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**Guidelines for Interacting or Competing on S4C programmes**  
August 2011

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1. These guidelines are suitable for productions which offer competitions or opportunities for voting or interacting within or associated with S4C programmes. The production companies are required to follow these standard guidelines for the type of activity in question. We would expect consistency in the way that these activities are processed and that they are conducted fairly and legally, without misleading the audience in any way.
  - 1.1 S4C programmes offer viewers the chance to participate in the following categories:
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    - 1.1.1 viewer participation in a programme as contestants (e.g. quiz);
    - 1.1.2 voting opportunities;
    - 1.1.3 viewer participation in competitions through telephone, postal or on-line services; viewers telephoning or interacting with the programme, to ask a question or give an opinion (e.g. games, studio discussions) via phone, on-line or post;
    - 1.1.4 sending content for use in programmes or services (e.g. photographs, literary work, letters etc);
    - 1.1.5 downloading material which is linked to a programme.
    - 1.1.6 sending content for use in programmes or services (e.g. photographs, literary work, letters etc);

Content producers need to conform to these Guidelines.

## 2. Commissioning

- 2.1 As part of the process of developing and preparing a programme, full details of the nature of the interactive service or the competition being proposed, and its editorial context, should be discussed with the relevant member of S4C's commissioning team.
- 2.2 Producers must provide full details of any intention to include any interactivity within programmes, or associated with programmes/running in parallel with programmes produced, and any other use of phone lines/texts, in Section 2.11 of the Editorial and Business Brief, Part 1. **S4C's approval must be obtained in advance before arranging any interactive service.**
- 2.3 The target age group and expected level of knowledge of the target audience should also be noted.
- 2.4 The method of interactivity used should be as open and practical as possible.
- 2.5 S4C believes that viewers wishing to participate in competitions or use telephone or text lines should be able to do so at a cost which is reasonable for the user but which is sufficient to cover the cost of providing the interactive service. From time to time, there may be grounds for charging a higher rate and S4C would need to approve this in advance. If the Producer is uncertain about the different numbers and the potential costs, including premium rate numbers, the following link may be helpful - <http://consumers.ofcom.org.uk/files/2010/01/numbering.pdf>
- 2.6 Producers are expected to provide any interactive service at no cost to the programme budget. The assumptions as to the cost of providing the service, together with the anticipated use of the service and the income generated from it, should be noted when submitting the programme budget.

- 2.7 Each Producer who wishes to use a premium rate service (P.R.S.) or who anticipates using such a service must register with PhonepayPlus (<http://www.phonepayplus.org.uk>) immediately and certainly before 1st September 2011. The Producer cannot contract with a company that provides premium rate services which is not registered with PhonepayPlus.
- 2.8 Each Producer must ensure that they have undertaken due diligence checks on any third party they contract with for premium rate services as well as undertake a risk assessment of and exercise control of such third parties. The Producer must ensure and satisfy S4C that the services are of an adequate technical quality.
- 2.9 Any contract with a third party who provides premium rate services must include a clause that recognises that each party to the agreement complies with the PhonepayPlus Code and any guidelines relating to the Code and, in accordance with Section 1 of the Contracts (Rights of Third Parties) Act 1999, that PhonepayPlus has the powers to enforce the terms of the agreement.
- 2.10 After submitting the plans for the interactive/competition element, the written approval of the relevant member of S4C's commissioning team is required before taking any further steps.
- 2.11 This is a requirement for every series and following any changes in a running series, and is required to be renewed annually or within a shorter period if a returning series commences within the year.
- 2.12 The production company should follow the guidelines for the relevant type of interactivity which is being planned (see the Appendices to the Guidelines below), and send the documentation to the relevant member of S4C's commissioning team and [bethan.jenkins@s4c.cymru](mailto:bethan.jenkins@s4c.cymru) by the return date for Part 1 of the Editorial and Business Brief.
- 2.13 This is to ensure that appropriate arrangements are in place before transmission and that all relevant information is made available to the public well before the transmission of the programme or series.
- 2.14 Information provided in the Editorial and Business Brief and any additional information relating to audience participation is collated centrally by S4C.

### **3. Implementation**

- 3.1 S4C will incorporate the Editorial and Business Brief in the commissioning contract and expects the producer to comply with the details outlined in the document.
- 3.2 The interactivity requirements will not compromise or otherwise affect the producers' contractual obligations to deliver programming which complies with all relevant codes and the producers' warranties.
- 3.3 In all cases, services offered must be managed legally and fairly in line with PhonepayPlus' and Ofcom's guidelines.
- 3.4 A risk assessment of the arrangements for interactivity should be carried out and suitable arrangements should be put in place to deal with any risks which are identified through that process.



- 3.5 Where there are any changes in the interactive element, the relevant member of S4C's commissioning team should be informed about these changes. In this scenario the risk assessment should also be reviewed and (if appropriate) the arrangements for interactivity revised.
- 3.6 The production company should have a single point of contact in the production team with responsibility for managing interactive services/competitions.
- 3.7 The production company should also ensure that all the staff involved with the interactive element are fully aware of the rules and conditions which apply to the interactivity/competition and the requirements of these guidelines.
- 3.8 In all cases where interactivity is encouraged on television/the web/print etc details of all the rules, conditions of participation and any relevant costs should be displayed clearly to the user.
- 3.9 If data is collected as part of the interactivity/competition, the production company and any third party which is involved in the delivery of the interactivity/competition should sign an agreement incorporating, as a minimum, the data protection clauses contained in the Appendices below.

#### **4. Monitoring and accountability**

- 4.1 Information provided in the Editorial and Business Brief and additional information relating to viewer participation is collated centrally by S4C.
- 4.2 The production company should have suitable processes for recording all interactive activities and to deal with any enquiries or complaints that may be received in connection with interactivity/competitions.
- 4.3 S4C will incorporate an audit provision in the standard commissioning agreement, giving S4C the right to appoint an independent auditor to examine the documentation and systems for the interactivity/competitions. This may be a planned audit to verify compliance with the procedures and systems outlined in the agreement, or in response to a specific complaint or problem.
- 4.4 At the end of each series or annually in the case of a long-running series, the production company should submit a report to S4C on any interactive activities in the series over the period of the report, including: - how many interactive services were offered to viewers/users; - how many responses were received; - the costs of the interactive services; - the income generated from the interactive services; - any complaints arising from the interactive services.

#### **5. Training**

- 5.1 S4C will arrange suitable training for S4C's internal staff regarding the guidelines.
- 5.2 The production company should ensure arrangements for training and induction of staff involved with competitions and interactivity, ensuring a full understanding of these guidelines.



## **6. Reviewing the Guidelines**

- 6.1 We will review our arrangements and guidelines from time to time, and at least every 3 years. We will also take into consideration the recommendations of any consultation by Ofcom on participation TV and the introduction of any new codes or guidelines affecting these services.
- 6.2 If there is any question or request for further information in connection with these guidelines, these should be addressed to the relevant member of S4C's commissioning team.

## **Appendices to the Guidelines**

### **1. Programmes which are competitions (e.g. quiz)**

- 1.1 [Sample rules for programmes which are competitions.](#)
- 1.2 [Data protection clauses \(Standard TAC form\).](#)

### **2. Prize competitions in programmes, or associated activities**

- 2.1 [Competition form.](#)
- 2.2 [Sample rules for prize competitions in programmes or associated activities.](#)
- 2.3 [Data protection clauses \(Standard TAC form\).](#)

### **3. Voting**

- 3.1 [Voting form.](#)
- 3.2 [Sample rules for voting.](#)
- 3.3 [Data protection clauses \(Standard TAC form\).](#)

### **4. Viewer contributions for use in programmes or programme website**

- 4.1 [Viewer contributions form.](#)
- 4.2 [Sample conditions for viewer contributions.](#)
- 4.3 [Data protection clauses \(Standard TAC form\).](#)

### **5. Downloading material**

- 5.1 [Downloading material form.](#)