

COMMUNITY BROADCASTING CODES OF PRACTICE 2008

This Code is incorporated into the Broadcasting Act, and controls our operations. Breaches of the Codes are treated very seriously at the studio and by the regulator, the Australian Media and Communications Authority, to whom breaches may be reported.

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

Purpose: *To make sure that community radio stations operate according to the guiding principles and within a framework of sound corporate governance*

1.1 Each community radio station will be controlled and operated by an independent body that represents its community interest.

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

1.3 We will have training in place to ensure that everyone is aware of his or her legal obligations and is able to effectively participate in providing the service..

1.4 We will have written policy documents in place that outline:

(a) the principles of financial membership,

(b) the rights and responsibilities of financial members within the organisation, and

(c) the rights and responsibilities of the organisation to financial members.

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

1.5 We will have written policies and procedures in place to effectively deal with internal conflict.

1.6 We will have policies and procedures in place to handle complaints from our members and volunteers.

See *Code 7: Complaints* for more information.

1.7 We 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*

2.1 Our station 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. We will have in place policies and procedures to support this commitment. We will document evidence of our efforts to encourage community participation.

2.2 Our policies and procedures will include mechanisms to enable active participation by our community in station management, programming and general operations.

2.3 We will have policy documents in place that outline:

(a) the principles of volunteering,

(b) the rights and responsibilities of volunteers within the organisation,

(c) the rights and responsibilities of the organisation to volunteers, whether they are members or not, and

(d) grounds and procedures for the dismissal of volunteers.

2.4 All policy documents will be freely available.

2.5 In all station activities and our behaviour we 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

Purpose: *To encourage programming that reflects our community interest and guiding principles*

3.1 Our community radio station will not broadcast material that may:

- (a) incite, encourage, or present for its own sake violence or brutality,
- (b) mislead or alarm listeners by simulating news or events,
- (c) present as desirable the use of illegal drugs, the misuse of tobacco or alcohol as well as other harmful substances, and
- (d) 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.

3.2 We will attempt to avoid censorship where possible. However, in our programming decisions we will consider our 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.

3.3 We 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.

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

3.5 We will follow applicable privacy laws by:

- (a) respecting people's legitimate right to protection from unjustified use of material which is obtained without consent or through an invasion of privacy,
- (b) only broadcasting the words of an identifiable person where:
 - (i) that person has been told in advance that the words may be broadcast, or
 - (ii) it was clearly indicated at the time the recording was made that the material would be broadcast, or
 - (iii) 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.

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

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

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

- (a) have procedures in place to enable appropriate local emergency broadcasts,
- (b) liaise with appropriate emergency and essential service organisations, and
- (c) ensure the accuracy of emergency information.

CODE 4 Indigenous programming and coverage of Indigenous issues

Purpose: *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*

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

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

- (a) considering regional differences, that is, be mindful of differences between Indigenous local groups,
- (b) using appropriate words and phrases in referring to Indigenous peoples and their regional groups,
- (c) seeking proper advice on how to best respect Indigenous bereavement customs when reporting on people who are recently deceased, and
- (d) using suitable words and phrases when reporting on the social and emotional well-being of Indigenous people.

CODE 5 Australian music

Purpose: *To reflect the commitment of community radio stations to develop Australian music and provide opportunities for performers to have their work regularly broadcast*

5.1 In selecting Australian music for broadcast in each month we will consider our community interest.

5.2 **Of all music programming, we will broadcast at least:**

- (a) 25 per cent of Australian music, except for ethnic and classical music stations, and
- (b) 10 per cent of Australian music for ethnic and classical music stations.

Australian music played is calculated as a percentage of all music played over a calendar month.

5.3 The requirements above do not include music used in sponsorship announcements, programs, or station promotions. To reflect the commitment of community radio stations to develop Australian music and provide opportunities for performers to have their work regularly broadcast

CODE 6: Sponsorship

Purpose: *To complement the licence condition in the Act relating to sponsorship announcements.*

6.1 We will have in place a written sponsorship policy that reflects the licence condition in *the Act*.

This includes:

- (a) broadcasting no more than five minutes of sponsorship announcements in one hour, and
- (b) tagging each announcement to acknowledge the financial and/or in-kind support of the sponsor.

6.2 Sponsorship will not be a factor in deciding who can access broadcasting time.

6.3 We will ensure editorial decisions affecting the content and style of individual programs are not influenced by program or station sponsors.

6.4 We will ensure that editorial decisions affecting the content and style of overall station programming are not influenced by program or station sponsors.

6.5 The general programming guidelines in Code 3 also apply to sponsorship announcements.

CODE 7: Complaints

Purpose: *To outline our legal requirements relating to complaint handling.*

7.1 We acknowledge the rights of our listeners, members and volunteers to make complaints in writing about alleged non-compliance with both the licence conditions in *the Act* and the requirements outlined in the Codes.

7.2 We will make every reasonable effort to resolve complaints, except where a complaint is clearly frivolous, without sufficient grounds or not made in good faith.

7.3 We will ensure that:

- (a) complaints will be received by a responsible person in normal office hours and receipt is acknowledged in writing,
- (b) complaints will be conscientiously considered, investigated if necessary, and responded to substantively as soon as possible,
- (c) complaints 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, and
- (d) complainants are advised in writing that they have the right to refer their complaint about a Code matter to ACMA provided they have first:
 - (i) formally lodged their complaint with the licensee in writing, and
 - (ii) 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.

7.4 A responsible person of the licensee 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.

CODE 8: Codes of Practice review

Purpose: *To ensure that the Codes continue to reflect changing community standards and remain relevant in the contemporary media environment.*

8.1 The community radio sector, as coordinated by the sector organisation representing the majority of licensees, will review the Community Radio Codes of Practice every three to five years in consultation with other sector organisations.

8.2 Before any changes are made to the Codes, the sector, as represented by the sector organisation representing the majority of licensees, will consult with other sector organisations and ACMA. The organisation will strive to seek agreement with the majority of community broadcasting stations and