

## Soar Sound Editorial Standards Policy

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## 1 Document Information

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**Author:** Rob Watson (Organisation Development Director of Soar Sound)

**Soar Sound’s Safeguarding Officer:**

**Policy Validity Statement:** Policy users should ensure that they are consulting the currently valid version of the documentation. This document will be reviewed one year from its issue date.

**Approval:** The policy will remain valid, including during its period of review. However, the policy must be reviewed next year and afterwards at least once in every three-year period.

## **2 Introduction**

This policy sets out how Soar Sound will fulfil its statutory duties and responsibilities effectively, both within its own organisation, and for the affiliated groups and members that help with Soar Sound's not-for-profit vision and public purpose objectives.

### **2.1 Vision**

Soar Sound seeks to provide broadcast radio and other online and legacy media services that are not for private gain, with any surplus or assets used principally for the benefit of the community.

### **2.2 Objects**

The objects of the Company are to carry on activities which benefit the community and in particular (without limitation) to carry out radio broadcast and media production services that will benefit communities resident in Leicester and Leicestershire, and in particular, and without limitation, with a focus on public education, wellbeing, mental health, economic development and employment.

Soar Sound supports all services, projects and activities that meet our not-for-profit objectives, as above, through offering publicity in our Soar Sound radio service and other media services.

### **3 Purpose of the Policy**

As a community-focussed radio station and website, Soar Sound’s approach to sourcing, gathering, editing, and sharing stories will be determined by a clear code of practice that is co-written by the participants, the project advisors and partners. Transparency and accountability are essential principles in building trust for local and alternative forms of media, and while much of this can be achieved through trusted relationships, it is essential that Soar Sound apply appropriate standards and processes if members of the public have a complaint or problem with the content that is produced and shared.

#### **3.1 Applying the IMPRESS Independent Standards Code**

Impress aims to build trust in journalism by providing journalists and publishers with a programme of protection and support for a code of practice that enables independent news and media organisations to speak with confidence and security. The IMPRESS code also provides the public with the reassurance that they can rely on the news and information sources that inform them, entertain them and represent their interests. <https://impress.press/regulation/>

IMPRESS is a voluntary scheme for independent publishers to subscribe. The ‘code’ requires publishers to uphold and adhere to the IMPRESS Standards Code and use it in their assessment of complaints in respect of all material first published and acts occurring from 21stFebruary 2021 IMPRESS requires publishers to use the Editors’ Code in their assessment of complaints in respect of material first published and acts occurring before 21stFebruary 2021. Publishers may include additional requirements in their own editorial guidelines; however, IMPRESS will only accept complaints that engage the Code.

Publishers are required under the IMPRESS code to maintain adequate and speedy in-house complaints procedures in relation to editorial standards that are:

- Convenient and easy to use (in particular for those that are vulnerable or have disabilities).
- Transparent, clear, well publicised, free, and allow complaints to be made by any reasonable means.

- Prompt and fair, with decisions based on sufficient investigation of the circumstances, and (where appropriate) offer a suitable remedy.

Publishers are also required to provide a written or emailed acknowledgement of complaints within seven calendar days of having received a complaint. Within twenty-one calendar days of receipt of the complaint, and they must tell complainants in the final decision letter that they have the right to refer their complaint to IMPRESS, stating the applicable time limits and how to contact IMPRESS.

## **3.2 IMPRESS General Principles**

### **3.2.1 Accuracy**

- Publishers must take all reasonable steps to ensure accuracy.
- Publishers must correct any significant inaccuracy with due prominence, which should normally be equal prominence, at the earliest opportunity.
- Publishers must always distinguish clearly between statements of fact, conjecture and opinion.
- Whilst free to be partisan, publishers must not misrepresent or distort the facts.
- The Soar Sound is neutral in party political matters. It takes an objective approach to issues of public controversy.

### **3.2.2 Attribution and Plagiarism**

- Publishers must take all reasonable steps to identify and credit the originator of any third-party content.
- Publishers must correct any failure to credit the originator of any third-party content with due prominence at the earliest opportunity.

### **3.2.3 Children**

- Except where there is an exceptional public interest, publishers must only interview, photograph, or otherwise record or publish the words, actions or images of a child under the age of 16 years with the consent of the child or a responsible adult and where this is not detrimental to the safety and wellbeing of the child. While a child should

- have every opportunity to express his or her wishes, journalists have a responsibility to consider carefully the age and capacity of the child to consent. Unless there is a detriment to the safety and wellbeing of a child, this provision does not apply to images of general scenes.
- Except where there is an exceptional public interest, publishers must not identify a child under the age of sixteen years without the consent of the child or a responsible adult unless this is relevant to the story and not detrimental to the safety and wellbeing of the child.
- Publishers must give reasonable consideration to the request of a person, who, when under the age of 16 years, was identified in their publication and now wishes the online version of the relevant article(s) to be anonymised.

#### **3.2.4 Discrimination**

- Publishers must not make prejudicial or pejorative reference to a person on the basis of that person's age, disability, mental health, gender reassignment or identity, marital or civil partnership status, pregnancy, race, religion, sex or sexual orientation or another characteristic that makes that person vulnerable to discrimination.
- Publishers must not refer to a person's disability, mental health, gender reassignment or identity, pregnancy, race, religion or sexual orientation unless this characteristic is relevant to the story.
- Publishers must not incite hatred against any group on the basis of that group's age, disability, mental health, gender reassignment or identity, marital or civil partnership status, pregnancy, race, religion, sex or sexual orientation or another characteristic that makes that group vulnerable to discrimination.

#### **3.2.5 Harassment**

- Publishers must ensure that journalists do not engage in intimidation.
- Except where justified by the public interest, publishers must ensure that journalists:
- Do not engage in deception.
- Always identify themselves as journalists and provide the name of their publication when making contact; and
- Comply immediately with any reasonable request to desist from contacting, following or photographing a person.

### **3.2.6 Justice**

Publishers must not significantly impede or obstruct any criminal investigations or prejudice any criminal proceedings.

Publishers must not directly or indirectly identify persons under the age of 18 who are or have been involved in criminal or family proceedings, except as permitted by law.

Publishers must preserve the anonymity of victims of sexual offences, except as permitted by law or with the express consent of the person.

Publishers must not make payments, or offer to make payments, to witnesses or defendants in criminal proceedings, except as permitted by law.

### **3.2.7 Dealing Fairly and Consent**

Where a person is invited to make a contribution (except when the subject matter is trivial or their participation minor) they should normally, at an appropriate stage:

- Be told the nature and purpose of the article, why they were asked to contribute and when (if known) and where it is likely to be first published.
- Be told what kind of contribution they are expected to make.
- Be made aware of any significant changes to the publication as it develops which might reasonably affect their original consent to participate, and which might cause material unfairness.
- Be given clear information, about whether the article will be published on-line or in the magazine and if necessary, informed about potential risks arising from their participation, which may affect their welfare (insofar as these can be reasonably anticipated at the time) and any steps the publisher intends to take to mitigate these.
- It may be fair to withhold all or some of this information where it is justified in the public interest or under other provisions of this section of the Code.

If a contributor is under sixteen, consent should normally be obtained from a parent or guardian, or other person of eighteen or over in loco parentis. In particular, persons under sixteen should not be asked for views on matters likely to be beyond their capacity to answer properly without such consent.



In the case of persons over sixteen who are not in a position to give consent, a person of eighteen or over with primary responsibility for their care should normally give it on their behalf. In particular, persons not in a position to give consent should not be asked for views on matters likely to be beyond their capacity to answer properly without such consent.

When an article is edited, contributions should be represented fairly.

Guarantees given to contributors, for example relating to the content of an article, confidentiality or anonymity, should normally be honoured.

Publishers should ensure that the re-use of material, i.e. use of material originally written for one purpose and then used for another purpose or used in a later or different publication, does not create unfairness. This applies both to material obtained from others and the publisher's own material.

### **3.2.8 Privacy**

Except where justified by the public interest, publishers must respect people's reasonable expectation of privacy. Such an expectation may be determined by factors that include, but are not limited to the following:

- The nature of the information concerned, such as whether it relates to intimate, family, health or medical matters or personal finances.
- The nature of the place concerned, such as a home, school or hospital.
- How the information concerned was held or communicated, such as in private correspondence or a personal diary.
- The relevant attributions of the person, such as their age, occupation or public profile; and
- Whether the person had voluntarily courted publicity on a relevant aspect
- Except where justified by the public interest, publishers must:
  - Not use covert means to gain or record information.
  - Respect privacy settings when reporting on social media content; and
  - Take all reasonable steps not to exacerbate grief or distress through intrusive newsgathering or reporting.

### **3.2.9 Sources**

Publishers must protect the anonymity of sources where confidentiality has been agreed and not waived by the source, except where the source has been manifestly dishonest.

Publishers must take reasonable steps to ensure that journalists do not fabricate sources.

Except where justified by an exceptional public interest, publishers must not pay public officials for information.

### **3.2.10 Suicide**

When reporting on suicide or self-harm, publishers must not provide excessive details of the method used or speculate on the motives.

### **3.2.11 Transparency**

- Publishers must clearly identify content that appears to be editorial but has been paid for, financially or through a reciprocal arrangement, by a third party.
- Publishers must ensure that significant conflicts of interest are disclosed.
- Publishers must ensure that information about financial products is objectively presented and that any interests or conflicts of interest are effectively disclosed.
- Publishers must correct any failure to disclose significant conflicts of interest with due prominence at the earliest opportunity.

### **3.2.12 Steps to becoming an IMPRESS Regulated Publisher**

To be regulated by IMPRESS, publishers need to comply with the requirements of our Regulatory Scheme. IMPRESS regulated publishers need a complaints policy that includes whistleblowing provisions. A complaints policy should require complaints to be assessed against the IMPRESS Standards Code, to be acknowledged within seven days, and a final decision letter to be sent within twenty-one days. Recent editions or URLs of the publications must be made available to check that the member is a 'relevant' publisher as defined by the Crime and Courts Act 2013, and that a Statement of Arrangements Questionnaire has been completed for each title published.

## **4 Media Law**

The IMPRESS standards code should be considered in addition to other legal codes, such as slander and libel in the courts, the Official Secrets Act, and emergency regulations in a time of crisis. (The broadcasting code has specific sections relating to specific topics.)

### **4.1 The Law – Libel**

If anyone writes anything that is published in the magazine or on-line which defames an individual or organisation, the Soar Sound could be sued for libel. A successful lawsuit could stop all publications overnight. A statement is considered defamatory if it ‘unfairly damages reputation by exposing a person to hatred, contempt, shame or ridicule or makes a person likely to be avoided or shunned’. The legal benchmark is whether a ‘reasonable person’ or right-thinking member of society’ would consider the victim less favourably as a result of the comment.

There are many misconceptions about libel.

Libel does not prevent a broadcaster from reporting facts about an individual or organisation, providing they can prove them to be true (and the burden of proof lies with the accused).

A comment is no less libellous just because it has already been made elsewhere. If a newspaper makes defamatory comments and this is printed elsewhere, i.e. the Soar Sound magazine, the Soar Sound can be held to account – whether or not the newspaper is also sued.

A comment can still be libellous even if it is reported as a rumour – or even if it is

reported as being untrue. So, the comment in say the letters page “People are saying that Joe Blogs, the window cleaner, has been washing windows with dirty rainwater, but we know for a fact he fills his bucket from the tap’ could still be held to be libellous as it is repeating a defamatory comment.

The word ‘allegedly’ is no defence. In fact, the opposite is true, a court may well consider it proof that the publisher was aware that the comment may be unjustified.

A statement can be libellous even if the victim has the immediate right to reply and deny.

Specific (and true) statements are not libellous, but generalising from them can be. If in the letters page it says: 'Joe Blogs washed my windows with dirty rainwater on (date given) that would not be libellous (if true). If a further letter said "Yeah, he's always doing that", this is a libel if Joe Bloggs can demonstrate that at least sometimes he uses clean water.

You can libel someone without naming them. If it says, 'we hear a certain local tradesman has been filling his bucket with rainwater again, if you see someone armed with a ladder and bucket in the High Street area, watch he doesn't splash your shoes.' If Joe Blogs can convince a court that a reasonable person would take this to be referring to him, he can successfully sue.

Context is everything. A joke is much less likely to be considered libellous than a report on a news broadcast. However, this is unreliable – if a court judges the reader may not have realised it was meant to be funny, the libel could still stand. Context also applies to the article or article part – the court will not take a statement out of context if the whole of the rest of the item would have undermined a reasonable person's belief in the contentious statement.

The defence against a libel claim can take three forms:

'We were justified in writing this because it was true in substance and fact.' – If the substance is sufficiently true, a court may overlook minor details of fact.

Fair comment. If the contested remarks are statements of opinion rather than fact, it's an acceptable defence to say that the comment was based on fact and made in good faith, without malice and on a matter of public concern.

A complex legal defence based on public interest, which normally only applies to the reporting of parliament, court activities, public inquiries etc. In common law it is based on the principle that a person may have a moral, legal or social duty to inform others about a third party. Defences of privilege rarely succeed in court.

British libel law is so complex and nuanced that not even specialist lawyers can always be sure which way a court would decide. The consequences of a libel can be so severe that the only sensible approach is to play safe at all times. Drum the following motto into your journalist's heads:

- If in doubt, leave it out.
- Engage brain first.

A final fact may serve to strike the fear of court into the most radical amateur - the person committing the libel can be sued in the same sitting as the publisher.

## **4.2 Contempt of Court**

Most people are broadly aware of the libel laws, even if they are vague or confused about the legal details. Contempt of court on the other hand is easily forgotten about, even by experienced writers. This is rather frightening, as contempt is a criminal, not civil offence and you can not only be heavily fined for it, but you can also be sent to jail.

In general terms, contempt of court law is there to ensure that the media do not prejudice fair trials. Most obviously, this refers to court reporting – what journalists write about the day’s events at a trial. Court reporting is a specialised journalistic skill that should not normally be undertaken by a volunteer journalist without extensive professional training. But contempt of court can be committed by any journalist at any time between a person being charged with an offence and the end of a trial. It happens whenever someone passes judgement on a current court case or gives information which may prejudice jurors – for example revealing the defendant’s previous convictions.

Presenters can easily forget that the type of comments made daily in every pub and bus queue in the land can land a reporter into deep trouble.

As with libel, the only safe approach is extreme caution. It is a good idea to forbid outright your journalists from discussion of any on-going court cases in process or pending.

## 5 Soar Sound Complaints Policy

Soar Sound CIC publishes Soar Sound as a radio station with an accompanying website and social media platforms. We view complaints as an opportunity to learn and improve the quality of our journalism and the contents of our publication(s) for the future, as well as a chance to put things right for the person (or organisation) that has made the complaint.

Our policy is:

- To provide a fair complaints procedure that is clear, convenient and easy to use for anyone wishing to make a complaint (in particular those that are vulnerable or who have disabilities).
- To uphold and adhere to the Standards Code (“Code”) <https://impress.press/standards/set> out in the IMPRESS Regulatory Scheme in our assessment of all complaints.
- To publicise the existence of our complaints procedure so that readers know how to contact us to make a complaint.
- To make sure everyone working for us knows what to do if a complaint is received.
- To make sure all complaints are dealt with promptly and fairly, with decisions based on sufficient investigation of the circumstances and (where appropriate) offer a suitable remedy.
- To make sure that complaints are, wherever possible, resolved and that trust in our journalism and our publication(s) remains strong.
- To gather information about all the complaints we receive to help continually improve the quality of our journalism and our publication(s).
- To submit an annual report to IMPRESS of all complaints received and their outcomes.
- To submit any complaint that is not resolved by us in a timely or satisfactory way to IMPRESS and to comply with directions issued by IMPRESS relating to its Regulatory Scheme.
- To make available to all our employees a confidential whistleblowing hotline which is independently operated by IMPRESS and not to take any action to the detriment of anyone who uses the hotline or declines to breach the Code.

## **5.1 Definition of a Complaint**

A complaint is any expression of dissatisfaction, whether justified or not, about the editorial content, standards of journalism or conduct of employees or contributors involved in production of our publication(s) that engages the standards set out in the Code.

## **5.2 Who Can Complain and How?**

Complaints may come from any person or organisation who is:

- Personally and directly affected by an alleged breach of the Code.
- A representative group affected by an alleged breach of the Code, where there is public interest in the complaint.
- A third party seeking to ensure accuracy of published information.

A complaint should be received by email or in writing, although complaints are accepted by other reasonable means where it is not convenient or practical for the individual complainant to complain in writing.

A complaint should be clearly marked as such. General enquiries and requests for corrections will not normally be dealt with as a complaint under this policy unless the complainant makes it clear that they wish to make a complaint.

## **5.3 Whistleblowing Rights of Employees and Contributors**

Employees or contributors are encouraged to contact the IMPRESS confidential whistleblowing hotline (“the Hotline”) if they are being pressurised to breach the standards set out in the Code or if they have concerns that the standards set out in the Code are not being adhered to more generally by Us.

We will publicise the contact details of the Hotline to all our employees and contributors.

Any employee or contributor who uses the Hotline does so with Our full support and in the knowledge that they will not be sanctioned as a result of doing so.

We guarantee to protect all whistle-blowers from possible reprisals, victimisation or sanction if a disclosure has been made in good faith even if a subsequent independent investigation carried out

by IMPRESS into our journalism finds there to be no breach of the Code or of the IMPRESS Regulatory Scheme. For the avoidance of doubt, We will not take any action to the detriment of anyone who uses the IMPRESS whistleblowing hotline or declines to breach the Standards Code adopted by Us as part of our compliance with the IMPRESS Regulatory Scheme.

#### **5.4 Confidentiality**

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

#### **5.5 Compliance Records**

In respect of each title, we will maintain a written record of all complaints, to include the name and contact details of the complainant, the material or conduct in respect of which the complaint is made and the alleged Code breach. For each complaint record, We will include any steps taken by Us to address the complaint, and the outcome of the complaint. This record will be made available to IMPRESS and to the public (in a redacted form, where necessary), for publication by IMPRESS in its annual report. We will report to IMPRESS all compliance failures of which We become aware (whether complained about or not). Monitoring and learning from complaints are reviewed quarterly by Soar Sound to identify any trends which may indicate a need to take further action.

#### **5.6 Responsibility**

Overall responsibility for this policy and its implementation lies with our board of Directors. Responsibility for ensuring that complaints are managed in accordance with this policy lies with a nominated senior legal and compliance standards individual for each title. Each title shall include a statement of arrangements which includes details of the internal authority structure, where responsibilities for Code compliance lie, to whom notice of failure in compliance would be reported (whether complained about or not), together with steps to deal with any failures in compliance.

#### **5.7 Procedure**

##### **5.7.1 Stage One: Making a Complaint**

Information on how to make a complaint is clearly publicised on our website.



Complaints may be sent in writing in the first instance to the Compliance Officer at Maxxwave House, Hill Lane Close, Markfield, England, LE67 9PY. E-mail: [sam@leicester.fm](mailto:sam@leicester.fm) and telephone on 07824364541.

Complainants should provide the following information before their complaint will be considered:

- The complainant's name, address, e-mail address and telephone number

If the complaint is about a news article it must include:

- The name and date of the publication and page reference of the specific article being complained about, plus the URL.
- URL/Link to any visual or audio element of the complaint.
- a written account of what is being complained about with clear.
- Reference made to (i) any specific words or phrases in the article that are relevant to the complaint, and (ii) any clauses of the Standards Code adopted by IMPRESS (“Code”) that the complainant believes to have been breached.
- The desired outcome or remedy sought by the complainant.

If the complaint is about the conduct or behaviour of an employee or contributor, it must include:

- The name(s) of the individual(s) being complained about (if known) or any other information which may identify the individual (s)
- A written account of what is being complained about with clear.
- Reference made to (i) the nature of the behaviour or conduct being complained about including any relevant times, dates, correspondence or other evidence to support the complaint; and (ii) any clauses of the Code that the complainant believes to have been breached.
- The desired outcome or remedy sought by the complainant.

We will make reasonable efforts to contact a complainant by telephone, e-mail or in writing to ensure that sufficient information is provided to respond to the complaint.

### **5.7.2 Stage Two – Recording, Investigating and Resolving the Complaint**

The complaint information should be passed to the person we have nominated as being responsible for legal standards and compliance. This is the Chair of Soar Sound. They will record it in the complaints log and will acknowledge receipt of the complaint by e-mail or in writing within seven calendar days of receipt of the complaint.

The acknowledgement of receipt of a complaint should say who is dealing with the complaint and when the person complaining can expect a reply. Any conflicts of interest should also be declared at this point. A copy of this complaints policy should be attached.

The designated safeguard lead is responsible for ensuring that the circumstances of the complaint are investigated fairly and that any conflicts of interest are managed. This may require the complainant to provide additional information, documents or other evidence to support their complaint.

Complainants should receive a final decision letter within 21 calendar days from the date of the receipt of the complaint. The final decision letter will inform complainants that they have the right to refer their complaint to an independent journalist nominated by the board of Directors and if not satisfied the complainant may contact IMPRESS. The charity's legal standards complaints officer should inform the complainant of the applicable time limits, set out in clause 4.4 of the IMPRESS Regulatory Scheme, and how to contact IMPRESS.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

### **5.7.3 Stage Three – Escalating the Complaint to IMPRESS**

If the complainant feels that the problem has not been satisfactorily resolved by Us at Stage Two or if the complainant feels that there are justifiable reasons why the complaint is so urgent that they cannot wait for Us to respond, they can request that the complaint is reviewed by IMPRESS in accordance with its Regulatory Scheme, by contacting IMPRESS using the following details.



## **6 Monitoring and Review**

Soar Sound will monitor and evaluate the information that is appropriately collected in relation to the editorial practices of the Soar Sound and other associated media activities, and will make periodic reports to the Director Board, making recommendations for improvements and changes to the Soar Sound's activities and communications.

Signed: Rob Watson

Position: Organisation Development Director

Date: 9<sup>th</sup> March 2024

Review Date: 5<sup>th</sup> March 2025

Soar Sound