

MINUTES of the BOARD MEETING
Held on Thursday 26 November 2015 at 2.00 p.m.
Gate House, 1 Farringdon Street, London EC4M 7LG

Present: Sir Alan Moses (Chairman)
Kevin Hand
Rick Hill
Trevor Kavanagh
Anne Lapping
Martyn Lewis
Charles McGhee
Mehmuda Mian
Keith Perch
Richard Reed
Ruth Sawtell
Charlie Wilson

Attending: Elizabeth Bardin - Governance Manager and Minute-taker
Charlotte Dewar - Director of Operations
Niall Duffy – Director of External Affairs
Ben Gallop – Senior Complaints Officer
Alistair Henwood – Legal and Policy Analyst – **for item 10**
Bianca Strohmann – Senior Complaints Officer
Matt Tee, Chief Executive
Charlotte Urwin – Head of Standards

Observing: Gill Hudson – Complaints Committee member

1. Apologies and Welcome

No apologies for absence were received. The Chairman welcomed two new Directors to IPSO's Board, Trevor Kavanagh and Ruth Sawtell.

2. Declarations of Interest

As a complaint against The Sun was to be discussed as part of item 10, Trevor Kavanagh would absent himself from the meeting at that stage.

3. Minutes of the Previous Meeting

The minutes of the previous meeting held on 30 September 2015 were approved as a true and accurate record.

4. Matters Arising

The meeting noted that all the actions agreed at the previous Board meeting had either been completed or were to be discussed at this meeting.

5. Chairman's Report

The Chairman advised the Board that although he had been absent on judicial business for a period, he had been in regular contact with the office and had been informed about and had discussed all current matters.

He reported that before his departure both he and the Chief Executive had paid a visit to the Secretary of State for Culture, Media and Sport and his special advisers. The Chairman informed the Board that he was looking forward to a meeting with Jonathan Heawood and Walter Merricks, of IMPRESS, soon.

The Chairman further informed the Board that the Regulatory Funding Company (RFC) was now committed to the agreement of IPSO's proposals for all the changes of Regulations he regarded as necessary to make its functions effective; this was seen as very positive news.

He stated that the recent Autumn Gathering event which was attended by all Board and Complaints Committee members had highlighted the need for IPSO to publicise more powerfully its progress and achievements, and that it was important that this message be effectively delivered at the start of next year.

He also expressed his appreciation to Board member Rick Hill for his efforts in arranging recent visits for himself and the Chief Executive to the press in Northern Ireland. He said that on his visit he observed great interest and enthusiasm on the part of the Northern Ireland press, who said that they had never before been visited by a press regulatory body.

He noted the enormous amount of time spent by the Chief Executive on media visits, which contributed to greater interest by media journalists in the work of IPSO.

The Chairman concluded his report with an expression of appreciation at the calibre of the Appointments Panel, whose members provided great coherence and cogency to the process.

6. Chief Executive's Report

The Chief Executive informed the Board that the Director of Operations would be on extended leave from March 2016. Her responsibilities in her absence would be divided: The two Senior Complaints Officers, Ben Gallop and Bianca

Strohmann, would act up as joint Head of Complaints, while the Standards function and Arbitration would report to him.

He reported that the RFC had met in the previous week and reiterated the Chairman's comment that the outlook was very positive. All the requested changes will go out to the members with what was seen as an enthusiastic endorsement. The budget for the next four years had been signed off.

Agreement had also been reached on the changes to the Editors' Code as recommended by the Editors' Code of Practice Committee. It was expected that the new Code would come into effect from 1 January 2016, and that agreed changes would be announced as a package in early January. He reminded the Board that any changes to the Editors' Code had to be approved by both the IPSO Board and the RFC.

He further informed the Board that there would be a rebuttal of recent allegations by Hacked Off.

He concluded his report with his acknowledgement and thanks to Board member Rick Hill for his facilitation of visits by himself and the Chairman to the press in Northern Ireland.

7. Director of Operations' Report

The Director of Operations noted that Operations matters were covered in detail in separate agenda items but updated the Board on one recent development, which related to the progress of work on editorial guidance. She informed the Board that the first formal editorial guidance to be issued by IPSO would relate to the reporting of matters relating to the transgender community, and that the Executive would be consulting with relevant groups and editors as part of the process of preparing this guidance. In particular, she was at the early stages of planning an event, to take place after Christmas, at which these issues would be discussed further.

8. Director of External Affairs' Report

The Director of External Affairs verbally updated the Board with a summary of the findings of the recently-commissioned poll and focus group work with members of the public.

He confirmed that a rebuttal to the Hacked Off allegations, which he said were based on misconceptions, would be posted on the IPSO website. He reported that the first of IPSO's e-mail newsletter updates will be circulated to its 4,000-strong database and would include case studies of recent rulings, as well as updates on IPSO's work.

He also reported that a wallet-sized version of the new Editors' Code was being produced and jointly branded by IPSO and the Society of Editors, with an initial print run of 40,000 for journalists. It will also include details of the IPSO whistle-blowers' hotline and websites.

The Directors of Operations emphasised the importance of IPSO projecting itself outwards and pointed out that the letter which requested the annual statement specified that the press could contact IPSO. The importance of the strategic need for engagement and consumer awareness was agreed in order to ultimately reinforce the fact of IPSO's usefulness as a regulator.

In relation to Public Affairs work, he informed the Board that meetings with senior cross-party stakeholders were continuing and that this would be extended in the new year to include the Scottish, Northern Irish and Welsh administrations.

In discussion, he confirmed that the upcoming seminars would be held with a variety of stakeholders, including journalists, promoting IPSO as a resource for all.

9. IPSO Strategic Plan 2016-2020 and Annual Business Plan 2016

The Chief Executive presented the paper, saying that it drew of the outcome of the Autumn Gathering of the Board and Complaints Committee and the progress that had been made in 2015, when almost all the objectives in the business plan had been achieved.

In presenting the business plan for 2016, the Chief Executive indicated that many of the objectives in the 2015 plan had been about setting things up. The objectives in 2016 were intended to be more in the form of targets that could be measured numerically.

In discussion the Board asked for elements of the strategic plan and business plan that related to the work IPSO does for the public and its role in protecting people to be strengthened. The Board also indicated that it would like a version of the plan to be made public.

The Board agreed the IPSO Strategic Plan 2016-2020 and Annual Business Plan 2016, subject to the requested changes.

Alistair Henwood joined the meeting for the following item.

10. Arbitration Pilot Update

The Legal and Policy Analyst expanded on his paper and commented that arbitration was much more difficult than people were prepared to acknowledge.

A set of rules was being prepared in discussion with interested parties. He explained that these Rules were for a pilot and not a fully-fledged scheme, and referred the Board to the guidance note and flowchart in his paper which showed the current proposals for the structure of the pilot.

The Chief Executive said that it was expected that a full set of rules would be available for the January Board meeting.

The Legal and Policy Analyst reported that local and regional titles appeared to feel that arbitration did not work for them as they very rarely had cases where the settlement was likely to be above the cost of arbitration. Despite this, it was hoped that all industry sectors would eventually become involved.

The question of results of arbitration being legally binding was raised and was answered in the affirmative, as the system would be designed with appropriate regard to the requirements of the Arbitration Act 1996.

In discussion, the Board noted the excellent work that had been done on getting the pilot ready. It would be important to evaluate the pilot fully before considering whether to move to a permanent scheme.

The Chief Executive proposed that he and the Legal and Policy Analyst would return to a future Board meeting with a fully worked up scheme and an indication of which publishers were likely to join, in order that the Board could decide formally whether to launch a pilot scheme. The Board approved this.

Alistair Henwood left the meeting

11. Regulation Changes Update

The Director of Operations summarised the essence of the changes.

The Chairman acknowledged the resilience shown by the Chief Executive, the Director of Operations and a Senior Complaints Officer in generating the changes in the regulations, a necessary and valuable task, the results of which would show that IPSO can be effective as a regulator.

11.1 **Editors' Code of Practice**

The Chief Executive referred to the paper and asked the Board to ratify the proposed changes to the Editors' Code as detailed in the paper. He advised that a further consultation would take place in 2016. **The Board agreed to ratify changes as proposed.**

12. Complaints Update and Policy Issues

12.1 Complaints Review Implementation Proposals

The Director of Operations outlined the proposed prioritisation and implementation of the accepted recommendations of the Complaints Review, including a timeline and scheme for reports to the Board on progress. **The Board approved the proposals.**

12.2 Revised Complaints Procedure

The Director of Operations informed the Board that all outstanding tasks relating to this area which it been had agreed to undertake had been completed. She advised that guidelines would be produced as an aid for the Complaints Committee.

The Board approved the revised procedure and agreed that the material published by IPSO on its website and elsewhere in relation to the complaints function should now be reviewed to ensure that it was complete and up to date.

12.3 Complaints Targets and Reporting Proposals

The Director of Operations briefly outlined her proposals, detailed in the accompanying paper, for reporting to the Board on the complaints functions. These would cover complaints and contacts received, complaints and contacts concluded, and performance metrics.

Reporting on performance would use four principal measures: the time taken to process complaints and contacts, findings of the Complaints Reviewer, file sampling, and complainant satisfaction. The first three measures were in place. IPSO would have the capability to undertake the fourth once it had launched its new database, which would include a survey function. **The Board approved the proposals subject to several amendments on points of detail.**

13. Standards Update and Policy Issue

The Chairman drew attention to the point that a historical precedent had been set in that newspapers now, for the first time, report on their activities to a regulator, which was a unique and remarkable achievement, where both regulated and regulator share responsibility for its outcome, and showed how much the regulator was able to benefit the regulated.

13.1 Publishers' Annual Statements Update

The Director of Operations noted that the Head of Standards had done extremely valuable work reviewing the annual statements received from publishers for the period 8 September 2014 – 31 December 2014. A very small number of small publishers had still to submit their statements; the Head of Standards was

corresponding with them to ensure their compliance. She informed the Board that the vast majority of statements met all or nearly all of the requirements, and emphasised the point that this was a first for publishers.

The Board agreed that IPSO should inform publishers that the statements relating to the period 1 January 2015 to 31 December 2015 should be submitted by 11 March 2016.

Ben Gallop and Bianca Strohmann left the meeting.

14. Finance Report

The Executive Director summarised the report by informing the Board that IPSO was operating well within its budget and would end the year with a reserve of £300,000.

The Board noted the report.

Trevor Kavanagh left the meeting.

15. Any Other Business

It was noted that IPSO had in the previous week received its largest number of complaints about a single issue, which related to the publication of an article in The Sun. Most complaints were framed under Clause 1 (Accuracy).

The Board received an update on the procedures followed by the Executive to handle this high-volume complaint. It was informed that the approximately 2,800 individual complaints received would not be referred to the publication's internal complaints procedure. Instead, the complaint would be investigated, without a referral period, via a "lead complaint" from Muslim Engagement and Development (MEND).

The Chairman stressed that the Board was not asked to comment on the substance of the complaint. It would be considered by the Complaints Committee in due course.

16. Date of Next Meeting

The date of the next meeting was confirmed as Wednesday 13 January 2016 at 10.30 a.m.

The meeting finished at 4.47 p.m.

Elizabeth Bardin
Governance Manager
30 November 2015