

# BBC Editorial Policy

## Detailed Guidance on Competitions

### Introduction

BBC programmes and services across all genres and in all media may from time to time run viewer and listener competitions. They can enrich our output and help us to connect with our audiences. As well as being entertaining, they may also educate and inform viewers, listeners and online users. They can help us promote our programmes and services; help us reach underserved audiences and also help us to be more innovative.

**It is essential that all BBC competitions meet the high editorial, ethical and technically robust standards that our audience rightly expect from us.**

**All BBC competitions must comply with the Code of Conduct which is prefixed to this document.**

**Everyone who runs a competition should read the summary guide at the start of this note to help ensure they have complied with the requirements of the guidance.**

*This guidance is concerned with viewer, listener and online competitions. Game shows, contestant trawls and talent shows are not classed as general viewer and listener competitions and are not required to complete a competition approval form, although producers of such shows may find the advice in this guidance note useful.*

*This guidance note provides detailed editorial advice. It outlines the BBC referrals and compliance process for competitions. In all cases where the vote involves telephony and/or a combination of online voting and telephony you will need technical, legal and contracts advice from the Interactive Technical Advice and Contracts Unit (ITACU).*

<http://explore.gateway.bbc.co.uk/itacu>

**The following principles apply to ALL BBC competitions:**

- There must **always** be a clear editorial purpose for any BBC competition, whether it is included in a BBC programme or website or whether it is run off air as part of a programme or service promotion or in conjunction with a third party
- We must offer a **genuine** test of skill, knowledge or judgment appropriate to the audience
- All competitions must be run with probity and to the highest standards of integrity. They must be fair, legal and honest and run in a technically robust manner

- We must always inform the audience clearly of when a competition is due to open and close
- We must publish terms and conditions to ensure the organisation and running of the competition is fair and transparent and ensure prizes are appropriately and accurately described

**Under *NO* circumstances may any result be faked. It is essential that:**

- **Winners are genuine and never invented, pre-chosen or planted by the production team or anybody else connected with the running of the competition**
- **No member of the production team or anyone else poses as a competition contestant or winner**
- **You are confident that there will be sufficient entries to make the competition viable, robust and a useful editorial addition to the programme- otherwise you must not run it**

**In addition:**

- **Competitions involving Premium Rate Telephony must be referred to the senior manager in your division charged with approving the use of Premium Rate telephony, and then must be referred to Editorial Policy, and ITACU (who will consult Programme Legal Advice where necessary)**
- Competitions must not be set up with the aim of making a profit except where they are being used to generate funds for a BBC charitable initiative
- Premium Rate lines are used when they are the most suitable and safest way to handle large volumes of calls effectively
- The lowest viable tariff must be charged. ITACU will advise on the tariff
- The only time, in exceptional cases, that the BBC may run Premium Rate lines to raise funds, is for a BBC charitable initiative. In such cases the editorial content of the programme must relate directly to the charitable cause. Any such proposals must be signed off by the Divisional Director and referred to the Editorial Policy in advance
- Premium Rate lines may not be used to raise funds for Charitable Appeals in CBBC output
- **Any competition, in which the audience can text in to a live programme, and where the result is to be announced in the same programme, must be referred to ITACU who will consult Editorial Policy**

- **Competitions must not normally be launched and resolved within a programme of half an hour or less. Any proposed exception must be referred to the channel controller or equivalent senior manager, who must consult ITACU and Editorial Policy**
- All pricing information must be given clearly and accurately, both verbally and visually where appropriate
- We must not promote any competition which is not organised by or run in conjunction with the BBC
- We must retain editorial control of our own viewer, listener and online competitions even when they are mounted in association with suitable third parties
- We must not require people to buy anything to enter a BBC competition unless it is linked to a BBC charitable appeal
- We must not mislead people about the nature of prizes. They must be accurately described and suitable for all potential entrants (see section 5)
- **We never offer cash prizes in viewer, listener and online competitions**

The advice in this guidance builds on the principles of:

- BBC Editorial Guidelines – Section 15: Interacting with our Audiences  
[www.bbc.co.uk/guidelines/editorialguidelines/edguide/interacting/](http://www.bbc.co.uk/guidelines/editorialguidelines/edguide/interacting/)
- Online Services Guidelines – Section 15  
[www.bbc.co.uk/guidelines/editorialguidelines/onguide/interacting/](http://www.bbc.co.uk/guidelines/editorialguidelines/onguide/interacting/)

**Depending on the nature of your interactive proposal you may also need to read this guidance note in conjunction with:**

- **BBC Detailed Guidance on Voting**  
[www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/voting/](http://www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/voting/)
- **BBC Detailed Guidance on Mounting and Running an Award**  
[www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/awards/](http://www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/awards/)

## **1. The role of the Interactive Technical Advice and Contracts Unit (ITACU)**

The BBC has set up a specialist unit to provide advice on all technical aspects of running a competition, vote or award and any other uses of Premium Rate Telephony. The Interactive Technical Advice and Contracts Unit (ITACU) oversees

the delivery, management and contracting of all BBC's Premium Rate Telephony and other telephony relating to voting and competitions for all programmes, both independent and in-house, across all divisions and output.

The unit is based in FM & T but it serves the whole BBC. It advises on fixed line and mobile telephony, red button, and also will advise on online voting and competitions where there is also a telephony method of voting or entry. It is an essential part of ensuring that the BBC can continue to offer its audiences innovative interactivity which complies with new tougher industry regulations.

The ITACU team has specialist staff who have an extensive background in the telecoms industry and an in-depth knowledge of technical systems, contracts, service provision, mobile and data retention.

ITACU also provides business affairs and legal advice, with referrals where appropriate to Programme Legal Advice and Divisional Business Affairs teams. ITACU will provide programme teams with terms and conditions for competitions and voting; carry out tenders and award contracts for service providers and verify their processes; select and contract third party verifiers; act as a repository for all relevant documentation associated with competitions, votes and awards which use telephony and all of the BBC's use of Premium Rate telephony and facilitate regular audits of the BBC uses of all such interactivity.

The unit does not offer editorial advice, Editorial Policy should be consulted for all editorial queries; ITACU liaises closely with Editorial Policy.

Sign off by ITACU is a mandatory part of any proposal to use Premium Rate Telephony. Further details about ITACU can be found here:

<http://explore.gateway.bbc.co.uk/itacu>

## **2. Permissions and Referrals**

All proposals for BBC competitions must be referred in the first instance to a Controller or equivalent Senior Manager in your area for approval in principle.

Before a competition is launched you must complete a competitions approval form [www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/forms/](http://www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/forms/) for authorisation and submit it to the relevant controller or equivalent Senior Manager.

In some cases if a competition takes place daily, weekly or monthly the Controller or equivalent Senior Manager may decide it is not necessary to complete the form for each separate edition. Approval may be obtained for the competition over a period of time (e.g. a month for a competition taking place daily or annually for a monthly competition). The exact period of time before a new approval form may be required is at the discretion of the Controller or Senior Manager. All approved competitions and their supporting forms must be lodged on a database in each division and submitted to ITACU.

An appropriate editorial figure in the relevant production area must be identified by the Division as being responsible for overseeing the running of the competition, and must have completed the relevant training as outlined in the approval form. This person must also be responsible for ensuring that the competition has been appropriately resolved and ensuring that relevant documentation has been retained and copies sent to ITACU.

The specific referrals for Premium Rate Telephony are detailed in section 3 below:

### **3. Setting up a competition**

The competition, its editorial ambition, structure, running and resolution should match the public's high expectations of the BBC.

#### **3.1 Appropriate Planning**

Competitions need to be adequately resourced, throughout, in terms of technical support and administration. If some creativity is required, rather than simply answering questions, it must be established that all entries can be fully and equally considered, before a shortlist or winner is selected. Independent judging panels may need to be convened (see 6.3 below). Detailed records must be kept of the winner selection. These must be submitted to ITACU for logging (itacu@bbc.co.uk.)

<http://explore.gateway.bbc.co.uk/itacu>

Adequate time must be allowed for entries to be received, verified and considered. Remember you may need to extend this in case of problems such as postal strikes or problems with online technical systems such as uploading of entries.

You must have a reasonable expectation that you will be able to cope with the number of entries and that you will generate enough interest in the competition to make it viable to launch. The choice of medium, the prize, amount of on air/ or online promotion for the competition, and the overall editorial set up including what entrants have to do to win will all affect the likely popularity of the competition; you may wish to vary any of these elements before you finalise plans.

#### **3.2 Telephony or online based competitions launched and resolved within a short programme**

If a programme is half an hour or less, the BBC would not normally permit a competition to be launched and resolved within the same show. It is very unlikely that within half an hour a programme would have adequate time to set up the competition properly; allow the audience appropriate time to participate; and have enough time to collate and verify the results. **Any proposed exception MUST be referred to the Channel Controller, or National or Regional Controller, who should then consult Editorial Policy and ITACU.**

#### **3.3 Contingency Planning**

Before you run any competition it is essential that you agree a contingency plan. This must be agreed and signed off by the appropriate editorial figure. It must outline what to do if there is a problem with the running of a competition. This could include a problem with the technology used for running the competition; the need to change or withdraw a prize e.g. cancellation of a sporting event; being unable to contact winners on air or after.

Separate contingency plans may be needed to outline what to do in the event of a failure of technology (refer to ITACU) or if there is an editorial or legal problem such as evidence of a breach of the rules by entrants (seek further advice from Editorial Policy & Programme Legal Advice).

If the competition is to be decided via an audience vote see Detailed Guidance on Voting for further advice.

[www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/voting/](http://www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/voting/)

### **3.4 Competitions aimed at or likely to involve children**

Great care must be taken about any competitions which are aimed at or are likely to attract children.

If the competition involves telephony, entrants must be reminded that they must ask permission of the person who pays the bills to make the call.

Online, competitions involving children must include a statement to the effect that children (of 13 or under) should always get their parent's or guardian's permission before entering their personal details (name, address etc) onto the competition form.

**Any proposal to use Premium Rate telephony in competitions aimed at children must be referred to the relevant Controller.**

**The BBC does not use Premium Rate telephony in CBBC programming.**

### **3.5 Accessibility and choice of media**

We aim not to exclude any of our audiences. Some households may not have easy access to digital technology. Normally if a competition is trailed on radio and television there should be universally accessible methods of entry, e.g. if there is an online option there should also be a telephone or write-in option. Competitions which can **only** be entered via the internet should only normally be trailed on channels where we can reasonably expect most of the likely audience to have some online access. **There may be exceptions for editorial reasons for some competitions, but these should be referred in advance to Editorial Policy.**

### **3.6 Setting of questions**

Some competitions require the audience to answer one or more questions. The

questions chosen are an essential part of the editorial decision making process and must be under the BBC's editorial control. They must demand a level of skill appropriate to the likely audience and must also be suitable in tone and subject matter. Competition questions and answers should be thoroughly researched to ensure they are factually accurate.

Competition questions should not refer to any branded goods or services which are offered as prizes. Obviously where the prize is a ticket to events such as the FA cup final or concert, or book or CD then questions may test the audience knowledge about the relevant subject matter (e.g. history of the cup final or general knowledge about a writer or performer).

**If entry to the competition is via a Premium Rate line or there is a donation line for a BBC charitable appeal, or any other payment to enter mechanism, ITACU Legal & Business Affairs must be consulted (who will also refer to Programme Legal Advice); a demonstrable level of skill must be demanded otherwise the competition risks being an illegal lottery or gambling.**

#### **4. Terms and Conditions**

**All BBC competitions must have published, comprehensive, terms and conditions**, so that we are transparent with our audiences about the nature and running of our competitions. It must be clear how to enter the competition; confusion causes complaints. For example the terms and conditions should stipulate age limits, what is required of entrants, methods of selection, opening and closing dates and times. ITACU Legal & Business Affairs will advise on appropriate rules. Although terms and conditions can be posted on a website, it is essential that important rules that the audience may need to know about before deciding to enter are clearly stated on air if a competition is being run in a programme. Entrants also need to be told where to find the rules.

#### **5. Entry**

Entrants must always be treated fairly, properly, and in accordance with the rules/terms and conditions.

##### **5.1 Restrictions on entry**

Normally all BBC competitions should be open to all audience members. However in a few cases there may be very strong editorial reasons to use a competition to attract interaction from specific sections of the audience, such as people from specific geographical areas.

**If this is proposed, prior referral must be made to the Controller or equivalent Senior Editorial Manager who is responsible for the approval of competitions, who may consult with Programme Legal Advice and Editorial Policy.**

The best way to use a competition to attract interaction from a specific section of the audience is to design a competition which is particularly likely to attract those groups to enter; this could be because of the editorial nature of the competition itself, the

type of prize, the programme or website on which it is being promoted. However it is never acceptable to reject a legitimate winner or entrant who has complied with the rules just because they do not fit the target profile.

Any acceptable restrictions on entry must be made **explicit** to the audience at the outset. Any such restrictions must be reflected in the terms and conditions and these must be approved by ITACU Legal & Business Affairs who will consult Programme Legal Advice.

BBC staff are not normally eligible to enter a BBC viewer, listener or online competition. **Any rare exceptions must be referred to Editorial Policy.**

## **5.2 Online Entry forms and the Data Protection Act**

Entrants to an online competition should normally complete an electronic “entrance form” which should only request the minimum amount of personal information necessary to enter the competition. The reasons for requesting any additional information should be declared under the Data Protection Act. The user must be offered a clear option to enter without providing the additional information, for example by putting an asterisk in the fields which are optional.

Personal information (which can be as little as a name and address) must not be passed on to third parties without the user’s prior knowledge and consent.

Competition entries should be retained for 2 years in case there are any complaints or queries following the competition and to facilitate audits.

The correct answer and limited details of winners (usually name and town) must be made available on request and our terms and conditions must advise entrants of this requirement.

## **6. Selection of winners**

BBC competitions must all involve some test of knowledge or skill appropriate to the target audience. Winners must be selected fairly, openly and in accordance with the terms and conditions. There are various methods of selecting winners. The method chosen should be appropriate to the nature of the competition and must always be fair to all entrants.

### **6.1 Creative Competitions (panels and voting)**

BBC competitions may ask entrants to demonstrate creativity, such as writing a radio play, or blog or taking a photograph. It is important to establish clear and fair criteria on which the competition is to be judged at the outset. The criteria used must be available to the public. For online competitions the criteria should normally be available on the competition website.

### **6.2 Audience voting**

Consideration must be carefully given as to whether a vote is the most appropriate way of deciding the winner of a competition. If the competition has involved a high level of skill, such as writing a play or composing music then a panel may be the most appropriate way of judging. It may be appropriate to have two stages and involve both a panel and an audience vote.

If a competition is to be decided by way of an audience vote then you **must** consult the BBC Detailed Guidance on Voting

[www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/voting/](http://www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/voting/)

**If the vote is by text (SMS) and is to be run and resolved in a live programme, referral must be made to ITACU who will consult with Editorial Policy .**

If the competition result requires a very fast turn around time e.g. as part of a live show, it is unlikely that online or text will be acceptable. This is particularly true where there may be a strong incentive to cheat, because checking the integrity of online votes is likely to take some time and effort.

**6.3 Using a Panel** (see also BBC Detailed Guidance on Mounting and Running an Award) [www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/awards/](http://www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/awards/)

In many cases for creative competitions it will be more appropriate to use a panel to judge entries. This judging system should be clearly explained to the audience and to entrants via on air/online announcements and the terms and conditions. The panel should normally include, or be overseen, by a BBC representative to ensure that the BBC remains in editorial control of the running of all of its competitions at all stages. Panellists should be issued with the criteria for judging. They must confirm, in writing, that they have no conflicts of interest; they should not have any close personal or commercial connection to the entrants.

If such a connection emerges once the competition has commenced, then the panel member should withdraw. Programme Legal Advice should be consulted. It might be necessary to restart judging. It is important that all entries are judged in a consistent manner in line with the agreed criteria. In some cases, for example when short listing large numbers of entries, entries may be split into groups and judged by separate panels of judges . However we must always be consistent and in such cases a control mechanism such as an overseeing adjudicator must be considered to ensure fairness between panels. **Further advice may be obtained from Editorial Policy.**

**6.4 Random Selection (usually only used for quizzes)**

**In many cases BBC competitions are in the form of general knowledge quizzes. In such cases a panel or vote is unlikely to be used, a winner is likely to be selected at random from all correct entries. In such cases a demonstrably fair random selection process must take place. Where we state in terms and conditions that winners will be randomly selected, we must **never** use additional subjective**

criteria, for example short listing entries because they sound or appear lively or because they live near to where any programme recording is due to take place. (See section below)

All correct entries must be entered for random selection. There are several ways to ensure this including:

- **Drawn from a “hat”:** If there are relatively few entries then it could be acceptable to put either all the entries, or all the correct entries into a “hat” or other appropriate receptacle. The first correct entry drawn will be the winner. It may be acceptable to draw several alternatives in case the winner is not contactable or the entry drawn has incomplete details. However if this is done it is essential that the entries are dealt with **in the same order** in which they are drawn. The **first** correct entry, which fulfils the entry terms and conditions must be the winner. **It is NOT acceptable to draw/select winners in reverse order, although we may announce runners up before winners.** Entries should normally be drawn with a witness, who may be from the production team.
- **Automated random selection:** This is a complex area and you must take advice from ITACU. If there are large numbers of entries, and/or entries from a variety of sources e.g. online, text (SMS) and telephony, then it is usually appropriate to use an automated computer generated random selection process. It is likely that in such cases the telephony service provider will be responsible and contracted to carry out the random selection. However the appropriate editorial figure responsible for overseeing the running of the competition should ensure that the system is appropriate, with advice from ITACU.
- If entries have come from several sources then **great** care must be taken to ensure the selection remains fair at all stages. More people may have entered via one method than another. Entries must be appropriately weighted to ensure everyone has the same statistical chance of being selected. Not all automated random selections systems are the same or as robust. Referral must be made to ITACU.

#### **6.4i Random selection and second stage** (Where the finalists have to compete on air)

In certain limited cases, particularly live Radio quizzes, the format of the competition may mean that two or more finalists must be selected, from the correct entries to compete on air. In such cases, editorially, it will be necessary to ensure that the finalists are able to compete in that way for example they may need to be able to cope with the pressure of competing live on air and also may need to be lively and interesting.

In such cases the competition would have two stages; a random selection of all winning entries and then a second stage where these winners are contacted - in the order in which they have been drawn - and auditioned to select finalists to go on air.

It is essential that this process is clearly explained on air and online in the terms and conditions. It is also essential that this second stage audition process is supervised

by the senior editorial figure responsible for overseeing the competition to ensure it is managed appropriately. Advice must be sought from Editorial Policy and Programme Legal Advice.

**It is very unlikely this format would be suitable for a Premium Rate competition.**

## **7. Prizes**

The choice of an editorially appropriate prize is an integral part of the good running of a BBC competition. **We must not offer cash prizes for any viewer or listener or online competition. We must never accept cash to pay for competition prizes.** We must not mislead audiences about the nature of the prize. Great care must be taken to describe accurately either on-air or online in the terms and conditions of entry, full details as to what is to be included and what is not to be included in a prize; for example travel expenses, accommodation etc. Particular care must be taken to ensure that the prize is despatched within a reasonable time.

### **7.1 Suitability of prizes**

Prizes for viewer and listener and online competitions should meet the expectations of the likely audience. We would normally offer *money-can't-buy* experiences, rather than prizes of a high monetary value. They should match the likely age of participants. The choice of prize should not risk bringing the BBC into disrepute.

### **7.2 Donated prizes**

We should normally pay for the prizes we offer in our competitions and aim to offer original rather than expensive prizes. However, in order to ensure the best value for the licence fee payer we may accept modest donated prizes such as concert or theatre tickets, tickets to sports events, books or DVDs. We may accept prizes of visits to special events, including hospitality offered at the event, but we should pay for the majority of costs e.g. for travel or accommodation.

The BBC must retain its editorial independence and objectivity and we must not promote or appear to favour one organisation or company. It is important, therefore, that we ring the changes when accepting any donated prizes. If there is a range of prizes there should be a range of donors over time. For example if a local radio station has a number of football teams in its area we should not continually offer tickets to only one of the team's matches as prizes.

**We must never allow a donor to influence the on-air or online editorial e.g. provide copy about the prizes, suggest questions for the competition.**

Competition questions should not refer to any branded goods or services which are offered as prizes (see 5.4 above) and we should normally avoid offering prizes of branded products or services which are referred to editorially elsewhere in the programme or on the same section of the website.

It is essential that no prize is accepted in return for a “plug”. We must never accept prizes in exchange for a verbal or visual or logo credit for the donor or their sponsors. Programmes must never give an assurance that there will be an on-air credit or online credit or any publicity in exchange for the donation of a competition prize. Prizes should be described in an informational, non promotional manner. The name of the supplier should not normally be given and the brand name should not be mentioned unless it is necessary editorially to describe the prize. Any references to the brand must be kept to the minimum. Normally only one reference should be made. We should avoid shots of brand logos on air and online.

Unless there is a very strong editorial reason to do so, we would not normally provide an online link to the supplier of a prize.

Donations of substantial prizes are permissible only in exceptional circumstances and must not bring the BBC’s editorial integrity into question. For example it might be possible to accept a more substantial prize if offered by an artistic, educational, arts or sports body or a research foundation. **Such prizes can be accepted only with the approval of the relevant Controller or equivalent Senior Manager. Editorial Policy must be consulted also.**

### **7.3 Prizes for Charity Competitions**

The BBC may run on air competitions or contests as part of its fundraising activities for BBC charitable campaigns such as Children in Need or Red Nose Day. In such cases we may accept a substantial donated prize, as an incentive to entering and donating to the charity. Any such donation of a substantial prize for a BBC charity competition must be referred to Chief Adviser Editorial Policy. Legal advice should also be sought and legal documentation with the charity may also be required.

### **7.4 BBC commercial products as prizes**

Great care must be taken over the use of BBC commercial products such as magazines, books and DVDs as prizes. The BBC commercial product should never be the main focus of the prize. Usually we would only offer BBC commercial products as part of a “basket” of prizes, for example we could include some BBC DVDs in a general family selection of DVDs.

### **7.5 Product prominence**

Whether a prize has been donated or not we must take care not to describe or depict it in such a way as to give undue prominence for any third party, whether they are a commercial organisation or not. Normally we would not refer to a prize by its branded name, for example we would say “games console” rather than “Xbox”. In order to avoid undue prominence, care must be taken over the use of any pictures which show branding. There should be no element of plugging.

Online, if an image of a product is used, it should not be too large or too prominent. The name of the supplier should not normally be given and the brand should be

mentioned only if strictly editorially necessary. Product logos should not be used. We should never use text from product promotional material.

Normally we would not offer an ongoing subscription to an organisation or magazine as a prize.

## **8. Competitions which use telephony**

### **8.1 Premium Rate Telephony Services**

#### **Definition of Premium Rate Telephony Services (PRTS)**

Premium Rate Telephony Services are those which deliver some form of content, or service which is charged to the users' phone bills. They can be run via fixed lines, mobile phones or interactive digital television.

Fixed line Premium Rate numbers are normally prefixed with '09'.

Premium Rate *text* (SMS) services normally use short access codes - typically four or five-digit numbers. These will usually be shown on phone bills as 'Premium Rate call' or 'high Premium Rate service', although this may vary depending on individual mobile network operators. Premium Rate charging for mobile content is generally per text (SMS) message.

- Premium Rate lines are used when they are the most suitable way to handle large volumes of calls effectively
- The lowest viable tariff must be charged. **Advice must be sought from ITACU**
- The only time, in exceptional cases, that the BBC may run Premium Rate Lines to raise funds, is for a BBC charitable initiative. In such cases the editorial content of the programme must relate directly to the charitable cause. Any such proposals must be signed off by the Divisional Director and referred to the Chief Adviser, Editorial Policy in advance
- **All proposals to use Premium Rate telephony must be referred to the senior manager in your division charged with approving the use of Premium Rate telephony, and then must be referred to Editorial Policy and ITACU Legal and Business Affairs (who may consult with Programme Legal Advice). A Premium Rate Telephony approval form must be authorised by the relevant Controller or Senior Manager. All Premium Rate competitions require legally approved rules.**

Any use of Premium Rate telephony must also comply with the Code of Practice issued by the telephony industry regulator PhonepayPlus (formerly ICSTIS) – please consult ITACU

[http://www.phonepayplus.org.uk/pdfs\\_code/PhonepayPlus11CoP\\_Apr08v3.pdf](http://www.phonepayplus.org.uk/pdfs_code/PhonepayPlus11CoP_Apr08v3.pdf)

and relevant help notes:

[www.phonepayplus.org.uk/pdfs\\_helpnotes\\_code11/pricing.pdf](http://www.phonepayplus.org.uk/pdfs_helpnotes_code11/pricing.pdf)

## 8.2 Audience information

It is extremely important that we are totally transparent with our audiences in relation to our use of Premium Rate telephony. We must ensure that they are given all relevant information.

An IVR (Interactive Voice Response) system will normally be used to handle Premium Rate votes. This technology can use a computer to process voice responses or touch tone signals from a normal phone call. The IVR can often use pre-recorded messages to give relevant information to callers; such as the fact that their entry has been registered or which answer they have given in the case of multiple choice questions. These systems generally handle large call volumes. Consult ITACU if you are intending to use an IVR system.

## 8.3 Information on call costs

Audiences must be informed clearly of how much it will cost them to interact with a BBC programme using Premium Rate numbers. On television, the BBC requires this **BBC Editorial Policy** **BBC Detailed Guidance on Competitions**

information to be conveyed verbally at appropriate regular intervals as well as visually.

Call cost information on a graphic should be clear and legible. Particular care should be taken over backing colours, font size and type of script, to ensure information is not hard to read.

Call cost information should also be given verbally, at appropriate regular intervals by a presenter or in a voice over and should be audible, clear and at a reasonable pace.

Call cost information may also be given as a recorded message on the competition entry lines.

It will not always cost the same to call from every network; calls from mobiles in particular may be more expensive. **This must be declared on air.**

The standard wording is *“calls cost x from a BT landline, calls from other operators may vary and mobiles will be considerably higher”*.

Where programmes are using Premium Rate competitions in order to raise money for BBC charitable appeals, audiences must be informed clearly what charity will benefit from the service. They must also be told what proportion of the call charge will be donated to the charity.

For example *“calls cost x from a BT landline, calls from other operators may vary and mobiles will be considerably higher. x from each call will go to BBC Children in Need/Comic Relief etc”* (see 8.5 below)

We should also aim to inform them of call costs from non-Premium Rate telephony. You must consult ITACU for appropriate current wording.

**Online information.** Usually we do not display Premium Rate numbers online. Any proposal to do so should be referred to Editorial Policy. Where it is agreed to do so, all relevant call cost information must also be displayed. In some cases, particularly for popular high profile shows such as a TV talent show, with audience voting, we may decide to include a table showing indicative costs from the main mobile phone networks, on the show website. **In such cases ITACU must be consulted at an early stage; they will provide this information for the website.**

#### **8.4 Information about line opening and closing times**

Audiences must be informed clearly and precisely when competition lines open and close; this should include dates and sometimes also times where appropriate, for example where a vote involves email or phone/text entry..

When using Premium Rate Telephony you must ensure systems are used which prevent callers from being charged, should they try to enter before lines open or after they close. Further advice must be sought from ITACU.

We must verbally and visually (for television) remind people not to enter before or after lines open or close. We normally state:

*“don’t enter before or after x time, your entry won’t count, and you may be charged”*

For non Premium Rate interactions:

If you have to use a system which cannot prevent callers being charged before a line opens or after it closes then the on air message should be:

*“do not enter before or after x time or your entry won’t count and you will be charged”*

#### **8.5 Charity fundraising**

**Any proposal to use Premium Rate competitions to raise money for charity must be referred in advance to the Divisional Director and Editorial Policy. Programme Legal Advice must also be consulted if the proposal is approved.**

Some programmes, series and strands within existing shows are specially commissioned as part of the charity fundraising output for BBC Appeals e.g. “Comic Relief does Fame Academy”. In such cases, where the output is directly connected to the charitable appeal and is clearly in the run up to the Charitable Appeal, Premium Rate competitions may be used as a form of donation.

N.B we will not use Premium Rate lines to raise funds for Charitable Appeals in CBBC output.

#### **8.6 Tariffs for Premium Rate charity fundraising**

A range of Premium Rate tariffs may be used to raise monies for charity; the BBC does not specify any one rate. These tariffs yield varying amounts for charity. In selecting the tariff care must be taken to ensure we do not charge our audiences a prohibitive amount, even if the monies are to be used for charity.

Sometimes Premium Rate text (SMS) entry may be used for charity fundraising for a BBC Appeal. **Very** careful consideration is needed to ensure that the use of Premium Rate text (SMS) votes to raise money for charity is editorially justified. It is possible that the charity or programme may wish to attract a specific demographic which would usually use text (SMS) entry for competitions e.g. Radio One, BBC Three.

In all cases ITACU will advise on the appropriate tariff and will ensure the best return possible is achieved for the charitable appeal, whilst delivering a robust technical system. The final decision as to the appropriate tariff will be made in consultation with Editorial Policy.

### **8.7 Non-Premium Rate telephony**

Non-Premium Rate numbers may be available to run a competition. Clear cost information should still be provided on-air. Care should be taken to ensure that the system proposed can support the interactivity. Consult ITACU.

### **8.8 Text (SMS) entries (also refer to 8.2 Audience information above)**

Text entry is very popular among sections of our audience. It will **not** be suitable for all proposals. It is vital that enough time is allowed between the close of the competition and the collation, selection, verification and announcement of the result. Text (SMS) entries are not delivered in real time. There can be a time lag between the viewer or listener sending a text, and the entry being registered, as the data has to go through several stages of processing. This delay can be considerable in some circumstances. **Any competition, in which the audience can text into a live programme, and where the result is to be announced in the same programme, must be referred to ITACU who will consult Editorial Policy.**

Text messages can be charged when the user sends their message to the BBC (MO) or when they are sent a reply from the BBC (MT). Which method is most appropriate will vary from case to case and should be discussed with ITACU well in advance of setting up the competition.

## **9. Contracting Telephony Service Providers**

Telephony service providers may be required to manage competition entry systems. In some cases they will run and aggregate the entries in all media including online. ITACU will advise whether a service provider is needed and put in place appropriate contracts.

For Independent Productions, the contracts and the supplier to be used must be approved by ITACU Legal and Business Affairs well in advance to check that they conform to BBC standards.

## **9.1 Testing Lines**

In all contracts ITACU will ensure that:

- Telephony lines are tested appropriately
- Review meetings are held between the appropriate editorial figure responsible for overseeing the running of the competition, the telephone service provider, ITACU and, on some occasions Editorial Policy, to ensure the system has operated effectively and identify any issues.
- If any issues arise, either during the running of the competition, or if they become apparent after the final data is available, the appropriate editorial figure responsible for overseeing the competition must be informed; they will consult with ITACU and possibly Editorial Policy; further senior consultation may be required; Programme Legal Advice may also need to be consulted.

## **10. Jointly run competitions with third parties**

**Any proposal to run a jointly organised competition must be referred to Editorial Policy.**

The BBC may run competitions in conjunction with suitable third parties, such as arts institutions and professional bodies. Normally we would not run competitions with a commercial organisation. However there may be exceptions for very strong editorial reasons, for example we might join with a publication to run a competition to recognise particular creative skill such as short story writing.

Whether the competition is to be run on or off air, we must ensure that the third party is a suitable partner. If we accept any donated prize, or offer any opportunity, which involves third party funding, it is essential that its acceptance does not call into question the BBC's editorial integrity, objectivity or independence. See also BBC Editorial Guidelines, Section 14 – External Relationships, Public Value Partnerships <http://www.bbc.co.uk/guidelines/editorialguidelines/edguide/externalrel/publicvaluepartnerships.shtml>

The BBC and the third party may jointly fund the competition with the BBC paying a substantial part of the costs. **But no money from the third party should flow into any programme budget or be used to pay for any production or broadcast costs. Referral must be made at an early stage to Chief Adviser.**

### **10.1 Participation in 3<sup>rd</sup> Party Award / Competition**

**If viewers or listeners are being offered the chance to vote for a third party award e.g. a category of *The Brits*, see BBC Detailed Guidance on Mounting**

## and Running an Award:

[www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/awards/](http://www.bbc.co.uk/guidelines/editorialguidelines/advice/interactivity/awards/)

The BBC and the third party may jointly decide how the competition is run and the winner chosen. The third party must not be responsible for choosing the winner.

In some cases third parties may wish to run their own entry route, in addition to the BBC method of entry. For example they may wish people to be able to enter on their own site as well as via [bbc.co.uk](http://bbc.co.uk). This may be possible but needs very careful handling. In most cases we should ensure people enter only via BBC entry route. Should third party insist entry must also be via the third party route – referral must be made to Editorial Policy and ITACU well before any agreements are reached. The BBC must be satisfied that the third party entry mechanism is robust and fits with the terms and conditions. The BBC must make sure there is appropriate supervision of the collation of entries from different entry points to ensure the end result is totally fair, and that all correct entries have an equal chance of being selected.

Usually there will need to be a contract or an agreement to establish clearly how the partnership will work, and how the responsibilities for running and administering the competition will be allocated between the partners. ITACU Legal and Business will advise on all contractual matters.

All communications around the competition will need to have BBC approval e.g. all third party marketing material which refers to the BBC or its programmes or services.

We should not promote any competition which has not been organised by or run in conjunction with the BBC. To that end we must not “brand slap” i.e. simply lend our name to someone else’s competition. The BBC must be editorially involved in the set up and running of the competition and ensure it meets BBC standards.

## **11. Pre-recorded and repeated programmes**

### **11.1 Pre-recorded**

If a competition is run during the course of a programme, (rather than simply promoted at the end of a show) the audience will normally presume that the programme is live. The inclusion of interactivity into a pre-recorded show can cause problems if not handled carefully. **We must never mislead the audience.**

Great care must be taken to ensure that it is appropriate to include a competition in a pre-recorded programme; that the competition mechanism is still valid and robust; and that particular care has been taken over scripting to avoid misleading the audience in any way. It may also be important to add extra explanatory information online with the terms and conditions.

If a programme has been pre-recorded, and a problem has been identified before transmission which renders the result inaccurate, then the programme should not be transmitted without appropriate changes. This may require re-editing. The

appropriate editorial figure responsible for overseeing the competition must be consulted.

## 11.2 Repeated Programmes

If a programme which includes a competition is to be repeated we must never knowingly mislead the audience into thinking they can enter when in fact they cannot. This is **particularly** important if the entry is via telephony. But whatever the entry method, people must not be misled.

In some cases programmes may need to be edited before repeating.

- For television, we must totally obscure entry details if they are on a graphic in the original programme
  - We should also use an announcement or add a graphic to inform viewers the competition is closed
  - Where there are verbal announcements of entry methods it will be necessary to edit or to have a continuous strap running through that section of the programme to inform the audience the competition has closed
  - For radio, appropriate edits must be made
- Under no circumstances should a programme be repeated where it is known that there were errors in the voting or audience information without appropriate changes. This also applies to On Demand services – see below.

## 11.3 On Demand services including BBC iPlayer

Many of the BBC's programmes are now available on a range of On Demand services, in particular the BBC iPlayer. It is important that audiences are informed that the interactivity may have changed or be closed. There are various ways of doing this:

- a short specially commissioned VT at the start of the show which will remind people that interactivity may no longer be open and direct them to the programme website for up to date information
- a strap with audience information
- The programme synopsis, which describes the programme content, must highlight that the programme includes interactivity and direct people to the website for information, where relevant

Productions must ensure they liaise with the On Demand scheduling team, to inform them of programmes which need additional information. It may not be appropriate for some programmes which include interactivity to be included in the On Demand Schedule, if appropriate announcements and audience information cannot be given.

In Radio, for services such as radio iPlayer, programme teams must liaise with the Audio and Music interactive teams to ensure that information in programmes which contain votes or competitions is amended accordingly.

## **12. Publicising BBC competitions**

Suitable third parties, such as BBC Worldwide magazines or other publications or suitable online sites, may be used by the BBC to help publicise our competitions. Magazines may include entry forms; third party websites may link back to a BBC online entry form. However on air we should only give the BBC method of entry.

### **12.1 Off-air marketing competitions**

In addition BBC Publicity or Marketing may sometimes run competitions off air which are either publicised on third party spaces (magazines, websites etc) or run in conjunction with suitable third parties, in order to promote our programmes and services. The principles outlined in this guidance note apply.

## **13. If things go wrong**

Nothing matters more than trust and fair dealing with our audiences. Even with the best planning things may occasionally go wrong and in extreme cases this could result in problems on air. However, even though there may be pressures to keep programmes on the air, we must **never** compromise our editorial integrity.

**Refer up**, as soon as possible if serious problems over the robustness of the competition begin to develop. The appropriate editorial figure responsible for the programme which contains the competition **must** be informed, even if the problems have occurred in another media. For example, the competition may be run on several platforms and the problem may have occurred only online, however the television or radio executive must be made aware of this at the earliest opportunity.

The problems with the competition could have significant consequences for the programme. The appropriate editorial figure will need to decide what action may be needed on-air, whether further advice or further referrals upwards are needed, and what relevant audience information should be given out as soon as possible.

If the competition is online then the relevant Interactive executive must be informed.

**In all cases it is vital that we do not inadvertently encourage people to keep entering when we know the competition may be compromised.**

All measures possible must be taken to try to rectify the problem – where the competition involves telephony or a combined telephony online entry mechanic ITACU must be consulted.

**Do not announce or publish an incorrect result on-air, online or in any other media.**

Instead explain to the audience that there has been a problem and the result will be announced at a later date. **This must be done even if the whole programme/project has been developed or billed around the result of the competition.**

BBC Press and Publicity should usually also be alerted.

The need for transparency is paramount. Audiences will value our openness. Online, we may wish to publish an explanation and an FAQ to give people more information about what has gone wrong and why.

#### **14. Documentation and verification**

##### **Independent verification and adjudication**

In the case of high profile competitions where the prize is of high value or importance and particularly where Premium Rate telephony has been used to decide the outcome, it may be appropriate to ensure that the result is overseen by an independent verifier. ITACU will advise on such matters and contract a verifier in such circumstances.

Appropriate records must be kept by the appropriate editorial figure responsible for overseeing the interactivity and also by service providers to demonstrate competitions have been run fairly, appropriately, in accordance with the BBC Guidelines, the relevant sections of the Ofcom Code and the PhonepayPlus (ICSTIS) Code, and in accordance with the terms and conditions. ITACU will advise what documentation must be kept and will also act as a central repository for the information and data. (itacu@bbc.co.uk)