

BBC supplementary information

Following the BBC's Annual Report session in front of the DCMS Committee on 29 September 2020, please find the additional information as requested:

The shape of the new regional hubs, including investigative journalism capacity

A new current affairs programme will be launched by BBC England. It will be broadcast for 20 weeks a year – in two series of ten episodes. Each episode will look at one single topic over half an hour meaning we will be looking at issues in greater depth than ever before. It will replace Inside Out, the regional current affairs magazine show, taking a 7:30pm weekday slot on BBC One.

The new programme will focus on issues the BBC One peak time audience cares about and stories will be told in a compelling style with high production values. The emphasis will be on stories that matter to the audience. It will be produced in six regional hubs; London (covering the South East and parts of the South such as Southampton), Newcastle (covering the North East and Cumbria), Leeds (covering Yorkshire, Lincolnshire and the North West), Birmingham (covering the Midlands), Bristol (covering the West and the South West), and Norwich (covering the East). There will also be a senior editorial team and production management HQ in Birmingham.

Inside Out first aired in 2002 and the format hasn't changed at all in 18 years. The programme's viewing figures have been in long-term decline (declining faster than BBC One's average audience). The programme hit a peak of 3.4 million viewers in early 2010 (series 17) but has been in decline since this date. Series 36 fell to a record low of 1.9 million viewers, which exceeds the rate of decline for BBC One and all TV. The most recent series saw a moderate increase in viewing figures but this was at the start of the lockdown and was to counter to the established, long-term trend. There are 11 simultaneous programmes meaning a cost per viewer per programme is relatively high at 16p compared to a regular episode of Panorama at 7p.

Inside Out is a magazine programme with a format of three films for each episode. Generally only one of these films is original journalism and it would only last for under ten minutes. The other films tend to be lighter and less journalistic. In contrast, the new programme will focus on long-form journalism with one story explored in detail over half an hour. It will deliver "bottom up" investigative journalism from the regions to network TV.

In addition, BBC England is increasingly diversifying its TV content and partnering with the likes of BBC Three to tell new stories from across the country in different ways in an effort to reach new audiences and reflect more communities.

NDA's

The BBC has not used confidentiality clauses over the fact, negotiation and terms of a settlement in a settlement agreement settling an equal pay or pay-related sex discrimination matter since 2016. Any exception to this approach would need to be justified and approved at a BBC Director level; to date no such approval has been given.

As part of a settlement agreement, employees are asked to continue complying with their common law duties of confidentiality and agree that they will not divulge any trade secret or confidential

information concerning the BBC or its associated companies that came to the employee's knowledge during the course of their employment.

Further and for the avoidance of doubt, nothing in a BBC settlement agreement has ever prevented an employee from making a 'protected disclosure' (often known as 'whistleblowing') which has a clear status at law.

The Committee, also asked whether everyone has now been released from historical NDAs relating to equal pay cases. Following an approach to the BBC, two individuals that entered into settlement agreements relating to equal pay prior to 2016 have been released from their confidentiality obligations. No other individuals who have entered into settlement agreements relating to equal pay prior to 2016 have asked to be released from confidentiality obligations but if such a request was received the expectation is that they would be released.

Equal pay and race discrimination cases

Has the BBC ever spent more on legal fees than a case was 'worth'?

Without looking in detail at every case it would not be possible to quantify how much a case is worth; further, such a determination can only be made by an Employment Tribunal after they have determined the legal tests relating to equal pay.

The BBC always considers carefully the way in which legal costs are incurred, including the commercial justification for settling rather than spending money on such costs. However sometimes it is necessary to incur costs in reaching a settlement at a level that reflects the merits of the case or to investigate a case properly.

How much has the BBC spent in total (including on in-house lawyers and external counsel)?

We understand this to be a question about the legal fees incurred by the BBC in the context of equal pay Employment Tribunal claims.

In house lawyers at the BBC are salaried and work on a breadth of employment law issues for the BBC. Their salaries are not apportioned to the type of employment matters they work on and it would not be possible to provide a breakdown for total spend on equal pay Employment Tribunal claims. It is also not possible to provide a total cost for external counsel fees for equal pay Employment Tribunal claims as some fees may be apportioned to particular matters and others make up part of a fixed retainer paid by the BBC.

How much the BBC has spent fighting racism cases?

We understand this to be a question about race discrimination Employment Tribunal claims.

We cannot provide a total cost for legal fees spent on race related claims for the same reasons as set out above.

How long the longest (current) equal pay case has been going on for?

A case is only classified as Equal Pay or Fair Pay once closed. Until that point they are all classed as 'pay queries'.

We can confirm that we have 9 open internal 'pay queries' (as 9th October 2020). Of those the longest case open is a Formal case of 80 days.

Who exactly in the BBC will have proper oversight going forward "to ensure that similar equal pay issues do not arise again"?

The BBC's pay reforms over the last four years combine into a systemic approach that significantly reduces the risk of equal pay issues arising again (acknowledging, however, it is not possible to fully eliminate all risk). These reforms comprise of:

- (1) a career framework which evaluates jobs and organises them by comparative size of job to provide transparency horizontally and vertically;
- (2) pay management including through job pay ranges informed by market data, together with guidance on how individual material factors are applied, and associated support and training (this new pay management framework is overseen by the BBC Group HR Directors);
- (3) robust governance to ensure that material factors are applied appropriately; and
- (4) market leading transparency showing individuals their position relative to others.

With regard to accountability, the Director-General is ultimately responsible for all executive decisions, including on pay. Within the Executive Committee, the Group Managing Director (Bob Shennan) has responsibility for all HR issues as part of his portfolio of responsibilities; the day-to-day basis accountability sits with the Group HR Directors, Wendy Aslett and Rachel Currie.

The Executive work within a framework set by the BBC Board, and the Board's Remuneration Committee has oversight of the executive pay strategy. The chair of the Remuneration Committee is Sir Nicholas Serota.

BBC News

How many BBC black on-air correspondents (on network news) are there?

We have 231 correspondents, senior correspondents and senior journalist reporters who provide expertise and context for our audiences, on-air, on a range of subjects. 14 of these are black.

We are a diverse organisation and have much to be proud of, but we are also challenging ourselves to ensure that Diversity and Inclusion is hardwired into all areas of our news content and across everything the BBC does.

Give a list of programmes where the Brexit debate has had "full, flavoursome voices across the political spectrum"

We have always sought to illustrate the rich range of views on Brexit from people in public life, industry leaders and workers. We've sought to reflect the disagreements within political parties, workplaces and even households. And many of the voices we have heard have been enthusiastic about Brexit and frustrated by the delays to leaving the EU. There are too many to list but here is a flavour of some of those voices:

In March last year we invited members of the audience (including those who thought the BBC was biased) into our meetings as part of an 'audience takeover day' on Brexit. Their views made it into the coverage: <https://www.bbc.co.uk/news/av/uk-47419899>. On the same day, 5 Live listeners gave their views on a phone in: <https://www.bbc.co.uk/news/av/uk-politics-47420695>. Early this year, our Business Editor, Simon Jack, went to Devon to speak to fishermen about the potential benefits of Brexit, including an interview with this Leave voting skipper: <https://www.bbc.co.uk/news/business-51319257>. This material featured across BBC News. We've also covered the trade deals that were an important part of the case put forward for Brexit: <https://www.bbc.co.uk/news/business-54116606>.

For the TV bulletins on BBC 1 last October, Alex Forsyth visited a cheese business in Buxton where the owner, frustrated at delays, wanted Brexit to be done. The piece also featured the Managing Director of a Fruit and Veg wholesaler, who voted Remain but now wanted a Brexit deal done ASAP. The following month, Alex Forsyth did a piece in Hastings with fishermen who were angry we hadn't left the EU. On 10th December, John Pienaar spoke to voters in Wakefield including a Corbyn supporter who was not voting Labour because he's a Leaver, and a retired accountant who was going to vote Conservative because he wanted Brexit to happen.

Radio 4 featured 'The Brexit Lab' which looked at opportunities for policy experimentation post-Brexit. Iain Martin talked to policy-makers, experts and campaigners about the ideas which could come to fruition after 29 March 2019 - both in the short and long term. From the way we work to the environment, he asked how we could do things differently once the UK is no longer bound by EU rules and asks how much appetite is there for new ideas across the political spectrum.

<https://www.bbc.co.uk/programmes/b09wshry>

On the World Service, Business Matters has revisited guests on all sides of the Brexit debate. One of them is Alastair MacMillan, the owner of a company that makes hydraulic pumps and exports them to over one hundred countries, including many in the EU. He voted Leave and is passionate about Brexit. He told the programme "There's nothing positive to say about staying in the EU or the Single Market". The economist, Roger Bootle, has also spoken positively about Brexit many times on our airways, especially in 2019.

On Wake Up To Money on 5 Live we widened our range of bosses beyond the FTSE 250 to make sure we had a nationwide view. This took the form of interviews with individual owners and also a specific panel of 10 businesses all with different views, some pro, some anti, some undecided in the run up to the referendum and in the aftermath. Between Jan 4th 2020 and 31st March we had one hundred different small businesses-owners on the programme, all talking about Brexit. 5 Live also combined forces with Breakfast television to design a road trip across the UK to get as wide a range of views as possible.