in more detail when we meet in the coming weeks.

With regard to the circumstances and process for the re-hiring (and subsequent re-grading) of Martin Bashir as Religious Affairs Correspondent in 2016, I have asked that the facts of this appointment are looked into as a priority and I expect to have the findings next week. We will publish these and make them available to the Committee.

On our processes, I appreciate the Committee noting that there has been significant reform of the governance and culture of the BBC in the 25 years since this wholly unacceptable behaviour took place. We outlined those changes in our statement accompanying the release of the report and I attach a copy of that document for your reference.

However, while I am confident that the BBC is a very different place, with more rigorous governance procedures and an industry leading whistleblowing policy, it's as much about having the right people and values in our organisation, as well as an open culture.

So I want to reassure the Committee that the BBC I lead has to be one in which our staff, at all levels, feel confident they can report wrongdoing without fear, and where unacceptable and deceitful practices will not be tolerated. I have every confidence that the people who work at the BBC now can be in no doubt of the high level of integrity expected of them.

But that's not enough. In order for the BBC to retain the high levels of trust we hold among the people of the UK and around the world, this episode demands that the BBC reflects on itself. Consequently, the BBC Board has announced a set of responses to what Lord Dyson found.

I am accountable, along with the Executive, to ensure there are strong day to day editorial processes and a clear route by which to handle any specific issues arising from Lord Dyson's report, including any further issues or evidence raised with us that needs investigation.

The Board has also decided to review the effectiveness of the BBC's editorial policies and governance in detail. This work will focus on oversight of the BBC's editorial practices and will consider in detail the robustness and independence of whistleblowing processes in editorial areas. It will include communicating with internal and external stakeholders on the BBC's approach.

As a reminder, we have said that this work will be undertaken by a group of non-executive Board Directors led by Sir Nick Serota, the BBC's Senior Independent Director, and supported by Ian Hargreaves and Sir Robbie Gibb, non-executive members of the BBC's Editorial Guidelines and Standards Committee; they will also be taking independent advice. Their review will identify the lessons to be learned from Lord Dyson's review which may be relevant today. They will report to the Board in September and I would be happy to keep you informed on the process.

I note the points you make about apologies although I assure you that these were full and sincere. I am sorry if they have not been taken in that spirit. I am seeking a personal meeting with Mr Wiessler in order to apologise in person.

Best wishes

A handwritten signature in blue ink, appearing to read 'T. Davie', with a stylized flourish at the end.

Tim Davie
Director-General

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CHANGES TO BBC POLICIES AND PRACTICES

1. Lord Dyson's report on the circumstances surrounding the *Panorama* interview with Diana, Princess of Wales relate to events that took place 25 years ago. Today's BBC is a very different organisation. The BBC has invested considerable time and effort — and exposed itself to a significant amount of internal and external scrutiny — to ensure that its culture, policies and practices reflect the highest standards of fairness and integrity.
2. In summary, since 1995 the BBC has:
 - a. made significant changes to the editorial guidelines, including the introduction of mandatory rules around the handling of sensitive information, comprehensive training programmes for all editorial staff, and a 'red flag' process to engage senior editorial leaders in potentially controversial programmes;
 - b. introduced a thorough and industry-leading whistleblowing scheme, which provides clear and independent routes to raise concerns and, if necessary, direct access for whistle-blowers to a non-executive director on the BBC Board;
 - c. overhauled the BBC's complaints processes, including the introduction of an expert team of editorial complaints handlers who sit outside of the content-making divisions, reporting directly to the Director-General; and
 - d. been party to the introduction of a new governance system with clearer responsibilities around editorial accountability as well as external regulation from the industry regulator, Ofcom.

Editorial Guidelines

3. In his report Lord Dyson finds evidence of breaches to the 'straight dealing' requirements in the Editorial Guidelines in place at the time (the 1993 Producers' Guidelines). He makes no criticism of the Guidelines themselves.
4. The current version of the BBC's Editorial Guidelines – the seventh edition issued by the BBC – are used by all BBC programme and content makers. They are publicly available and are the basis of the BBC's accountability to audiences; they set the standards for the Corporation.
5. Today's BBC emphasises the importance of the need for a 'culture of compliance'. The Editorial Guidelines now expressly state that: "Knowledge of the Guidelines is an essential professional skill and everyone who makes BBC content is contractually required to familiarise themselves with them and abide by them".¹ All members of staff involved in content creation are now required to attend mandatory training on (amongst other things) the BBC's editorial standards and values.

¹ BBC Editorial Guidelines, §2.21.

Whistleblowing

6. Today's BBC encourages individuals to raise complaints and genuine concerns. The BBC's whistleblowing policy,² introduced in the late 1990s in response to the Public Interest Disclosure Act 1998 and re-launched in 2016,³ has been independently described as "clear and comprehensive".⁴
7. The BBC's whistleblowing policy provides an internal mechanism for confidentially reporting and investigating alleged wrongdoing in the workplace. It provides the ability for all individuals, whether internal or external to the Corporation, to confidentially raise genuine concerns relating to the BBC and trust that those concerns will be appropriately and fairly addressed. Under the procedures in place each complaint is professionally investigated, and these investigations have been assessed as "generally managed extremely well".⁵
8. In today's BBC, under the whistleblowing policy internal complaints can be made on an anonymous basis to: (i) line management, a senior manager or a HR business partner; (ii) the Director of Safety, Security & Resilience; and/or (iii) a non-executive Board director. Alternatively, individual staff and those external to the Corporation can contact the BBC's externally-hosted whistleblowing hotline.
9. For staff, a high-profile "speak-up" campaign, introduced in 2016, sought to better inform BBC employees about the policies and procedures available to solve workplace problems, and support raising concerns. Since that campaign, there have been a healthy number of cases reviewed under the whistleblowing policy, all of which are reported in the Annual Report and Accounts.

Complaints Process

10. It is a core editorial value that the BBC will be open in admitting mistakes when they are made, unambiguous about apologising for them, and encourage a culture of willingness to learn from them. The BBC's complaints and investigation procedures have been significantly strengthened over the past 25 years. In addition to the internal whistleblowing mechanism for confidentially reporting and investigating alleged wrongdoing in the workplace described above, the BBC now has a robust and documented complaints procedure. The BBC's Royal Charter enshrines the BBC's commitment to ensuring that this complaints procedure ensures transparency, accessibility, effectiveness, timeliness and proportionality.⁶
11. External complaints are addressed through a two-stage process. First, by a BBC manager or a member of the editorial team. Then, if escalation is necessary, by the Executive Complaints

² BBC Protected Disclosure Policy ('whistleblowing') September 2017. (Most recently updated 24 April 2018)

³ The Whistleblowing Policy was relaunched as part of the BBC's high-profile internal communication campaign on 'speaking up' to better inform employees about policies and procedures available to solve workplace problems and to support raising concerns.

⁴ Goodcorporation 2016 Review, page 9.

⁵ Goodcorporation 2016 Review, page 10.

⁶ BBC Charter §63(3)

Unit, which sits separately from the content-making divisions and reports directly to the Director-General.

12. Today's BBC is also subject to external regulation. If a complainant is not satisfied with the BBC's final response, it can refer the matter to Ofcom, which has the power to investigate editorial complaints in areas covered by the Ofcom Broadcasting Code.
13. Over the last 25 years, the BBC has commissioned a number of independent investigations into areas of its work when its own standards have been deemed to have not been met; the BBC has transparently published the results of this work (the Neil Report⁷; the Wyatt Report⁸; the Pollard Review⁹; the Respect at Work Review¹⁰; and Dame Janet Smith's Independent Review into the Jimmy Savile and Stuart Hall Years¹¹). Audiences can therefore be confident that investigations are rigorous and that the BBC can hold itself to account.

Governance

14. Twenty-five years ago the BBC was governed by a Board of Governors, with wide-ranging powers over the BBC and very few external checks and balances.
15. Today's BBC has a modern corporate governance arrangement with clear responsibilities for its governing Board and Executive Committee, a clear and documented position around the powers of the Director-General (as Chief Executive Officer and Editor-in-Chief) and an external regulator.
16. The BBC's Royal Charter requires the Corporation to act in the public interest and to deliver clearly specified public purposes. The BBC's values are clearly communicated to all staff as part of the staff Code of Conduct.
17. Today's BBC is externally regulated by Ofcom, the United Kingdom's communications regulator.

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⁷ *The BBC's Journalism After Hutton: The Report Of The Neil Review Team* 2004

⁸ *Investigation into "A Year with the Queen"* Wyatt 2007

⁹ *The Pollard Review* 2012

¹⁰ *BBC Respect at Work Review* Dinah Rose QC 2013

¹¹ *An Independent Review Into The BBC's Culture And Practices During The Jimmy Savile And Stuart Hall Years* Dame Janet Smith 2016