



## POLICY

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### Community Radio Broadcasting Codes of Practice

#### Purpose

To outline the Valley FM (VFM) 89.5 policy for the station and its members regarding compliance obligations with the Community Broadcasting Association of Australia (CBAA) Community Radio Broadcasting Codes of Practice obligations as required under the VFM's broadcasting licence. Furthermore, the purpose is to ensure that VFM operates according to the following guiding principles within a framework of sound corporate governance.

#### Principles

Community broadcasting plays a vital role in Australia as a unique sector operating together with commercial broadcasters and national broadcasters such as the Australian Broadcasting Corporation (ABC) and the Special Broadcasting Service (SBS).

The community broadcasting sector actively promotes community access and participation and volunteers are largely responsible for the station operations.

Stations vary depending on the audience and community interest they serve. For few example some stations focus on particular geographic areas, Indigenous, ethnic, Radio for the Print Handicapped, religious, gay and lesbian and youth.

The Broadcasting Services Act 1992 stipulates the legal framework for community broadcasting and explains the role the sector plays in delivering diverse media services that reflect a sense of Australian identity, character and cultural diversity.

The Community Radio Codes of Practice (the Codes) set out the guiding principles, policies and operational standards for programming on community broadcasting stations that hold a community broadcasting licence. The Codes do not replace the licence conditions in the Act; they are complementary and the station is legally obliged to follow both the licence conditions and the Codes.

Under Section 123 of the Act, industry groups must develop the Codes in consultation with the Australian Communications and Media Authority (ACMA). The Codes may cover programming requirements, fairness and accuracy in news and current affairs reporting, complaints handling and sponsorship, among other matters.

#### Policy

#### The Codes of Practice

**Code 1: *Our responsibilities in broadcasting to meet our community interest.***

Each community radio station will be controlled and operated by an independent body that represents its community interest. For VFM this is the Board.

VFM will have in place written corporate governance policies and procedures that support management, financial and technical operations to meet all legal requirements.

VFM will have training in place to ensure that everyone is aware of all legal obligations to be able to effectively participate in providing the service.

VFM will have written policies and procedures in place that outline the:

- Principles of financial membership
- Rights and responsibilities of financial members within the organisation
- Rights and responsibilities of the organisation to financial members
- Effectively management of internal conflict, and
- Effective management of complaints from members or volunteers. See Code 7: Complaints for more information.

A register of financial members will also be kept and made available to ACMA on request.

VFM will broadcast at least one on-air announcement each week that contains information about the Codes and where listeners can get a copy. A copy of the announcement is to be made available to ACMA on request.

**Code 2: *Principles of diversity and independence***

Purpose: To make sure that community radio stations have written policies and procedures in place that promote diversity and encourage community participation

VFM will make sure that people in our community who are not adequately served by other media are encouraged and assisted to participate in providing our service. VFM will have in place policies and procedures to support this commitment and will document evidence of our efforts to encourage community participation.

VFM's policies and procedures will include mechanisms to enable active participation by our community in station management, programming and general operations. VFM will have policy documents in place, and that are freely available, that outline the:

- Principles of volunteering,
- Rights and responsibilities of volunteers within the organisation,
- Rights and responsibilities of the organisation to volunteers, whether they are members or not, and grounds and procedures for the dismissal of volunteers.

In all station activities and behaviour VFM will oppose and break down prejudice on the basis of ethnicity, race, language, gender, sexuality, age, physical or mental ability, occupation, religious, cultural or political beliefs.

**Code 3: *General Programming***

VFM will not broadcast material that may:

- Incite, encourage, or present for its own sake, violence or brutality
- Mislead or alarm listeners by simulating news or events

- Present as desirable, the use of illegal drugs, the misuse of tobacco or alcohol as well as other harmful substances, and
- Glamorise, sensationalise or present suicide as a solution to life problems. In particular, broadcast material should not provide explicit details about the method and/or location of a suicide attempt or death.

VFM will attempt to avoid censorship where possible. However, in programming decisions VFM will consider the community interest, context, degree of explicitness, the possibility of alarming the listener, the potential for distress or shock, prevailing Indigenous laws or community standards and the social importance of the broadcast.

VFM will not broadcast material that is likely to stereotype, incite, vilify, or perpetuate hatred against, or attempt to demean any person or group, on the basis of ethnicity, nationality, race, language, gender, sexuality, religion, age, physical or mental ability, occupation, cultural belief or political affiliation. The requirement is not intended to prevent the broadcast of material which is factual, or the expression of genuinely held opinion in a news or current affairs program or in the legitimate context of a humorous, satirical or dramatic work.

VFM will have programming practices that protect children from harmful material but will avoid concealing the real world from them.

VFM will follow applicable privacy laws by:

- Respecting people's legitimate right to protection from unjustified use of material which is obtained without consent or through an invasion of privacy, and
- Only broadcasting the words of an identifiable person where:
  - that person has been told in advance that the words may be broadcast, or
  - it was clearly indicated at the time the recording was made that the material would be broadcast, or
  - in the case of words that have been recorded without the knowledge of a person, that person has indicated his/her agreement prior to broadcast.

News, current affairs (including news updates and promotions), documentaries, feature programs and interviews shall:

- Provide access to views not adequately represented by other broadcasting sectors
- Present factual material accurately and ensure that reasonable efforts are made to correct substantial errors of fact as quickly as possible
- Clearly distinguish factual material from commentary and analysis
- Present news in such a way that it does not create public panic or unnecessary distress to listeners, and
- Represent viewpoints fairly without having a misleading emphasis, editing out of context or withholding relevant and available material.

For further information refer to the VFM Policies on Media Broadcasting Law and Music and Current Affairs.

Community broadcasters play a vital role in broadcasting emergency information. Community radio stations with the ability to offer emergency broadcasts will:

- Have procedures in place to enable appropriate local emergency broadcasts
- Liaise with appropriate emergency and essential service organisations, and
- Ensure the accuracy of emergency information.

**Code 4: Indigenous programming and coverage of Indigenous issues**

The goal is to acknowledge the unique status of Indigenous peoples as the first Australians and to offer a way to demonstrate respect for their cultures and customs. In the Code 'Indigenous Australians' refers to the Aboriginal and Torres Strait Islander peoples of Australia.

VFM will seek to, where possible, involve and take advice from Indigenous Australians in the production of programs focusing on Indigenous Australians and issues and will consult the appropriate Indigenous media organisation broadcaster on appropriate forms of communication.

When reporting on Indigenous peoples and issues, VFM will take care to verify and observe the best way to respect culture and customs by:

- Considering regional differences, that is, be mindful of differences between Indigenous local groups
- Using appropriate words and phrases in referring to Indigenous peoples and their regional groups
- Seeking proper advice on how to best respect Indigenous bereavement customs when reporting on people who are recently deceased, and
- Using suitable words and phrases when reporting on the social and emotional well-being of Indigenous people.

**Code 5: Australian music**

In selecting Australian music for broadcast in each month VFM will consider its community interest.

Of all music programming, VFM will broadcast at least 25 per cent of Australian music. Australian music played is calculated as a percentage of all music played over a calendar month. This does not include music used in sponsorship announcements, programs, or station promotions.

**Code 6: Sponsorship**

VFM will have in place a written sponsorship policy that reflects the licence condition in the Act. This includes broadcasting no more than five minutes of sponsorship announcements in one hour and tagging each announcement to acknowledge the financial and/or in-kind support of the sponsor. Sponsorship is not a factor in deciding who can access broadcasting time.

VFM will make sure editorial decisions affecting the content and style of overall station programming and individual programs are not influenced by program or station sponsors. The general programming guidelines in Code 3 also apply to sponsorship announcements. Also, the Australian Communication and Media Authority (ACMA) published in 2008 Community Broadcasting Sponsorship Guidelines. The guidelines are advisory only and do not replace the requirements of the Act or the Codes. These provide valuable information on:

- What constitutes advertising

- Assessing complaints about advertising
- Payment or other valuable consideration
- Community information material or community promotional material
- Discussions with subject matter experts
- Gig guides, and
- Station promotions.

### **Code 7: Complaints**

VFM acknowledges the rights of listeners, members and volunteers to make written complaints about alleged non-compliance with either the licence conditions in the Act or the requirements outlined in these Codes.

VFM makes every reasonable effort to resolve complaints, except where a complaint is clearly frivolous, without sufficient grounds or not made in good faith. VFM will ensure that:

- Complaints will be received by a responsible person during office hours and receipted in writing. They will be conscientiously considered, investigated if necessary and responded to substantively as soon as possible. They will be responded to, in writing, within 60 days of receipt as required by the Act and the response will include a copy of the Codes
- Complainants are advised in writing that they have the right to refer their complaint about a Code matter to ACMA provided they have first:
  - formally lodged their complaint with the licensee in writing, and
  - received a substantive response from the licensee and are dissatisfied with this response, or have not received a response from the licensee within 60 days after making the complaint. A written complaint or response can be a letter, fax, or email.

A responsible person of the licensee (VFM) will maintain a record of complaints and responses for at least two years from the date of the complaint. The record of complaints and responses will be made available to ACMA on request. Refer to ACMA's How to make a report or complaint at [www.acma.gov.au](http://www.acma.gov.au)

### **Code 8: Codes of Practice review**

To ensure that the Codes continue to reflect changing community standards and remain relevant in the contemporary media environment the community radio sector, as coordinated by the sector organisation representing the majority of licensees, reviews the Community Radio Codes of Practice every three to five years in consultation with other sector organisations. Before any changes are made to the Codes, the sector consults with other sector organisations and ACMA. CBAA strives to seek agreement with the majority of community broadcasting stations and incorporate public feedback before the Codes are provided to ACMA for registration under the Act.

### **Valley FM Compliance Obligations**

The Board is responsible for the development, implementation, operation and review of this policy. Compliance with the policy is also the responsibility of all Board Members and all VFM members especially those who broadcast.

## **Legislation Framework**

Commonwealth. Broadcasting Services Act 1992 available at <https://www.legislation.gov.au/Series/C2004A04401>

## **References**

Australian Communication and Media Authority (ACMA). 2008. *Community Broadcasting Sponsorship Guidelines* available at [ACMA Community Broadcasting Sponsorship Guidelines](#)

Australian Communication and Media Authority (ACMA). (2017). *How to Make a Report or Complaint* available at [ACMA How to make a report or complaint](#)

Community Broadcasting Association of Australia (CBAA). 2008 and 2016. *Community Radio Broadcasting Codes of Practice* available at [CBAA Community Radio Broadcasting Codes of Practice](#)