

Editorial Policy and Complaints Procedure – Oct 2018

Faversham House is a member of the Independent Press Standards Organisation (which regulates the UK's magazine and newspaper industry). We abide by the Editors' Code of Practice and are committed to upholding the highest standards of journalism. If you think that we have not met those standards and want to make a complaint, please contact the editor of the publication or Cat Kerrigan on 01342 332 000. If we are unable to resolve your complaint, or if you would like more information about IPSO or the Editors' Code, contact IPSO on 0300 123 2220 or visit www.ipso.co.uk

Faversham House are committed to following the IPSO editors' code of conduct.

The Code

The Code – including this preamble and the public interest exceptions below – sets the framework for the highest professional standards that members of the press subscribing to the Independent Press Standards Organisation have undertaken to maintain. It is the cornerstone of the system of voluntary self-regulation to which they have made a binding contractual commitment. It balances both the rights of the individual and the public's right to know.

To achieve that balance, it is essential that an agreed Code be honoured not only to the letter, but in the full spirit. It should be interpreted neither so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it infringes the fundamental right to freedom of expression – such as to inform, to be partisan, to challenge, shock, be satirical and to entertain – or prevents publication in the public interest.

It is the responsibility of editors and publishers to apply the Code to editorial material in both printed and online versions of their publications. They should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists.

Editors must maintain in-house procedures to resolve complaints swiftly and, where required to do so, co-operate with IPSO. A publication subject to an adverse adjudication must publish it in full and with due prominence, as required by IPSO.

1. Accuracy

- i) The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.
- ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and — where appropriate — an apology published. In cases involving IPSO, due prominence should be as required by the regulator.
- iii) A fair opportunity to reply to significant inaccuracies should be given, when reasonably called for.
- iv) The Press, while free to editorialise and campaign, must distinguish clearly between comment, conjecture and fact.
- v) A publication must report fairly and accurately the outcome of an action for defamation to which it has been a party, unless an agreed settlement states otherwise, or an agreed statement is published.

2. *Privacy

- i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.
- ii) Editors will be expected to justify intrusions into any individual's private life without consent. In considering an individual's reasonable expectation of privacy, account will be taken of the complainant's own public disclosures of information and the extent to which the material complained about is already in the public domain or will become so.
- iii) It is unacceptable to photograph individuals, without their consent, in public or private places where there is a reasonable expectation of privacy.

3. *Harassment

- i) Journalists must not engage in intimidation, harassment or persistent pursuit.
- ii) They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on property when asked to leave and must not follow them. If requested, they must identify themselves and whom they represent.
- iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.

4. Intrusion into grief or shock

In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. These provisions should not restrict the right to report legal proceedings.

5. *Reporting Suicide

When reporting suicide, to prevent simulative acts care should be taken to avoid excessive detail of the method used, while taking into account the media's right to report legal proceedings.

6. *Children

- i) All pupils should be free to complete their time at school without unnecessary intrusion.
- ii) They must not be approached or photographed at school without permission of the school authorities.
- iii) Children under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.
- iv) Children under 16 must not be paid for material involving their welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.
- v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

7. *Children in sex cases

The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.

In any press report of a case involving a sexual offence against a child -

- i) The child must not be identified.
- ii) The adult may be identified.
- iii) The word "incest" must not be used where a child victim might be identified.
- iv) Care must be taken that nothing in the report implies the relationship between the accused and the child.

8. *Hospitals

- i) Journalists must identify themselves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.
- ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospitals or similar institutions.

9. *Reporting of Crime

- i) Relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.
- ii) Particular regard should be paid to the potentially vulnerable position of children under the age of 18 who witness, or are victims of, crime. This should not restrict the right to report legal proceedings.
- iii) Editors should generally avoid naming children under the age of 18 after arrest for a criminal offence but before they appear in a youth court unless they can show that the individual's name is already in the public domain, or that the individual (or, if they are under 16, a custodial parent or similarly responsible adult) has given their consent. This does not restrict the right to name juveniles who appear in a crown court, or whose anonymity is lifted.

10. *Clandestine devices and subterfuge

- i) The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorised removal of documents or photographs; or by accessing digitally-held information without consent.
- ii) Engaging in misrepresentation or subterfuge, including by agents or intermediaries, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

11. Victims of sexual assault

The press must not identify or publish material likely to lead to the identification of a victim of sexual assault unless there is adequate justification and they are legally free to do so.

12. Discrimination

- i) The press must avoid prejudicial or pejorative reference to an individual's, race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability.
- ii) Details of an individual's race, colour, religion, gender identity, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

13. Financial journalism

- i) Even where the law does not prohibit it, journalists must not use for their own profit financial information they receive in advance of its general publication, nor should they pass such information to others.
- ii) They must not write about shares or securities in whose performance they know that they or

their close families have a significant financial interest without disclosing the interest to the editor or financial editor.

iii) They must not buy or sell, either directly or through nominees or agents, shares or securities about which they have written recently or about which they intend to write in the near future.

14. Confidential sources

Journalists have a moral obligation to protect confidential sources of information.

15. Witness payments in criminal trials

i) No payment or offer of payment to a witness – or any person who may reasonably be expected to be called as a witness – should be made in any case once proceedings are active as defined by the Contempt of Court Act 1981. This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceedings are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict.

*ii) Where proceedings are not yet active but are likely and foreseeable, editors must not make or offer payment to any person who may reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an over-riding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial.

*iii) Any payment or offer of payment made to a person later cited to give evidence in proceedings must be disclosed to the prosecution and defence. The witness must be advised of this requirement.

16. *Payment to criminals

i) Payment or offers of payment for stories, pictures or information, which seek to exploit a particular crime or to glorify or glamorise crime in general, must not be made directly or via agents to convicted or confessed criminals or to their associates – who may include family, friends and colleagues.

ii) Editors invoking the public interest to justify payment or offers would need to demonstrate that there was good reason to believe the public interest would be served. If, despite payment, no public interest emerged, then the material should not be published.

The Public Interest

There may be exceptions to the clauses marked * where they can be demonstrated to be in the public interest.

1. The public interest includes, but is not confined to:
 - Detecting or exposing crime, or the threat of crime, or serious impropriety.
 - Protecting public health or safety.
 - Protecting the public from being misled by an action or statement of an individual or organisation.
 - Disclosing a person or organisation's failure or likely failure to comply with any obligation to which they are subject.
 - Disclosing a miscarriage of justice.
 - Raising or contributing to a matter of public debate, including serious cases of impropriety, unethical conduct or incompetence concerning the public.
 - Disclosing concealment, or likely concealment, of any of the above.
2. There is a public interest in freedom of expression itself.
3. The regulator will consider the extent to which material is already in the public domain or will become so.
4. Editors invoking the public interest will need to demonstrate that they reasonably believed publication - or journalistic activity taken with a view to publication – would both serve, and be proportionate to, the public interest and explain how they reached that decision at the time.
5. An exceptional public interest would need to be demonstrated to over-ride the normally paramount interests of children under 16.

Faversham House Editorial Complaints Policy

We take all complaints about editorial content seriously and are committed to abiding by the Independent Press Standards Organisation (“IPSO”) rules and regulations and the Editors’ Code of Practice as enforced by IPSO (“the Code”).

What is a complaint?

When making a complaint, you must clearly state your complaint is a formal complaint under this policy.

What does this policy cover?

This policy only applies to complaints about editorial content in the publications and digital services we control in the UK, Channel Islands and Isle of Man. It does not cover:

- Complaints about TV and radio services (which is regulated by Ofcom, ATVOD and/or the BBC Trust)
- Complaints about advertising (as that is regulated by the Advertising Standards Authority) <https://www.asa.org.uk/>
- Concerns about matters of taste/decency and due impartiality
- Complaints about books
- Complaints about 'user generated content' (i.e. material on our digital services
- e.g. websites or apps not posted by us or on our behalf) which we have not reviewed or moderated
- Any complaint falling outside the remit of IPSO

How to complain

Complaints should be made in writing, either by email to EditorialComplaints@fav-house.com or by post to Faversham House Ltd, Windsor Court, Wood Street, East Grinstead, West Sussex RH19 1UZ and addressed to the editor of the relevant publication.

Complaints will only be accepted within four months from the date of the behaviour or first publication of the article you are complaining about. Where an article remains accessible on our website, complaints will be accepted up to 12 months from the date of the behaviour or first publication of the article you are complaining about.

When making your complaint, you must include:

- a copy of the article in question, or a link to the relevant webpage or a web address, if the complaint is about published material (or reference to the publication title, issue date, page and article title if a copy is unavailable)
- a written explanation of your concerns with reference to the Editors’ Code
- any other documents which will help us assess your complaint.

We may seek further details after your initial contact. If you cannot provide the requested information we may be unable to consider your complaint.

We will consider complaints from (a) any person or company who has been directly affected by the matter complained of; or (b) from a representative group affected by an alleged breach of the Editor's Code which is significant and of substantial public interest; or (c) from a third party seeking to correct a significant inaccuracy of published information.

We reserve the right to reject, without further investigation, complaints which do not breach of the Editors' Code; or are trivial, hypothetical, gratuitously abusive or offensive, or otherwise vexatious or insignificant.

If you are taking legal action, we may be unable to consider your complaint.

What happens to your complaint?

The complaints process is free of charge irrespective of the outcome of your complaint.

We aim to acknowledge your complaint within 5 working days of receipt. You agree to respond promptly to any request for further information.

If we receive multiple complaints about the same issue, we may make one response to all.

We will resolve your complaint within 28 days of receiving everything we need from you to allow us to investigate. If we fail to meet this timescale, you can take your complaint to IPSO.

We will always treat you courteously and with respect. We expect the same from you.

Complaint to IPSO on exhaustion of our complaints procedure

If you are unhappy with our final response to your complaint you may complain directly to IPSO (<http://www.ipso.co.uk>). IPSO offers, without charge, a complaints handling service to the public in cases where there has been a disagreement between a complainant and us about whether the Editors' Code has been breached. We will be asked to confirm that our complaints' procedure has been exhausted and we will do so in writing.

Policy changes

We reserve the right to amend this policy as required to ensure compliance with IPSO regulations. We will publish the current policy on our website. Your complaint will be considered against the published policy on the date of receipt of your complaint.